

IN THE SUPREME COURT OF THE STATE OF NEVADA

ERNEST CHARLES GIBBS, JR.,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK,
Respondent,
and
BRIAN E. WILLIAMS, SR., WARDEN;
AND THE STATE OF NEVADA,
Real Parties in Interest.

No. 70080

FILED

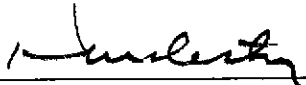
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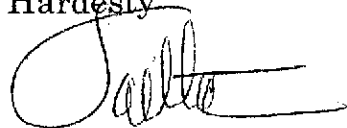
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CLERK OF SUPREME COURT
BY S. Young
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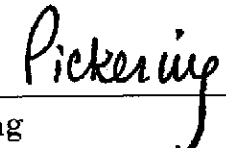
ORDER DENYING PETITION

This is a pro se petition for a writ of mandamus. Petitioner challenges the computation of time served and asks this court to order the Nevada Department of Corrections to properly apply statutory credits to his sentence. Without deciding upon the merits of any claims raised in the documents submitted in this matter, we decline to exercise our original jurisdiction. *See* NRS 34.160; NRS 34.170. A challenge to the computation of time served must be raised in a postconviction petition for

a writ of habeas corpus filed in the district court in the first instance.¹
NRS 34.724(2)(c); NRS 34.738(1); NRAP 22. Accordingly, we
ORDER the petition DENIED.


_____, J.
Hardesty


_____, J.
Saitta


_____, J.
Pickering

cc: Ernest Charles Gibbs, Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

¹We express no opinion as to whether petitioner could meet the procedural requirements of NRS chapter 34.