

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JASON JOHNSON,  
Appellant,  
vs.  
JO GENTRY, WARDEN,  
Respondent.

No. 76492-COA

FILED

MAY 15 2019

ELIZABETH A. BROWN  
CLERK OF THE COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Jason Johnson appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on January 12, 2018.<sup>1</sup> Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

Johnson claimed the Nevada Department of Corrections was not applying the statutory credits he earned to his minimum sentence as required by NRS 209.4465(7)(b).

The district court made the following findings: Johnson was convicted of a category B felony and a category C felony for crimes he committed after NRS 209.4465 was amended in 2007. His sentences for these crimes were imposed to run concurrently. His sentence for the category B felony controls his parole eligibility date because it is longer than his sentence for the category C felony. And the application of statutory


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<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).

credits to the minimum sentence for his category B felony is barred by the NRS 209.4465(8)(d) exclusion.

The district court's findings are supported by the record,<sup>2</sup> and we conclude the district court did not err by determining Johnson was not entitled to the application of statutory credits to his minimum sentence. See NRS 209.4465(8)(d); NRS 213.1213(1). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Linda Marie Bell, Chief Judge  
Jason Johnson  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>Johnson was convicted of felon in possession of a firearm and conspiracy to violate the Uniform Controlled Substances Act for crimes he committed on February 11, 2017. See NRS 202.360(1); NRS 453.401(1)(a).