

Case No. 73698

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GLENN MILLER DOOLIN,

Appellant,

v.

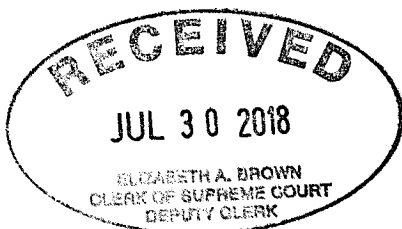
THE STATE OF NEVADA DEPARTMENT OF CORRECTIONS,

Respondent.

On Appeal from the Eighth Judicial District Court of the State of Nevada
Case No. A-16-745766-W

RESPONDENT'S APPENDIX

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FILED

AUG 08 2018

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

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GLENN MILLER DOOLIN,

Appellant,

v.

THE STATE OF NEVADA
DEPARTMENT OF
CORRECTIONS.

Respondent.

Case No. 73698

District Court No. A-16-745766-W

RESPONDENT'S APPENDIX - VOLUME 1

DATE	DOCUMENT/COURT	VOLUME	PAGE NOS.
10/27/2016	Petition for Writ of Habeas Corpus	1	0001 - 24
06/07/2017	Order for Petition for Writ of Habeas Corpus	1	0025 - 26
07/17/2017	Response to Petition for Writ of Habeas Corpus	1	0027 - 49
07/18/2017	Court Minutes re: Petition for Writ of Habeas Corpus	1	0050
08/11/2017	Notice of Appeal Documents	1	0051 - 64
10/03/2017	Order Directing Entry and Transmission of Written Order	1	0065 - 66
10/12/2017	Notice of Entry of Order (Decision and Order)	1	0067 - 71
03/01/2018	Notice of Transfer to Court of Appeals	1	0072

CERTIFICATE OF SERVICE

I hereby certify that I have mailed the foregoing RESPONDENT'S APPENDIX to the Clerk of the Court to be filed, on the 27th day of July, 2018.

I further certify that I have also mailed the foregoing document by First-Class Mail, postage prepaid, to the following participants:

Glenn Doolin, #1023173
c/o Southern Desert Correctional Center
P.O. Box 208
Indian Springs, NV 89070

A handwritten signature in cursive script, reading "Renee Canaan", written over a horizontal line.

An employee of the Office of the Attorney General

Glenn Dodin #
State PO Box 208
Indian Springs NV
89070
(Petitioner pro-per)

A-16-745766-W
IPW/MC
Inmate Filed - Petition for Writ of Habeas
Corpus
8584329



FILED

OCT 27 2016

John J. Williams
CLERK OF COURT

District Court
Clark County Nevada

Glenn Dodin,
Petitioner,

vs ~

The State of Nevada,
The Nevada Department of
Corrections, et al
Respondents.

A-16-745766-W

Case No. ~~2016-1106~~ ^{VII}

Dept No: ~~xxx~~

"Petition for writ of Habeas
Corpus, pursuant to NRS 34.724
(Calculation of Imprisonment)

Comes now the Petitioner, Glenn Dodin, in proper
person, with the assistance of an inmate law clerk, in the
above entitled document "Petition for writ of Habeas Corpus
pursuant to NRS 34.724, Calculation of Imprisonment".
This petition is made in good faith and based upon
the following.

RECEIVED
OCT 27 2016
CLERK OF THE COURT

111

24

0001

- 1) Name of institution and County in which you are presently imprisoned and restrained of your liberty?
" Southern Desert Correctional Center, Clark County NV.
- 2). Name the location of Court which entered judgement of conviction?: Eighth Judicial District Court, Clark County NV.
- 3). Date of Judgement of Conviction: 4/26/13
- 4). Case Number: C284106-1
- 5) Length of Sentence: 60 months minimum to 150 months maximum, Small Habitual Criminal Statute.
- 6). Nature of offense: NRS 205.228; 193.130, Grand larceny - auto; NRS 205.080 possession of Burglary tools.
- 7). Questions #7-22 are "Not Applicable". Petitioner does not challenge the conviction or sentence pronounced, Only the time he's spent incarcerated and the Respondents application of credits earned while incarcerated, and the calculation of such towards the sentence structure by the Nevada Department of Corrections.

Statement of Case

On June 15th 2012, the Petitioner was arrested and charged with, Count one: Grand larceny - auto (NRS 205.228, NRS 193.130 ; and Count Two: Possession of Burglary tools , NRS 205.080 . On January 9th 2013, the Petitioner entered guilty pleas pursuant to plea deal negotiations, and was then sentenced on April 3rd 2013, by the Eighth Judicial District Court, which adjudged the Petitioner under the Habitual criminal Statute under count one, pursuant to NRS 207.010(a). The court pronounced sentence as a minimum term of (60) Sixty months and a maximum of (150) One Hundred and Fifty months. The judgement of Conviction was signed on April 24th 2013 by Judge K. Delaney , and filed on April 26th 2013.

The Petitioner, now being imprisoned in the Nevada Department of Corrections has been denied the correct application of Statutory (Good time) credit days provided by the State of Nevada legislature enacted under NRS 209.4465 , (Assembly Bill #510), as such the Petitioner's rights to Due process and Equal Protection of the law under the Fifth and Fourteenth Amendments to the United States Constitution have been violated and the Petitioner has been deprived of an liberty interest by the Respondents actions. Petitioner now submits the following grounds for the Courts review and relief.

Ground One

The Petitioner has been denied his Constitutional Right to Due Process and Equal Protection of the law guaranteed by the Fifth and Fourteenth Amendments to the United States Constitution by the acts of the Nevada Department of Corrections, (Respondents)

The Petitioner was sentenced and adjudged guilty by the Eighth Judicial District Court on April 10th 2013, to the charges of Count One: Grand Larceny - auto, NRS 205.228(2) an Category C felony. The Petitioner was then sentenced under the "Small Habitual Criminal Statute", NRS 207.010 (a) to an minimum term of not less than (60) Sixty months and a term of not more than (150) One Hundred and Fifty months.

As the Petitioner was found guilty of an Category C felony, the Petitioner is allowed to receive credit days towards his "minimum sentence" structure pursuant to NRS 209.4465. The Nevada Department of Corrections (N.D.C.) as the Petitioner's custodian, has denied the proper application of NRS 209.4465, and therefore denied the Petitioner the Equal Protection of the law enacted by the State of Nevada Legislature without Due Process of the law.

The Petitioner was sentenced pursuant to NRS 207.010 (a) which provides for a Minimum/Maximum term as a sentence structure. NRS 207.010 (a) provides a penalty of an minimum term of not less than (5) years and a maximum term of not more than (20) years. As such the Petitioner was sentenced under one of two forms/styles used in the State of Nevada. The First is expressed under the punishment clause of an NRS statute as: "... Be punished by imprisonment in the State prison for a minimum term of not less than [x] years and an maximum term of not more than [y] years .." (This is known as a Minimum Maximum Sentence Structure).

The Second style of sentence structure used in the State of Nevada is an "Parole Eligibility" sentence construction, which is expressed as: "... Be punished by imprisonment for an Maximum term of [x] years with the eligibility of parole when a minimum of [y] years has been served...". The Petitioner is clearly sentenced under the first sentence clause construction as no language of Parole Eligibility is contained in the Petitioner's punishment clause, and as such meets the criteria to be granted earned statutory credit application under NRS 209.4465 towards the minimum sentenced term. Here, the B.D.O.C. has denied this application, though the Nevada Legislature has declared otherwise.

The provisions and enactment of NRS 207.010 to NRS 207.016 inclusive, created by the State Legislature are to be seen and used as an "Enhancement" to the original charge or base offense found guilty of and is Not seen as or expressed as an "Deperate offense" to be convicted of as an alleged crime. (See "Crutcher vs. Eighth Jud. Dist. Ct., 903 P.2d 823 (1995)"; and "Parkerson vs State, 678 P.2d 1155, (1984)"). The Courts also do not distinguish between the "types" of crime committed when declaring the Habitual Criminal enhancement as an sentence ("Argichis vs. State, 843 P.2d 800 (1992)"); yet is viewed as mitigating evidence presented at the time of sentencing.

