

IN THE SUPREME COURT OF THE STATE OF NEVADA

RANDY WILLIAM HUBBARD,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 48779

FILED

MAY 09 2007

ORDER OF REMAND

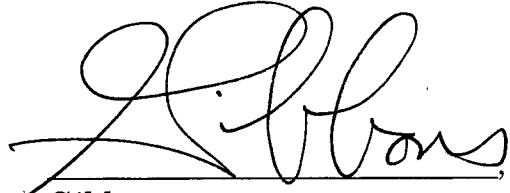
JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Richard*  
CHIEF DEPUTY CLERK

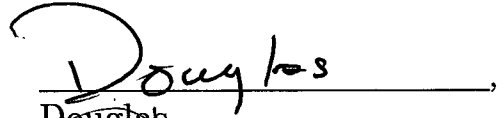
This is an appeal from a judgment of conviction, pursuant to a guilty plea, of one count of obtaining and/or using the personal identification information of another. Second Judicial District Court, Washoe County; Noel E. Manoukian, Judge. The district court sentenced appellant Randy William Hubbard to a prison term of 12 to 36 months, with no credit for time served.

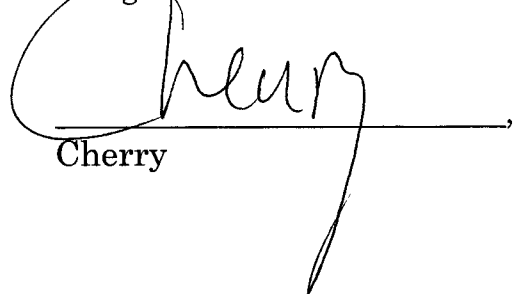
Hubbard's sole contention on appeal is that the district court erred by refusing to grant him credit for 89 days of presentence confinement. The State concedes that the district court's denial of credit for time served appears to be incorrect. We conclude that this matter should be remanded for a determination as to what credit should be granted.

Accordingly, we

ORDER the judgment of conviction **AFFIRMED IN PART**  
**AND VACATED IN PART AND REMAND** this matter to the district court  
for proceedings consistent with this order.

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

cc: Chief Judge, Second Judicial District  
Hon. Noel E. Manoukian, Senior Judge  
Washoe County Public Defender  
Attorney General Catherine Cortez Masto/Carson City  
Washoe County District Attorney Richard A. Gammick  
Washoe District Court Clerk