



**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

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Oct 10 2017 10:09 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

Steven D. Grierson
Clerk of the Court

Brandi J. Wendel
Court Division Administrator

October 10, 2017

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: GLENN DOOLIN vs. STATE OF NEVADA; NEVADA DEPARTMENT OF CORRECTIONS

S.C. CASE: 73698

D.C. CASE: A-16-745766-W

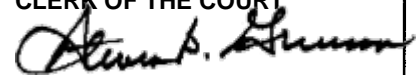
Dear Ms. Brown:

Pursuant to your Order Directing Entry and Transmission of Written Order, dated October 3, 2017, enclosed is a certified copy of the Decision and Order filed October 9, 2017 in the above referenced case. If you have any questions regarding this matter, please do not hesitate to contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

A handwritten signature in black ink, appearing to read "Heather Ungermann", with a long horizontal flourish extending to the right.

Heather Ungermann, Deputy Clerk



1 DAO

2 EIGHTH JUDICIAL DISTRICT COURT

3 CLARK COUNTY, NEVADA

4 GLENN DOOLIN,

5 Petitioner,

6 vs.

7 STATE OF NEVADA, ET AL.,

8 Respondents.

Case No. A-16-745766-W

Dept. No. VII

9 **DECISION AND ORDER**

10 Now before the Court is Petitioner Glenn Doolin's Petition for Writ of Habeas Corpus. The
11 matter came before the Court on July 18, 2017. No parties were present and as the Court did not
12 entertain oral arguments, now rules based solely on the pleadings pursuant to NRS 34.770(2). The
13 Court denies Mr. Doolin's Petition for Writ of Habeas Corpus.

14 **I. Factual and Procedural Background**

15 Glenn Doolin is currently serving a sentence of a maximum sentence of one hundred fifty
16 months in the Nevada Department of Corrections (NDOC) with minimum parole eligibility after
17 sixty months as a Small Habitual Criminal, a category B felony. The offense giving rise to this
18 adjudication occurred on April 10, 2013.

19 Mr. Doolin filed his Petition for Writ of Habeas Corpus on October 27, 2016. Mr. Doolin
20 alleges the Nevada Department of Corrections failed to properly apply good time credit to his
21 minimum parole eligibility. Mr. Doolin argues he is entitled to a deduction of 20 days from his
22 parole eligibility date for each month he has served pursuant to NRS 209.4465. Mr. Doolin also
23 cites an unpublished Nevada Supreme Court decision: Vonseydewitz v. Legrand, No. 66159, 2015
24 WL 3936827 (Nev. June 24, 2015). The Attorney General's Office filed a response on July 17,
25 2017. The Attorney General's Office argues Mr. Doolin is not entitled to good time credit
26 deductions from his parole eligibility date under NRS 209.4465. Additionally, the Attorney
27 General's Office argues that Vonseydewitz is inapplicable.

LINDA MARIE BELL
DISTRICT JUDGE
DEPARTMENT VII

<input type="checkbox"/> Voluntary Dismissal	<input checked="" type="checkbox"/> Summary Judgment
<input type="checkbox"/> Involuntary Dismissal	<input type="checkbox"/> Stipulated Judgment
<input type="checkbox"/> Stipulated Dismissal	<input type="checkbox"/> Default Judgment
<input type="checkbox"/> Motion to Dismiss by Deft(s)	<input type="checkbox"/> Judgment of Arbitration

II. Discussion

The Court notes that Vonseydewitz does not apply in the instant case. Vonseydewitz is an unpublished decision. Because it was issued before January 1, 2016, it cannot be cited for any persuasive value. In addition, Vonseydewitz interpreted NRS 209.4465 as it existed prior to 2007, before NRS 209.4465 was amended to include several key provisions. Mr. Doolin's offenses took place in 2014, after NRS 209.4465 was amended. Therefore, the Court will be applying the current format of NRS 209.4465.