Here, the Petitioner was found Guilty of an Category C felony, yet recieved as an punishment for such alleged statute violation an Category B punishment. Yet the Petitioner was Not found guilty of an Category B felony. A status and enhancement can not be a factor when applying NRS 209.4465 towards the Petitioner's sentence structure, especially when the Habitual Criminal enhancement punishment is only warranted for a defendants status as an recidivist, not for an convicted offenders conduct under the base offense charged. An Habitual criminal proceeding does Not charge a Deperate offense, it is only used to increase punishment if found true (quoting "Howard vs. State, 422 P.2d 548 (1967)"). As such, an Category B "punishment" is not an Category B "conviction".

The status as an Habitual offender does not increase punishment of the "Principal offense" for which a defendant is on trial for (quoting "Howard vs. State, 422 P.2d 348 (1967) ; and "Odoms vs. State, 714 P.2d 568 (1986)", but issued to those who are considered as a recidivist. This is true as the State legislature did not authorize punishments for both the primary offense charged and the Habitual Criminal Status. The legislature has given guidance that the Habitual Criminal Status is not substantive offenders, (separate as a status). The Petitioner has established that being adjudged as an Habitual offender, which is only a status and not a separate offense, the Petitioner is only convicted of the alleged conduct under an Category C felony.

As the Petitioner was convicted of an Category C felony as the primary offense, the provisions of NRS 209.4465, allowing the application of earned statutory credits and or work time credits to be applied to the minimum term of imprisonment is allowed and must be applied by the N.D.O.C., yet since the year 2007, the Offender Management Division of the NDOC has failed to follow the statute mandates as the Nevada legislature had intended by enacting the amendments of NRS 209.4465 under Assembly Bill #510 (A.B.510). The offender Management Division (O.M.D) has created its own flawed interpretation of NRS 209.4465 and its application, which denies the Petitioner Equal Protection of the law.

The provisions of NRS 209.4465, section 1 reads as follows: "... 1) An offender who is sentenced to prison for a Crime Committed on or after July 17th, 1997, who has No serious infraction of the regulations of the Department, the terms and conditions of his or her residential confinement, or the laws of the State recorded against the offender, and who performs in a faithful, orderly and peaceable manner the duties assigned to the offender Must be allowed:

(a) For the period the offender is actually incarcerated pursuant to his or her sentence;

(b) For the period the offender is in residential confinement; and

(c) For the period the offender is in the custody of the Division of Parole and Probation of the Department of Public Safety pursuant to NRS 209.4886 or 209.4888,

A deduction of (20) days from his or her sentence for each month the offender serves."

NRS. 209.4465 section 7 dictates the application of earned credits under NRS 209.4465. subsection 1 towards the Petitioners sentence structure and terms, and provides:

"... 7) Except as otherwise provided in subsections 8 and 9, credits earned pursuant to this section:

(a) Must Be (applied) deducted from the maximum term or the maximum aggregate term imposed by the sentence, as applicable and

... (b) Apply to eligibility for parole unless the offender was sentenced pursuant to an statute which specifies a minimum sentence that must be served before a person becomes eligible for parole..."

NRS 209.4465(7)(b) mandates the application of earned credits towards the minimum sentence term of the Petitioner's sentence structure, as the Petitioner does not have a sentence structure that contains or requires a minimum term that first must be served to become parole eligible. As such, credits earned because the Petitioner is "An offender sentenced to prison for a crime committed on or after July 17th 1997" (quoting NRS 209.4465 Sec 1), the Petitioner's credits earned must be applied to the minimum term of incarceration, here a minimum term of sixty (60) months. The crime committed as alleged by the Petitioner is a Non-violent Category C felony, pursuant to NRS 205.228 "Grand larceny - auto".

NRS 209.4465 section 8 application criteria of earned credits does not apply to the Petitioner nor pronounce the denial of credit application towards the Petitioner's minimum sentence structure as the criteria under subsection 8 does not list the Petitioner's category of convicted offense, as an offense that only receives credit application from the maximum sentence structure.

NRS 209.4465(8) provides the following criteria:

"... 8). credits earned pursuant to this section by an offender who has Not been convicted of:

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

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

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

(D) A category A or B felony, 2

Apply to eligibility for parole and except as otherwise provided in Subsection 9 Must be deducted from the minimum term or the minimum aggregate term imposed by the sentence, as applicable, until the offender becomes eligible for parole and Must be deducted from the maximum term or the maximum aggregate term imposed by the sentence as applicable

Thus NRS Subsection 8 mandates the application of earned credits to be applied to the minimum term and maximum term of imprisonment as the Petitioner does not have any of the listed elements contained in subsection 8)(a)(b)(c) or (D) which preclude the application of credits towards the minimum sentence.

Here, The offender management division (OMD) has stated under its memorandum issued by Mr. Rex Reed on January 31st 2008, that "an expiration date is an conditional date" and "a person will know their actual date of release when the computer says such in (10) Ten days Before release". The O.M.D department has also provided in this memorandum that "Inmates earning good time, work, and meritorious credits constantly move their actual discharges dates"; (This position assumes that all applied and earned credit must be applied to the maximum term an offender is sentenced to serve).

This memorandum further portrays that the O.M.D. "assumes" all dates, and these dates are assumed by an computer which is only a "guide" and maybe even be considered as Fictional dates. This computer "assumption" causes for the intended mandates and provisions of the Nevada Legislature "Null and Void", as a "Given that the actual discharge date is Unknown for most of an offenders prison term". (See attached Exhibit A), as "Different Custodies and Sentences can earn (credits) at, different rates". Nowhere does the Nevada Legislature provide the N.D.O.C with the authority under NRS 209.4465 to apply credits to offenders in different custodies or sentences, as All offenders in the custody of the N.D.O.C earn (20) Twenty days each month the offender serves for being committed to the NDOC for a crime the offender has been convicted of.

The application of NRS 209.4465 by the Nevada Dept. of Corrections and the C.I.D. department which oversees the offenders sentence, and imprisonment conditions, is clearly in direct violation of the law of the State of Nevada and violates the Protections of said law to be Equally and Fairly applied, further "Common sense" would severely question the Calculation process of an offenders sentence structure and the recording of such credits earned by the offender, that a person would be "shocked" to learn their sons or daughters time incarcerated is assumed by a computer that "Counts the chickens before they hatch" (credits earned are Assumed to be earned by an offender Before he earns such to determine the Fictional expiration date of the offender).

The N.D.O.C. has deliberately Overstepped their authority to interpret the NRS Statute (209.4465) as they deem appropriate and correct. Petitioner is entitled to the correct application of the law as was enacted by the State legislature, especially when a persons freedom and release from confinement is at stake and being delayed beyond the punishment that was ordered to be served by the Eighth Judicial District Court. Clearly, this Courts De Novo review is warranted and needed to protect the interests of the offender before further injustice occurs.

"An Statutes interpretation is a Question of law, that Must be reviewed De Novo" ("State of Nev. vs. Catano, 102 P.3d 588 (2004)"). Here, the court has an duty to interpret the provisions (named here) which are under a common statutory scheme "Harmoniously" with one another to avoid Absurd results. ("Torreale vs. Keamatis, 178 P3d 716 (2008)").

The Court now is presented with a direct question of law, which affects the freedom of the offender, that being "Does the Petitioner receive credits under NRS 209.4465 as he was convicted of an Category Non-Violent C felony as the punishment he is under is not an convicted crime of substantial offense"? And "does the current calculation of credits earned by an offender currently in place by the N.D.O.C violate the liberty interests and Due Process of the law"; "as an offender has No choice but to rely upon the Computer assumption of an fictional release date projected untill about 10 days before he could be released"? The answers should be Yes to both questions, as how is any offender not allowed or able to keep "Checks and balances" at all times upon the authority charged to keep custody of an offender and his release date from such custody if the offender's calculation based upon the NRS is incorrect as the Authority doesn't comply with such.

