

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

FREDY A. MARTINEZ, A/K/A FREDDY
MARTINEZ,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 83486-COA

FILED

APR 11 2022

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Fredy A. Martinez appeals from an order of the district court dismissing a postconviction petition for a writ of habeas corpus without prejudice. First Judicial District Court, Carson City; James E. Wilson, Judge.

In his April 29, 2021, petition, Martinez challenged the computation of time served, arguing that the Nevada Department of Corrections should transfer good-time credits from an older sentence to a new one and improperly refused to apply his good-time credits toward his minimum parole eligibility date. Pursuant to NRS 34.724(2)(c), an incarcerated person may pursue a postconviction petition for a writ of habeas corpus to challenge the computation of time served "after all available administrative remedies have been exhausted." The district court concluded that Martinez did not demonstrate that he exhausted administrative remedies prior to filing his postconviction petition, and the record supports the district court's decision. Therefore, we conclude the

district court did not err by dismissing the petition. *See* NRS 34.810(4).
Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. James E. Wilson, District Judge
Fredy A. Martinez
Attorney General/Carson City
Carson City District Attorney
Carson City Clerk