

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JORGE ALEJANDRO LARA,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN;
NEVADA DEPARTMENT OF
CORRECTIONS; AND THE STATE OF
NEVADA,
Respondents.

No. 72060

FILED

OCT 11 2017

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

ORDER OF AFFIRMANCE


Jorge Alejandro Lara appeals from an order of the district court denying the “complaint and request court ‘order’ to Nevada Department of Corrections (NDOC) and Warden Brian Williams Sr. to properly ‘apply’ lawful stat time under statutes and AB 510 applications” he filed on June 23, 2016.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.


In his complaint, Lara claimed the NDOC improperly declined to apply his statutory credits toward his minimum term. The district court construed Lara’s complaint as a postconviction petition for a writ of habeas corpus and determined Lara was not entitled to relief. Specifically, the district court found Lara is currently serving a prison term for trafficking in a controlled substance, a category B felony, *see* 2015 Nev. Stat., ch. 506, § 6, at 3088, committed in 2011, and for those reasons, the NDOC may only

¹This 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).

apply Lara's statutory credits toward his maximum term pursuant to NRS 209.4465(8)(d). Given these circumstances, we conclude the district court did not err by denying the petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Linda Marie Bell, District Judge
Jorge Alejandro Lara
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk