

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JUAN J. TARELO,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN; THE
STATE OF NEVADA DEPARTMENT
OF CORRECTIONS; AND THE STATE
OF NEVADA,
Respondents.

No. 71283

FILED

JUN 14 2017

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

ORDER OF AFFIRMANCE

Juan J. Tarelo appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.


In his May 4, 2016, petition, Tarelo claimed the Nevada Department of Corrections (NDOC) improperly declined to apply his statutory credits toward his minimum term. The district court concluded Tarelo was not entitled to relief because Tarelo is currently serving a prison term for a category B felony, committed in 2011, and for those reasons, the NDOC may only apply Tarelo's statutory credits toward his maximum term pursuant to NRS 209.4465(8)(d).² Given these

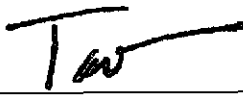
¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

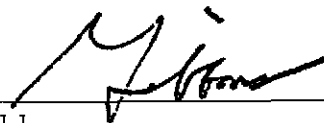
²The record demonstrates Tarelo was convicted of voluntary manslaughter with the use of a deadly weapon, a category B felony. See NRS 193.165(1); NRS 200.080.

circumstances, we conclude the district court did not err in 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
Juan J. Tarelo
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk