

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHARLES CLINTON NEWTON, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 73969

FILED

JUL 27 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

Charles Clinton Newton, Jr. appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on June 14, 2017.¹ Eighth Judicial District Court, Clark County; Mark Bailus, Judge.

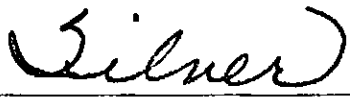
In his petition, Newton made what appears to be a challenge to the computation of time served. He claimed the Nevada Department of Prisons is improperly treating the sentence imposed in a different case (C313869) as the controlling sentence instead of the sentence imposed in this case (C308535).


Newton has previously raised this claim and it was rejected by the Nevada Supreme Court. *See Newton Jr. v. State*, Docket No. 72387 (Order of Affirmance, June 15, 2017). Therefore, it was barred by the doctrine of law of the case. *See Hall v. State*, 91 Nev. 314, 315-16, 535 P.2d


¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

797, 798-99 (1975). Accordingly, we conclude the district court did not err by denying the petition, and we

ORDER the judgment of the district court AFFIRMED.²


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Mark B. Bailus, District Judge
Charles Clinton Newton, Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk

²To the extent the district court denied the petition as procedurally barred, we conclude that was error. Nevertheless, we affirm because the district court reached the correct result by denying the petition. *See Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970).