• "No part of an statute should be rendered Nugatory Nor any language turned to mere surplusage, if such consequences can be avoided", (quoting "Independent American Party vs Law, 280 P.2d 1391 (1994)"). As the statute governing the Habitual Criminal statute is a Status, not a convictable crime or offense, it can not be used to determine or application of an NRS that clear words its application towards an offender who was "sentenced to prison for a Crime committed". The alleged crime committed by the Petitioner is a Non-violent category C felony under NRS 205.228. The language used in these NRS statutes proves that the Petitioner has suffered an injustice by being denied the correct and mandated application of a statute that ~~concerns~~ his release from confinement of the N.D.O.C.

The Respondents can not continue to violate and ignore the Nevada Legislature and apply the law against its intent, mandate and authority, thus violating the Due process and Equal Protection of the laws of the United States Constitution under the Fifth and Fourteenth Amendment, as now it has amounted to an Miscarriage of Justice

Conclusion

The Petitioner has supplied the facts that surround the legal theory that has denied the proper and or correct application of the laws of the State of Nevada by the Nevada Dept. of Corrections and its sub-division the Offender Management department. The Petitioner requests this court to review the interpretation and enforce the correct application of the concerned statutes contained herein, and Grant the Petitioner the relief of credits being applied to the minimum term of incarceration and what justice requires.

Respectfully submitted this x 18th day of October

2016.

x Glenn M. Declin
Min Glenn Declin #1023123
SDCC PO Box 208
Indian Springs NV
89070

(Petitioner in Proper Person).

Affirmation

NRS 239B.030

The undersigned, does hereby Affirm that the preceding "...
"Petition for writ of Habeas Corpus, calculation of Imprisonment"
Does Not contain the Social Security Number of any party
named or concerned

10-18-16

Date

Glenn M. Doolin

Mr Glenn Doolin
1023173

Certificate of Service

I, Glenn Doolin, do hereby Certify, that pursuant to NRC P
5(b), that on this 18th day of October 2016, I mailed
a true and correct copy of the foregoing: "Petition for writ
of Habeas Corpus calculation of Imprisonment", to the following:

Eighth Judicial Dist. Ct

Attn: Court Clerk,

200 Lewis Ave

3rd Floor

Las Vegas NV 89155

Exhibit A

~ memorandum of OMIS by Rex
Reed

~ 4 pgs

~ Dated 1/3/2008



Nevada Department of Corrections

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Sentence Estimates

DEPARTMENT OF CORRECTIONS

Offender Management Division

P.O. Box 7011

Carson City, NV 89702

(775) 887-3298

Fax: (775) 887-3243

MEMORANDUM

To: Departmental Staff

From: Rex Reed, Administrator

Offender Management Division

Subj: Sentence Management

Date: January 3, 2008

Issue: Inmates, families and friends have questioned the computation of projected parole and discharge dates.

Response: Those with an interest in parole and discharge dates sometimes do not understand how an inmate's actions can change his projected expiration date and actual discharge date. A short explanation follows:

Explanation of Projections used in Sentence Computations

A projected expiration date is a conditional date. Inmates earning good time, work, and meritorious credits constantly move their actual discharge dates. [Given that the actual discharge date is unknown for most of an inmate's prison term] the department provides inmates with a service that estimates a discharge date. That estimate calculated by the department's computer should be considered a guide, maybe even fictional, [until the computer locks in an actual date approximately seven to ten days before release.]

Departmental computers provide inmates with estimated parole eligibility and expiration dates by assuming an inmate earns the maximum amount of flat, statutory good time, and work credits. Unfortunately, many inmates do not earn the maximum amount of days. Days are also referred to as credits. Work, flat, and statutory good time credits are posted once a month. If an inmate does not earn the maximum number of credits, the computer changes the estimated release date at the time of posting.

Assume the computer system estimates the sentence expiration of a medium custody inmate from the first of the year and with one year left on a sentence. At a maximum, such an inmate earns approximately 30 days of flat time, 10 days of work credit, and 20 days of statutory good time. (Note: Different custodies and sentences can earn at different rates.) That totals 60 credits per month [or 2 credits for every day served.] The computer does not estimate meritorious credits. Therefore, staff have programmed the computer to assume the inmate earns approximately 60 days of credit each month. Assume the inmate has one year left on his sentence. Therefore, the inmate can earn the 365 days needed to expire his sentence in slightly over six and not twelve months. The computer estimates the inmate will finish his sentence on July 3.

Using the same assumptions listed above, the computer can estimate a new projected or fictional expiration date should the inmate earn meritorious credits, such as 120 credits for an associate of arts degree. When the graduation paperwork is filed with the department, staff post, and the inmate receives, all 120 credits. Because the computer is programmed to assume the inmate is earning approximately 60 days of total credits for each month served, the computer will credit the inmate's sentence all 120 days and move the projected release up two months. The computer calculates the inmate's

60 = 2 months

new fictional expiration date to be shortened by only 60 days because the inmate earns two days of credit for every actual day he serves. His projected release date will move from July 3 to May 3.

The opposite effect is found in computer calculations when an inmate forfeits statutory good time. Assume an inmate forfeits 120 days of statutory good time for destroying state property. Assuming the inmate continues to earn two days each day served, he can earn the 120 days of credit he forfeited in only 60 days. His new projected expiration date will lengthen his actual prison stay just 60 days and not 120, that is from May 3 back to July 3.

Staff and inmates should always remember that fictional expiration and parole dates are constantly moving estimates trying to reflect what will be the actual release date, which is also constantly moving based upon an inmate's number of flat plus earned work, statutory good time, and meritorious credits and less forfeited statutory good time. Because the computer system uses fixed assumptions while inmates earn credits in a fluctuating fashion, estimated date movements cannot be calculated by simply adding or subtracting credit awards or forfeitures in a one-for-one fashion.

People interested in how release dates move will find the table listed below helpful. The table shows that when an inmate receives a meritorious award the old estimated sentence structure includes months that the inmate will no longer serve. Therefore, most of the credits in May and all of those in June and July that were credited to the inmate are no longer available to the inmate. The approximately 60 credits the inmate will not earn in May, June, and July have to be made up by the 120-day award before the new estimated release date can move forward. 120 days minus 60 days is 60 days. Therefore, the new estimated date will move up approximately 60 days from July 3 to May 3. Although the new estimated release date moves only 60 days forward, the computer gives the inmate his full 120 days of credit for the meritorious award. A similar but opposite movement occurs when the inmate loses 120 credits due to a disciplinary. The actual release date moves back two and not four months.

This table graphically represents how the department's computer software would estimate a medium custody inmate's sentence expiration with one merit award of 120 days and one disciplinary forfeiture of 120 days if the inmate has 365 days remaining on his sentence as of January 1.

Inmate Time If No Merit or Stat Forfeitures

Inmate Time If One Merit Award
and One Stat Forfeiture

Month	Flat Time	Work Earned	Statutory Good Time Earned	Total Sentence Credits	Days Remain-Ing In Sentence	Merit Award	Days Remain-Ing In Sentence	Disciplinary Forfeiture Days	Days Remain-Ing In Sentence
JAN	31	10	20	61	304		304		304
FEB	28	10	20	58	246		246		246
MAR	31	10	20	61	185	120	65		65
APR	30	10	20	60	125		5	-120	125
MAY	31	10	20	61	64	Note #1			64
JUNE	30	10	20	60	4				4
JULY	2	1	1	4	Note #2				Note #2
TOTALS	183	61	121	365					

Note #1: As the inmate in this scenario has five days left at the end of April, he will discharge May 3rd with three days of flat time, one day of stat time, and one day of work time.

Note #2: As the inmates in this scenario has four days left at the end of June, he will discharge July 3rd with two days of flat time, one day of stat time, and one day of work time.

What determines when an inmate is released from prison?

An inmate is released from prison when he completes his sentence. If an inmate is sentenced on January 1, 2009 to 600 days (20 months), then he will be released from prison on September 1, 2010. If, however, the inmate takes advantage of the statutory good-time credits, work and study credits, and meritorious credits the law offers, [he can cut his sentence from 20 months to 10 months or less.]

