

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GLENN MILLER DOOLIN,
Appellant,
vs.
THE STATE OF NEVADA
DEPARTMENT OF CORRECTIONS,
Respondent.

No. 73698

FILED

JUN 08 2018

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

ORDER DIRECTING RESPONSE

This is an appeal from an order of the district court denying a postconviction petition for a writ of habeas corpus which challenged the computation of time served. Based on our review of appellant Glenn Miller Doolin's December 19, 2017, opening brief and the documents transmitted to this court in the record on appeal, we conclude a response is warranted. *See* NRAP 46A(c). Accordingly, the respondent shall have 30 days from the date of this order to file and serve a response, including points and authorities, addressing the issues raised in this appeal and the arguments made in Doolin's opening brief. The response may cite to either the record on appeal or any appendix filed with the response.

Doolin's opening brief presents an issue that appears to be of particular importance—whether Doolin is entitled to application of statutory credits to his parole eligibility. Doolin asserts he was convicted of a category C felony, but is serving a sentence under the small habitual criminal enhancement. Doolin argues that because he was only convicted of a category C felony and he was not sentenced pursuant to a statute that expressly mentions parole eligibility, he is entitled to application of credits to his minimum term. Because the credit application limitations of NRS

209.4465(8)(d) apply to those "convicted" of category A or B felonies, respondent should address whether such restrictions also apply to a petitioner convicted of a lesser felony, but received an enhanced punishment due to imposition of the small habitual criminal enhancement, *see* NRS 207.010(1)(a).

It is so ORDERED.

Silner, C.J.

cc: Glenn Miller Doolin
Attorney General/Carson City
Attorney General/Las Vegas
Clark County District Attorney