Nevada Revised Statute 209.4465 governs the award of credits for crimes committed on or after July 17, 1997. An inmate that meets certain qualifications "must be allowed. . . a deduction of 20 days from his or her sentence for each month the offender serves." NRS 209.4465(1). These credits "[a]pply to eligibility for parole" unless "otherwise provided in subsections 8 and 9." NRS 209.4465(7). Under subsection 8, the credits apply to eligibility for parole for:

an offender who has not been convicted of:

(a) Any crime that is punishable as a felony involving the use or threatened use of force or violence against the victim;

(b) A sexual offense that is punishable as a felony;

(c) A violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430 that is punishable as a felony; or

(d) A category A or B felony.

NRS 209.4465(8).


The Court finds Mr. Doolin is not entitled to good time credit deductions from his parole eligibility date under NRS 209.4465. Mr. Doolin is serving a sentence based on a category B felony. NRS 209.4465(8) specifically exempts this type of offense from NRS 209.4465(1)'s award for good time credit deductions from an inmate's parole eligibility date. Furthermore, Mr. Doolin's current sentence is for category B felon7 committed in 2013, after the effective date of the effective date of the 2007 amendment of NRS 209.4465, and therefore NRS 209. 4465(7) does not apply.

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III. Conclusion

The Court finds Mr. Doolin is not entitled to any additional credits. Therefore, the Court denies Mr. Doolin's Petition for Writ of Habeas Corpus.

DATED this day of October 5, 2017.



LINDA MARIE BELL
DISTRICT COURT JUDGE

LINDA MARIE BELL
DISTRICT JUDGE
DEPARTMENT VII

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date of filing, a copy of this Order was electronically served through the Eighth Judicial District Court EFP system or, if no e-mail was provided, by facsimile, U.S. Mail and/or placed in the Clerk's Office attorney folder(s) for:

Name	Party
Glenn Doolin c/o Southern Desert Correctional Center	Petitioner
Jessica Perlick, Esq. Deputy Attorney General	Counsel for Respondent


TINA HURD
JUDICIAL EXECUTIVE ASSISTANT, DEPARTMENT VII

AFFIRMATION

Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Decision and Order filed in District Court case number A745766 **DOES NOT** contain the social security number of any person.

/s/ Linda Marie Bell
District Court Judge

Date 10/4/2017



Clerk of the Courts
Steven D. Grierson

200 Lewis Avenue
Las Vegas, NV 89155-1160
(702) 671-4554

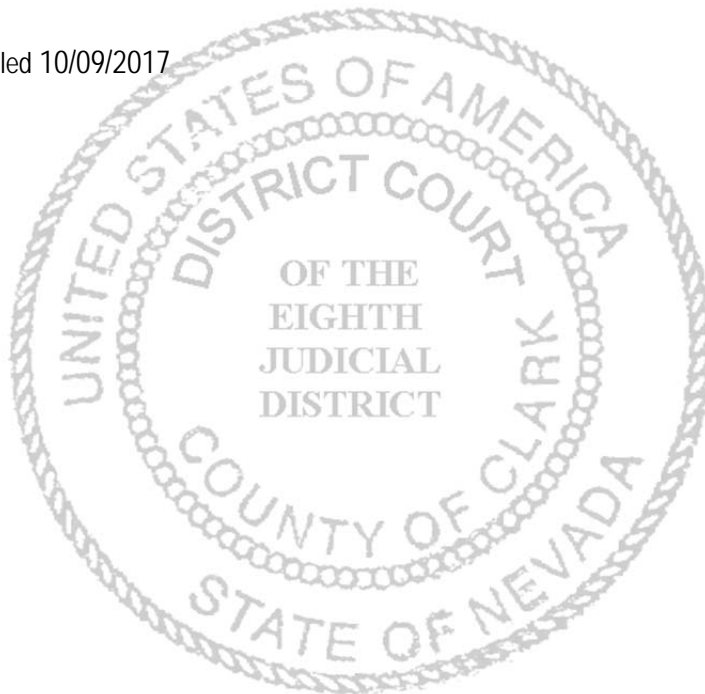
October 10, 2017

Case No.: A-16-745766-W

CERTIFICATION OF COPY

Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full, and correct copy of the hereinafter stated original document(s):

Decision and Order filed 10/09/2017



now on file and of

In witness whereof, I have hereunto set my hand and affixed the seal of the Eighth Judicial District Court at my office, Las Vegas, Nevada, at 9:48 AM on October 10, 2017.


STEVEN D. GRIERSON, CLERK OF THE COURT