What is a projected expiration date?

When an inmate begins his sentence, NDOC projects or computes in advance how many days the inmate needs to serve in order to discharge or

complete his sentence. Staff have programmed the computer to estimate the projected expiration date based upon the assumption that the inmate will earn the maximum good time credits and work time credits available while he is in prison. [One credit equals one day.] For example, if an inmate begins a 600-day (20 months) sentence on January 1, 2009, then NDOC projects that during each month in prison, the inmate will earn 30 days flat time, 20 days good time, and 10 days work time, for a total of 60 days per month. So, NDOC projects that the inmate will complete his 600-day (20 month) sentence in 10 months (60 days credit x 10 months = 600 days) and gives him a projected expiration date of November 1, 2009. A simpler way to compute the projected expiration date is to divide the sentence by two. In other words, NDOC projects that if, and only if, an inmate works or studies and abides by prison rules, he can cut his sentence in half. Unfortunately, most inmates do not take advantage of the maximum good time credits and work credits available.

How does the inmate's conduct change the projected expiration date?

Inmates often misunderstand that the projected expiration date is conditioned upon the inmate's earning 20 days good time credit and 10 days work time credit every month he is in prison. If he does not earn the projected good-time credits or work time credits, then his projected expiration date will change or move back. If, for example, the inmate does not work while he is in prison, he only earns 50 days each month (30 days flat time plus 20 days good time instead of 60 days each month towards the completion of his sentence). This means it will take him 12 months to complete his 600-day (20 month) sentence (30 days flat plus 20 days good time credit x 12 months = 600 days). So the inmate's not working causes him to spend 2 more months in prison than he would have if he had worked, and results in a negative change to his projected expiration date from November 1, 2009 to January 1, 2010.

The inmate's violation of prison rules can also change his projected expiration date. An inmate can earn 20 days of good time credit each month if he stays out of trouble. Violation of prison rules can result in the loss of some or all of the good time credits that the inmate has accumulated. For example, if an inmate has the above projected expiration date of November 1, 2009, and he loses 120 days of good time credit, this results in a negative change to his projected expiration date from November 1, 2009 to January 1, 2010.

On the other hand, if an inmate earns meritorious or educational credit, or works in a conservation camp, he can positively change his projected expiration date and shorten his sentence. The projected expiration date does not take into consideration in advance that an inmate will earn meritorious or educational credit, so when an inmate earns meritorious or educational credit, he shortens his sentence. If, for example, an inmate takes classes and earns 120 credits, then he takes 120 days off his sentence. It is extremely important to understand that this 120 days is not subtracted from his projected expiration date, but is subtracted from the length of his original sentence. By earning the 120 days meritorious credit, the sentence is shortened from 600 days to 480 days. NDOC then re-computes his projected expiration date by projecting how long it will take the inmate to serve his 480 days (assuming or projecting that the inmate will earn all the maximum good time credits and work time credits possible) which positively changes or moves up his projected expiration date.

Why does an inmate's projected expiration date stay the same when he has earned the maximum amount of available work time credits and good time credits?

The projected expiration date stays the same because the date already includes the maximum available good time and work time credits. As long as, and only as long as, the inmate earns 60 days per month (30 days flat time plus 20 days good time plus 10 days work time), he can serve his 600-day sentence in 300 days.

How often does NDOC compute the projected expiration date?

NDOC re-computes an inmate's Projected Expiration Date at the beginning of each month. If the inmate during the previous month earns less than 10 days work time credits or he forfeits good time credits, his projected expiration date negatively changes and his release date moves further out. If he earns 20 days good time and 10 days work time, then his projected expiration date stays the same. If he earns meritorious credit, then his projected expiration date can move up.

Why did NDOC only move up an inmate's projected expiration date sixty days if he earned 120 days for getting an associate's degree? Isn't the NDOC program only giving the inmate credit for half the days he earned and robbing him of 60 days?

The answer is clearly no. You cannot subtract the 120 days from the projected expiration date. You have to subtract the 120 days from the length of the original sentence. For example, let us suppose an inmate is sentenced on January 1, 2009 to 600 days. NDOC correctly sets his projected expiration date at November 1, 2009 (300 days away). Let us further suppose that this inmate, on July 1, 2009 (after he has served 180 days) earns an associate's degree which entitles him to 120 days meritorious credits. Most inmates then mistakenly think that they should be released immediately because as of July 1, 2009 their projected expiration date was 120 days away and they earned 120 meritorious credits through the associate's degree. When NDOC gives the inmate the 120 day meritorious credit, re-computes the projected expiration date and tells the inmate his new projected expiration date is not immediately but 60 days away on September 1, 2009, the inmates then mistakenly believe NDOC is only giving them 60 days credit instead of 120. The fact that you can't subtract the 120 days meritorious credit from the remaining 120 projected days is borne out by the fact that you can't discharge a 600

day sentence if you only serve 180 days and are given a 120 day credit, shown as follows:

Flat time, Good time, Work time, Total

120 days credit (Assoc.) = 120 days

plus 180 days served + 120 days + 60 days = 360 days

300 days + 120 days + 60 days = 480 days

So, even with a 120 day credit, an inmate who serves 180 days cannot earn enough flat-time, good time and work time to complete a 600 day sentence. One cannot subtract the 120 meritorious days from the remaining 120 projected days and conclude a sentence should be discharged. Estimating a new sentence date does not work that way.

If, however, you subtract the 120 meritorious credits from the original 600 day sentence, this leaves a 480 day sentence. To project a new expiration date, one can divide the 480 days by 2 to arrive at the correct projected expiration date of 240 days. This calculation is borne out by the following:

Flat time, Good time, Work time, Total

120 days credit (Assoc.) = 120 days

plus 240 days served + 160 days + 80 days = 480 days

360 days + 160 days + 80 days = 600 days

Thus, in order to expire a 600 day sentence, after getting a credit of 120 days for earning an associate's degree, an inmate has to serve 240 days to reach the 480 days necessary to expire a 600 day sentence. This calculation again assumes that the inmate earns the maximum good-time credits and maximum work-time credits during the 240 days he serves. Because the inmate had served 180 days when he received the associate's degree, he has to serve another 60 days before he can complete his sentence, so his projected expiration date is recomputed to 60 days away on September 1, 2009. It is understandable why some inmates believe they are getting only half of the credits they earned, but nonetheless, their belief is incorrect.

[State of Nevada Home Page](#) [Board of State Prison Commissioners](#) [Pardons Board](#) [Parole Board](#) [Silver State Prison Industries](#)

[SSI - Officer Clothing Embroidery](#) [Silver Source Forms Portal](#)

Nevada Department of Corrections Copyright © 2014. All rights reserved. Site developed by NDOC MIS Division

1 WHEREFORE, Glenn Doolin prays that the court grant Glenn Doolin
2 relief to which he may be entitled in this proceeding.


3 EXECUTED at Southern Desert Corr. Ctr.
4 on the 18th day of Oct., 2016

5
6
7 
Signature of Petitioner

8 **VERIFICATION**

9 Under penalty of perjury, pursuant to N.R.S. 208.165 et seq., the undersigned declares that he is
10 the Petitioner named in the foregoing petition and knows the contents thereof; that the pleading is
11 true and correct of his own personal knowledge, except as to those matters based on information and
12 belief, and to those matters, he believes them to be true.

