

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JERAMIE RAYMOND CARLSSON,  
Appellant,  
vs.  
RENEE BAKER, WARDEN,  
Respondent.

No. 76414-COA

FILED

MAY 15 2019

ELIZABETH A. BROWN  
CLERK OF THE COURT  
BY: *[Signature]*  
COURT REPORTER CLERK

ORDER OF AFFIRMANCE

Jeramie Raymond Carlsson appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on April 6, 2018.<sup>1</sup> Eleventh Judicial District Court, Pershing County; Jim C. Shirley, Judge.

Carlsson claimed the Nevada Department of Corrections (NDOC) was not applying the statutory credits he earned to his minimum sentence as required by NRS 209.4465 and the Nevada Supreme Court's decision in *Williams v. State Department of Corrections*, 133 Nev. 594, 402 P.3d 1260 (2017). The record reveals he is currently serving a sentence enhancement for a category B felony he committed after NRS 209.4465(8) became effective on July 1, 2007.<sup>2</sup> See 2007 Nev. Stat., ch. 525, § 22, at

<sup>1</sup>This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).


<sup>2</sup>Carlsson was convicted of robbery with the use of a deadly weapon, resisting a public officer with the use of a dangerous weapon, and eluding a police officer for crimes he committed in 2012. He is currently serving the deadly weapon enhancement to his robbery sentence. See NRS 193.165(3); NRS 200.380(2).


3196. Consequently, he is not entitled to have statutory credits applied to his minimum sentence. See NRS 209.4465(8)(d).

Carlsson also claimed NDOC's failure to apply the statutory credits he has earned to his minimum sentence violates his right to equal protection of the law. This claim is without merit because "the disparate application of statutory credits to parole eligibility based on when an offender committed an offense is rationally related to a legitimate governmental interest and thus does not offend the Equal Protection Clauses of the United States and Nevada Constitutions." *Vickers v. Dzurenda*, 134 Nev., Adv. Op. 91 at \*8-9, 433 P.3d 306, 310 (2018).

We conclude Carlsson is not entitled to relief because his claims are without merit and the district court did not clearly abuse its discretion by recommending forfeiture of his statutory credits. See NRS 209.451(1)(d)(2); see also *Hosier v. State*, 121 Nev. 409, 412, 117 P.3d 212, 214 (2005) (discussing similar circumstances in which the Nevada Supreme Court might refer an inmate under NRS 209.451(1)(d) when he or she files a frivolous original writ petition). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Jim C. Shirley, District Judge  
Jeramie Raymond Carlsson  
Attorney General/Carson City  
Pershing County Clerk