

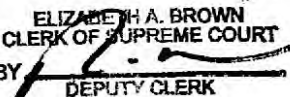
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RAMSES ANTONIO ESCOBAR,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 77462-COA

FILED

AUG 21 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF REVERSAL AND REMAND


Ramses Antonio Escobar appeals from a district court order granting in part and denying in part Escobar's postconviction petition for a writ of habeas corpus that was filed on June 19, 2018. Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

In his petition below, Escobar alleged all of the credit he is entitled to under NRS 209.4465(1) & (2) has not been applied to his maximum term. Rather than addressing this claim, the district court order resolving the petition addresses whether Escobar is entitled to have the credit he has earned applied to his minimum term.

On appeal, Escobar argues the district court order should be reversed and the matter remanded to the district court for resolution of the claim raised below. We directed the State to file a response. The State acknowledges the error and requests this court to remand the case to the district court for further proceedings. We agree that this matter must be remanded for the district court to consider the claim raised below. Accordingly, we

ORDER the judgment of the district court REVERSED AND REMAND this matter to the district court for proceedings consistent with this order.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Linda Marie Bell, Chief Judge
Ramses Antonio Escobar
Attorney General/Las Vegas
Eighth District Court Clerk