13
14
15 
Signature of Petitioner

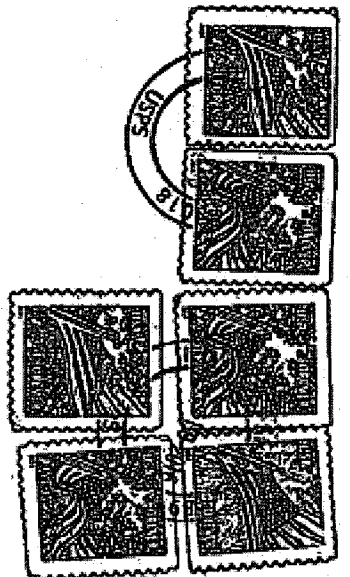
16
17 
18 Attorney for Petitioner

Boolin #1023173
O. Box 208 S.D. Co.
Indian Springs, NV
89010

Boolin
Boolin

Southern Desert
Correctional Center
OCT 19 2016
Outgoing Mail

Ms. Stefani Grisson
East of the Coast
200 - Las Vegas Ave. 3rd floor
Las Vegas, NV 89155-1160



0023

Southern Desert
Correctional Center
OCT 19 2016
Outgoing Mail

10/19/16
J. J. J.

Steven D. Grierson

OPWH - AB510

DISTRICT COURT
CLARK COUNTY, NEVADA

GLENN DOOLIN,

Petitioner(s),

vs.

STATE OF NEVADA; NEVADA
DEPARTMENT OF CORRECTIONS,

Respondent(s).

Case No.: A-16-745766-W

Dept. No.: 7

ORDER FOR PETITION FOR WRIT OF HABEAS CORPUS

Petitioner filed a Petition for Writ of Habeas Corpus on October 27, 2016. The Court has reviewed the Petition and has determined a response would assist the Court in determining whether Petitioner has been awarded all appropriate good-time credits as provided in Assembly Bill 510 and, good cause appearing therefore,

IT IS HEREBY ORDERED, Respondent shall, within 45 days after the date of this Order, Answer or otherwise respond to the Petition and file a return in accordance with the provisions set out in NRS 209.

IT IS FURTHER ORDERED, this matter shall be placed on calendar on **Tuesday, JULY 18, 2017 at 9:00 a.m.** in District Court Department 7, Courtroom 3B.

DATED this 7th day of June, 2017.

LB
LINDA MARIE BELL
DISTRICT COURT JUDGE

HEARING DATE
ALREADY ENTERED

JUN 07 2017

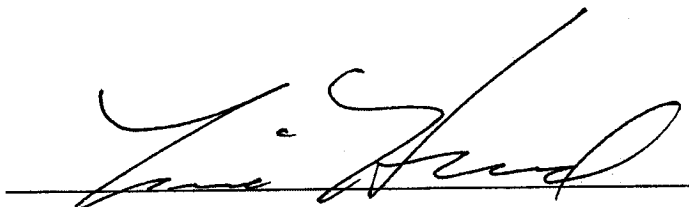
LINDA MARIE BELL
DISTRICT JUDGE
DEPARTMENT VII

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date of the 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:

Glenn Doolin #1023173
Southern Desert Correctional Center
P.O. Box 208
Indian Springs, NV 89070-0208

Office of the Attorney General
Appellate Division
555 E. Washington Ave., Suite 3900
Las Vegas, NV 89101-1068

A handwritten signature in black ink, appearing to read "Tina Hurd", is written over a horizontal line.

TINA HURD, Judicial Executive Assistant



RSPN
ADAM PAUL LAXALT
Attorney General
Jessica Perlick (Bar No. 13218)
Deputy Attorney General
State of Nevada
Office of the Nevada Attorney General
555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101-1068
(702) 486-3799 (phone)
(702) 486-2377 (fax)
JPerlick@ag.nv.gov

Attorneys for Respondents

DISTRICT COURT
CLARK COUNTY, NEVADA

GLENN DOOLIN,

Petitioner,

vs.

STATE OF NEVADA, et al.,

Respondents.

Case No. A-16-745766-W
Dept. No. VII

Date of Hearing: 7/18/2017
Time of Hearing: 9:00 a.m.

RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS

Respondents, by and through legal counsel, Adam Paul Laxalt, Nevada Attorney General, and Jessica Perlick, Deputy Attorney General, hereby oppose Petitioner Glenn Doolin's *Petition for Writ of Habeas Corpus* filed on October 27, 2016. The Nevada Department of Corrections (NDOC) has properly awarded Doolin credit against his sentence in conformity with NRS 209.4465 and Doolin has failed to show that he is entitled to any additional credit. This response is made based upon the papers and pleadings on file herein and the following points and authorities.

DATED this 17th day of July, 2017.

ADAM PAUL LAXALT
Attorney General

By: /s/ Jessica Perlick
Jessica Perlick (Bar. No. 13218)
Deputy Attorney General

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MEMORANDUM OF POINTS AND AUTHORITIES

I.

BACKGROUND

Petitioner Glenn Doolin is currently incarcerated at the Southern Desert Correctional Center. See Exhibit 1, *Inmate Search*. Doolin is serving a sentence arising from criminal actions he committed on June 15, 2012. See Exhibit 2, *Amended Information*. The Court adjudicated Doolin guilty as a Small Habitual Criminal, a category B felony, on April 10, 2013. See Exhibit 3, *Judgment of Conviction*. The Court sentenced Doolin to a maximum term of one hundred fifty months, with a minimum parole eligibility of sixty months, with no credit for time served. See *id.*¹ The Court further ordered Doolin's sentence to run consecutive to two previous sentences, both of which have now expired. See, Exhibit 4, *Offender Legal Orders* (showing Doolin's active sentence). Now Doolin is actively serving his Small Habitual Criminal sentence in the Southern Desert Correctional Center. See *id.*²

II.

ARGUMENT

A. The Court Should Deny Doolin's Petition Because He Has Failed to Show That NDOC Incorrectly Computed His Credit.

A post-conviction petition for writ of habeas corpus is a unique pleading which can address either civil or criminal issues, depending upon the content of the challenge. Despite the unique nature, these types of petitions are limited in scope, and can only raise one of two issues: a request for relief from a judgment of conviction or sentence, or a challenge to the computation of time a petitioner has served pursuant to a judgment of conviction. NRS 34.720. A post-conviction petition pursuant to NRS 34.720 cannot be used to challenge the loss of constitutional rights; this relief is simply not a cognizable form of habeas relief.

///

¹ The Court also adjudicated Doolin guilty of a gross misdemeanor, for which the Court imposed a twelve month sentence in Clark County Detention Center, consecutive to the Small Habitual Criminal sentence.

² As the petition challenges NDOC's computation of time, rather than the Petitioner's judgment of conviction or sentence, Respondents do not address NRS 34.760.

1 In his Petition, Doolin alleges a variety of constitutional challenges, none of which can be raised
2 in an NRS 34.720 petition. The crux of Doolin's argument is a mistaken belief that he was only
3 convicted of a category C felony, despite the Court's adjudicating him as a Small Habitual Criminal,
4 which is a category B felony.³ Based on his incorrect understanding, Doolin alleges that NDOC must
5 apply his stat time to his minimum sentence. Doolin misunderstands the applicable law, and he is not
6 entitled to relief.

7 **1. Doolin Has Been Awarded Good Time Credits in Accordance With NRS 209.4465.**

8 NRS 209.432 to 209.451, inclusive, provide the statutory framework for the application of
9 credit to an inmate's sentence. The appropriate statute is determined by the date that the crime was
10 committed. In this case, the court adjudicated Doolin as a small habitual criminal based on crimes he
11 committed in 2012. Therefore, his credit is governed by NRS 209.4465, which awards good time
12 credits as follows:

13 **NRS 209.4465 Credits for offender sentenced for crime committed
14 on or after July 17, 1997.**

15 1. An offender who is sentenced to prison for a crime committed on or
16 after July 17, 1997, who has no serious infraction of the regulations of the
Department, the terms and conditions of his residential confinement or
the laws of the State recorded against him, and who performs in a
faithful, orderly and peaceable manner the duties assigned to him, must
be allowed:

- 17 (a) For the period he is actually incarcerated pursuant to his sentence;
18 (b) For the period he is in residential confinement; and
19 (c) For the period he is in the custody of the Division of Parole and
20 Probation of the Department of Public Safety pursuant to NRS 209.4886
or 209.4888, a deduction of 20 days from his sentence for each month he
serves.

21 So long as an inmate abides by the law and prison regulations, he is entitled to 20 good-time credits per
22 month. Doolin's credit history shows that NDOC has awarded him 20 good-time credits per month for
23 every month he has been incarcerated on his active sentence. *See Exhibit 5, Credit History by Sentence.*
24 Doolin has failed to show that he is entitled to any more good-time credits than NDOC has awarded
25 him.

26 ///

27 _____
28 ³ It is also worth noting that Doolin's opportunity to challenge the findings in his judgment of
conviction, including the adjudication as a Small Habitual Criminal, expired in 2014. *See NRS 34.726.*

1 **2. Application of Credit Against Doolin's Minimum Sentence is Prohibited by NRS**
2 **209.4465(8).**

3 NDOC is prohibited by law from applying credit to Doolin's parole eligibility. NRS 209.4465
4 applies to Doolin, whose crime was committed after July 17, 1997.⁴ Under NRS 209.4465(8) an inmate
5 who is convicted of "any crime that is punishable as a felony involving the use or threatened use of
6 force or violence against the victim," or who has been convicted of a category A or B felony, is not
7 eligible to have his credits applied against his parole eligibility or minimum sentence. NRS
8 209.4465(8)(a) and (d). Doolin is actively serving a sentence as a Small Habitual Criminal, which is a
9 category B felony. Doolin does not understand that, in making the findings necessary to adjudicate him
10 as a Small Habitual Criminal, the Court entered a conviction and sentence to a category B felony. The
11 conviction and finding are intertwined. As such, NRS 209.4465(8) governs the application of Doolin's
12 credit, and it unequivocally prohibits NDOC from applying credit to his minimum term or parole
13 eligibility. *See also* NRS 213.120.

14 **3. The *Vonseydewitz* Decision Does Not Apply, as Doolin's Crime Was Committed**
15 **After the 2007 Amendment of NRS 209.4465.**

16 Although he does not specifically cite the case, Doolin utilizes much of the rationale for his
17 position from the case of *Vonseydewitz vs. Legrand*, Case No. 66159, 2015 WL 3936827 (Nev. June
18 24, 2015). Therefore, Respondent will address this Petition as though Doolin made a *Vonseydewitz*
19 claim. As an initial matter, *Vonseydewitz* is an unpublished decision and is not binding precedent upon
20 this Court. Moreover, the *Vonseydewitz* decision is at odds with the decision of the Supreme Court in
21 *Kille vs. Cox*, Case No. 64480 (Nev. Sept. 18, 2014), also an unpublished decision. As the
22 *Vonseydewitz* decision represents unsettled law, it should not be relied upon by any petitioner.

23 Even if it were published, *Vonseydewitz* would still not apply to Doolin's case, as the law that
24 governed application of *Vonseydewitz*'s credit is different from that to be applied here. Crucially, the
25 respective crimes of *Vonseydewitz* and Doolin were committed during different years. The Nevada
26

27 ⁴ NRS 209.432 to 209.451, inclusive, provide the statutory framework for the application of
28 credit to an inmate's sentence. The appropriate statute is determined by the date that the crime was
committed.

1 Supreme Court has made clear that the *Vonseydewitz* decision does not affect crimes, like Doolin's,
2 committed after 2007.⁵ This is because the language of the applicable statutes— NRS 209.4465 and
3 NRS 213.120—was amended in 2007 and negates the analysis applied in *Vonseydewitz*. Here Doolin's
4 active offense took place in 2012, long *after* the 2007 amendment. Thus, even viewing the
5 *Vonseydewitz* opinion in the light most favorable to Doolin, the logic of *Vonseydewitz* does not apply to
6 his crime, he is not entitled to additional credits, and his reliance upon the *Vonseydewitz* decision is
7 erroneous.

8 **III.**

9 **CONCLUSION**

10 For the reasons stated above, this Court should dismiss Doolin's *Petition for Writ of Habeas*
11 *Corpus* for failure to state a claim upon which relief can be granted.

12 Respectfully submitted this 17th day of July, 2017.

13 ADAM PAUL LAXALT
14 Attorney General

15 By: /s/ Jessica Perlick
16 Jessica Perlick (Bar No. 13218)
17 Deputy Attorney General
18
19

20 ⁵ Specifically, the Court stated, in an order denying *en banc* reconsideration, that *Vonseydewitz*
21 applies to:

22 Those [inmates convicted of] crimes committed on or between July 17, 1997 and
23 June 30, 2007;

24 Where the inmate's sentence does not fall under the parole limited provisions of
25 NRS 453.3405(1);

26 Where the sentence has not expired nor the inmate gone before the parole board
27 for that sentence, *see Niergarth v. Warden*, 105 Nev. 26, 29, 768 P.2d 882, 884
28 (1989);

And then only for the time period when deductions have not already been
applied retroactively pursuant to NRS 209.4465(8), *see* 2007 Nev. Stat., ch. 525
§ 21, at 3196.

Vonseydewitz vs. Legrand, No. 66159, at n. 1 (Nev. Feb 19, 2016) (order denying *en banc*
reconsideration).

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AFFIRMATION
(Pursuant to NRS 239B.030)

The undersigned does hereby affirm that the foregoing document does not contain the social security number of any person.

Dated: July 17, 2017.

ADAM PAUL LAXALT
Attorney General

By: /s/ Jessica Perlick
Jessica Perlick (Bar No. 13218)
Deputy Attorney General

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I certify that some of the participants in the case are not registered electronic filing system users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within 3 calendar days to the following unregistered participant(s) at his last known address:

/s/ J. Ross
An employee of the Office of the Attorney General

Exhibit 1

Inmate Search

7/6/2017

NDOC Inmate Search

Search By Offender ID

Offender ID: 1023173

-or-

Search By Demographics

First Name: Wildcard %

Last Name: Wildcard %

Submit

NOTICE:

The information provided here represents raw data. As such, the Nevada Department of Corrections makes no warranty or guarantee that the data is error free. The information should not be used as an official record by any law enforcement agency or any other entity.

Any questions regarding an inmate, please call Family Services at (775) 887-3367. Victims looking for inmate information please contact Victim Services at (775) 887-3393. Any questions regarding the web portal for law enforcement access to inmate information should be referred to PIO Brooke Keast. email: bkeast@doc.nv.gov or (775) 887-3309

Currently the following web browsers are supported for the Inmate Search: Internet Explorer 11, Chrome, Firefox and Opera. If you are unable to view inmate photos, please use a supported browser.

Download Offender Data

Demographic, Alias, Booking, Parole, Release

Up to date as of 2017-07-06

Identification and Demographics

Offender ID	Offender ID	Gender	Race	Age	Height	Weight	Build	Complexion	Hair	Eyes	Institution	custody Level	Aliases	Prior Felonies
GLENN MILLER DOOLIN	1023173	Male	CAUCASIAN	57	5'10"	170lb	MEDIUM	FAIR	BLACK	BROWN	SOUTHERN DESERT CORRECTIONAL CENTER	MEDIUM	GLENN M. DOOLIN, GLENN MILLER DOOLINS, GLENN DULAN, GLYNN MILLER DOOLIN, JEFFREY LOUIS DICK, GLENN MILLER DULAN, GLENN MILLER DULON, MILLER DOOLIN, JEFFREY DICK, GLENN DOOLIN, MILLER DULAN, JEFFREY LOUIS DICK, LOUIS DICK, LOUIS DICK	YES

Booking Information

Offender Code	Offense Description	Sent. Status	Sent. Min	Sent. Max	Sent. PED	Sent. MPH	Sent. County	Sent. PEXD	Sent. Type	Sent. RRD	Sent. Start Date
2281	ATT FORGERY	Discharged	12 mo.	30 mo.	2008-12-17			2009-07-03	DETERMINE		2008-05-08
3521	ATT POSSESSION STOLEN VEHICLE	Inactive	12 mo.	34 mo.	2011-07-31			2012-08-26	DETERMINE		2011-01-01
496	UNATH ABSENCE FROM PLACE OF ASSIGNMENT	Discharge to Consecutive	0 yr. 18 mo. 0 days	0 yr. 48 mo. 0 days	2014-02-14	2014-05-01	CLARK COUNTY COURTHOUSE	2014-10-30	DETERMINE		2012-08-15
3560	HABITUAL CRIMINAL (LESSER)	Active	0 yr. 60 mo. 0 days	0 yr. 150 mo. 0 days	2019-10-30	2020-10-12	CLARK COUNTY COURTHOUSE	2021-04-14	DETERMINE		2014-10-31

Inmate Photo



Parole Hearing Details

Offender Book ID	Parole Hearing Date	Parole Hearing Location
111041	2008-10-20	PAROLE BOARD ROOM 301
139009	2011-05-05	PAROLE BOARD ROOM 201
151950	2013-11-25	PAROLE BOARD ROOM 101
151950	2014-02-03	PAROLE BOARD ROOM 101

Exhibit 2

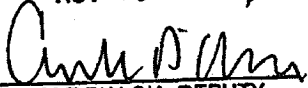
Amended Information

ORIGINAL

1 INFM
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 NOREEN DEMONTE
6 Chief Deputy District Attorney
7 Nevada Bar #008213
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

NOV 06 2012

BY 
CAROLE D'ALORIO, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

C-12-284106-1
AINF
Amended Information
1994707



THE STATE OF NEVADA,

Plaintiff,

-vs-

GLENN DOOLIN, aka
Glenn Miller Doolin, #1990096

Defendant.

CASE NO: C-12-284106

DEPT NO: XXV

AMENDED
INFORMATION

15 STATE OF NEVADA }
16 COUNTY OF CLARK } ss.

17 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State
18 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That GLENN DOOLIN, aka Glenn Miller Doolin, the Defendant(s) above named,
20 having committed the crimes of GRAND LARCENY AUTO (Category C Felony - NRS
21 205.228.2) and POSSESSION OF BURGLARY TOOLS (Gross Misdemeanor - NRS
22 205.080), on or about the 15th day of June, 2012, within the County of Clark, State of
23 Nevada, contrary to the form, force and effect of statutes in such cases made and provided,
24 and against the peace and dignity of the State of Nevada,

25 COUNT 1 - GRAND LARCENY AUTO

26 did then and there intentionally, unlawfully, and feloniously, with intent to deprive
27 the owner permanently thereof, steal, take, carry away, drive away or otherwise remove a
28 motor vehicle owned by another person, in the possession of SCOOTER UP LAS VEGAS,

4

1 to-wit: a 2012 TAOTAO Moped, bearing VIN No. L9NTEACB0C1013333.

2 COUNT 2 - POSSESSION OF BURGLARY TOOLS

3 did wilfully and unlawfully have in his possession, a tool and/or tools commonly used
4 for the commission of a burglary, larceny, or other crime, to-wit: a screwdriver, under
5 circumstances evincing an intent by Defendant to use or employ said tools in the
6 commission of a crime.

7 STEVEN B. WOLFSON
8 Clark County District Attorney
9 Nevada Bar #001565

10 BY NOREEN DEMONTE
11 NOREEN DEMONTE
12 Chief Deputy District Attorney
Nevada Bar #008213

13 Names of witnesses known to the District Attorney's Office at the time of filing this
14 Information are as follows:

15 <u>NAME</u>	15 <u>ADDRESS</u>
16 ARCINIEGA, DAVID	LVMPD P#14185
17 COLUCCI, ANGELO	LVMPD P#13379
18 CUSTODIAN OF RECORDS	CCDC
19 CUSTODIAN OF RECORDS	LVMPD DISPATCH
20 CUSTODIAN OF RECORDS	LVMPD RECORDS
21 DARROW, ROBERT	600 LAS VEGAS BLVD. SO., LVN
22 DEWERDE, SANTINO	LVMPD P#14183
23 MCGILL, JOSEPH	LVMPD P#3351
24 SALAZAR, SALIM	LVMPD P#13350
25 SCHWALBACH, WAYNE	616 LAS VEGAS BLVD. SO., LVN
26 TINO, ROCKY	616 LAS VEGAS BLVD. SO., LVN

1 **UNDER NO CIRCUMSTANCES IS THE LANGUAGE CONTAINED**
2 **HEREINAFTER TO BE READ TO A JURY HEARING THE PRIMARY OFFENSE**
3 **FOR WHICH THE DEFENDANT IS PRESENTLY CHARGED.**

4 Defendant GLENN DOOLIN, aka Glenn Miller Doolin, hereinbefore named, is
5 placed on notice that, in accordance with the authorization of NRS 207.010, punishment
6 imposed pursuant to the above-stated habitual criminal statute will be urged upon the Court
7 if said Defendant is found guilty on the primary offenses of GRAND LARCENY AUTO, for
8 which the Defendant is presently charged.

9 This page concerning the prior convictions hereinbelow set forth is to be considered
10 by the Court in its discretion ONLY after the finding of guilty of Defendant on the primary
11 charge herein.

12 That said Defendant GLENN DOOLIN, aka Glenn Miller Doolin, has been FOUR (4)
13 TIMES convicted of crimes, which, under the laws of the situs of the crime and/or the State
14 of Nevada, amount to felonies, to-wit:

15 1. That on or about the 23rd day of January, 1995, the Defendant was convicted
16 in the Commonwealth of Virginia, City of Danville, Circuit Court of Danville, for the crime
17 of LARCENY, in Case No. C94-011224.

18 2. That in 2002, the Defendant was convicted in and for the Superior Court of the
19 State of North Carolina, County of Mecklenburg, for the crime of LARCENY OF AUTO, in
20 Case No. 02CRS243350.

21 3. That on or about the 31st day of July, 2008, the Defendant was convicted in
22 the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the
23 crime of ATTEMPT FORGERY, in Case No. C244957.

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1 4. That on or about the 26th day of January, 2011, the Defendant was convicted
2 in the Eighth Judicial District Court, in and for the County of Clark, State of Nevada, for the
3 crime of ATTEMPT POSSESSION OF STOLEN VEHICLE, in Case No. C262611.

4 STEVEN B. WOLFSON
5 Clark County District Attorney
6 Nevada Bar #001565

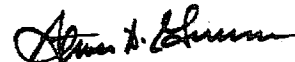
7 BY *N. Demonte*
8 NOREEN DEMONTE
9 Chief Deputy District Attorney
10 Nevada Bar #008213

11 DO NOT READ TO THE JURY
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27 DA#12F09527X/dd-rop
28 LVMPD EV#120615-0571
 (TK1)

Exhibit 3

Judgment of Conviction



CLERK OF THE COURT

1 JOCP

2

3

4

DISTRICT COURT

5

CLARK COUNTY, NEVADA

6

7 THE STATE OF NEVADA,

8

Plaintiff,

9

CASE NO. C284106-1

10

-vs-

DEPT. NO. XXV

11

GLENN DOOLIN
aka Glenn Miller Doolin
#1990096

12

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Defendant.

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JUDGMENT OF CONVICTION

16

(PLEA OF GUILTY)

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The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crimes of COUNT 1 – GRAND LARCENY AUTO (Category C Felony), in violation of NRS 205.228.2, and COUNT 2 – POSSESSION OF BURGLARY TOOLS (Gross Misdemeanor), in violation of NRS 205.080; thereafter, on the 10TH day of April, 2013, the Defendant was present in court for sentencing with his counsel, RYAN BASHOR, Deputy Public Defender, and good cause appearing,

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THE DEFENDANT IS HEREBY ADJUDGED guilty of COUNT 2 – POSSESSION OF BURGLARY TOOLS (Gross Misdemeanor) and, under the SMALL HABITUAL Criminal Statute the Defendant is ADJUDGED guilty of COUNT 1 – GRAND LARCENY AUTO (Category C Felony) and, in addition to the \$25.00

APR 26 2013

1 Administrative Assessment, the Defendant is sentenced as follows: as to COUNT 1 -
2 to a MAXIMUM of ONE HUNDRED FIFTY (150) MONTHS with a MINIMUM Parole
3 Eligibility of SIXTY (60) MONTHS in the Nevada Department of Corrections (NDC),
4 COUNT 1 to run CONSECUTIVE to Cases C283685 and C262611; and as to COUNT
5 2 - TWELVE (12) MONTHS in the Clark County Detention Center (CCDC), COUNT 2
6 to run CONSECUTIVE to COUNT 1; with ZERO (0) DAYS Credit for Time Served. As
7 the Fee and Genetic Testing have been previously imposed, the Fee and Testing in the
8 current case are WAIVED.

9
10 DATED this 24th day of April, 2013

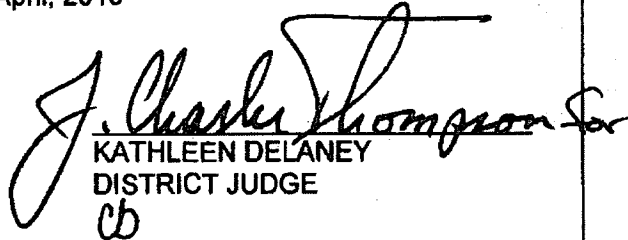
11
12
13 
14 KATHLEEN DELANEY
15 DISTRICT JUDGE
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Exhibit 4

Offender Legal Orders



State of Nevada
Department of Corrections
OFFENDER LEGAL ORDERS

DOOLIN, GLENN MILLER 1023173

Next Parole Expiration Date(NPD):

RECOMMENDED RELEASE DATE:

SENTENCE DATE	RETRIO DATE	OFFENSE - DESCRIPTION	COUNT	SENTENCE SEQ	SENTENCE CONSECUTIVE TO	MINIMUM	MAXIMUM	LIFE	STATUS	DATE	PEX	PEXD	NPD
C# C284106-1	04/10/2013	100312014	3560	HABITUAL CRIMINAL (LESSER)	1	1	0Y 60M 0D	0Y 150M 0D	A	10/30/2019	04/19/2021	10/17/2020	
C# 283685	10/31/2012	08/15/2012	486	UNLAWFUL ABSENCE FROM PLACE OF ASSIGNMENT	2	1	0Y 18M 0D	0Y 48M 0D	DCS	11/12/2014	10/30/2014	05/01/2014	

Sentence Statuses	
A	Active
D	Discharged
DCS	Discharge to Consecutive
DP	Paroled
I	Inactive
OT	Overturned
P	Pending
P287	PENDING
PTC	Parole to Consecutive
REACT	Reactivated
SUSP	Suspended

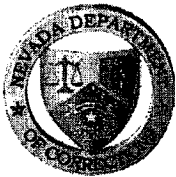
Report Name: NVR0LO

Reference Name: NOTIS-RPT-OR-0068.11

Run Date: JUL-11-17 04:15 PM

Exhibit 5

Credit History
By Sentence



State of Nevada
Department of Corrections
Credit History by Sentence
MAX Term

Offender: DOOLIN, GLENN - 0001023173						Sentence: 1	Count: 1	
Current Earned Expiration Date:								
Case	Sentence Dt	JC	Retro Dt	MAX Term	Days Owed	PED	PEXD	Status
283685	10/31/2012	76	08/15/2012	0y 48m 0d	1461	02/14/2014	10/30/2014	DCS

From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
08/15/2012	08/31/2012	FLAT	17	No Comment	1444
08/15/2012	08/31/2012	STAT	11	No Comment	1433
08/15/2012	08/31/2012	WORK	0	No Comment	1433
09/01/2012	09/30/2012	FLAT	30	No Comment	1403
09/01/2012	09/30/2012	STAT	20	No Comment	1383
09/01/2012	09/30/2012	WORK	0	No Comment	1383
10/01/2012	10/30/2012	FLAT	30	No Comment	1353
10/01/2012	10/30/2012	STAT	20	No Comment	1333
10/01/2012	10/30/2012	WORK	0	No Comment	1333
10/31/2012	10/31/2012	FLAT	1	No Comment	1332
10/31/2012	10/31/2012	STAT	0	No Comment	1332
10/31/2012	10/31/2012	WORK	1	No Comment	1331
11/01/2012	11/30/2012	FLAT	30	No Comment	1301
11/01/2012	11/30/2012	STAT	20	No Comment	1281
11/01/2012	11/30/2012	WORK	0	Projected Credits not Earned on 12/11/2012 03:00:29	1281
12/01/2012	12/31/2012	FLAT	31	No Comment	1250
12/01/2012	12/31/2012	STAT	20	No Comment	1230
12/01/2012	12/31/2012	WORK	0	Projected Credits not Earned on 01/11/2013 03:00:42	1230
01/01/2013	01/31/2013	FLAT	31	No Comment	1199
01/01/2013	01/31/2013	STAT	20	No Comment	1179
01/01/2013	01/31/2013	WORK	0	Projected Credits not Earned on 02/11/2013 03:00:24	1179
02/01/2013	02/28/2013	FLAT	28	No Comment	1151
02/01/2013	02/28/2013	STAT	20	No Comment	1131
02/01/2013	02/28/2013	WORK	0	Projected Credits not Earned on 03/11/2013 03:00:39	1131
03/01/2013	03/31/2013	FLAT	31	No Comment	1100
03/01/2013	03/31/2013	STAT	20	No Comment	1080
03/01/2013	03/31/2013	WORK	0	Projected Credits not Earned on 04/11/2013 03:00:30	1080
04/01/2013	04/30/2013	FLAT	30	No Comment	1050
04/01/2013	04/30/2013	STAT	20	No Comment	1030
04/01/2013	04/30/2013	WORK	6	05/08/2013 Education/Student - 6	1024
05/01/2013	05/31/2013	FLAT	31	No Comment	993
05/01/2013	05/31/2013	STAT	20	No Comment	973
05/01/2013	05/31/2013	WORK	0	Projected Credits not Earned on 06/11/2013 02:45:42	973
06/01/2013	06/30/2013	FLAT	30	No Comment	943
06/01/2013	06/30/2013	STAT	20	No Comment	923
06/01/2013	06/30/2013	WORK	0	Projected Credits not Earned on 07/11/2013 02:45:55	923
06/11/2013	06/27/2013	MR_CP_CTC	15	Commitment to Change Core Program Phase I Volumes	908

The PEXD is the 'Projected Expiration Date', as such it is a projected date, and should only be considered an approximation of the actual release date. When NDOC staff have determined the actual release date, the offender's release caseworker will be informed. Entries in Blue are future credits that have not been earned yet.

Offender: DOOLIN, GLENN - 0001023173

Sentence: 1

Count: 1

Current Earned Expiration Date:

Case	Sentence Dt	JC	Retro Dt	MAX Term	Days Owed	PED	PEXD	Status
283685	10/31/2012	76	08/15/2012	0y 48m 0d	1461	02/14/2014	10/30/2014	DCS

From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
07/01/2013	07/31/2013	FLAT	31	No Comment	877
07/01/2013	07/31/2013	STAT	20	No Comment	857
07/01/2013	07/31/2013	WORK	0	Projected Credits not Earned on 08/11/2013 02:45:34	857
08/01/2013	08/31/2013	FLAT	31	No Comment	826
08/01/2013	08/31/2013	STAT	20	No Comment	806
08/01/2013	08/31/2013	WORK	0	Projected Credits not Earned on 09/11/2013 02:46:02	806
09/01/2013	09/30/2013	FLAT	30	No Comment	776
09/01/2013	09/30/2013	STAT	20	No Comment	756
09/01/2013	09/30/2013	WORK	0	10/09/2013 Offender Specific - 10 	756
10/01/2013	10/31/2013	FLAT	31	No Comment	725
10/01/2013	10/31/2013	STAT	20	No Comment	705
10/01/2013	10/31/2013	WORK	0	11/05/2013 Offender Specific - 10 	705
11/01/2013	11/30/2013	FLAT	30	No Comment	675
11/01/2013	11/30/2013	STAT	20	No Comment	655
11/01/2013	11/30/2013	WORK	10	12/09/2013 Offender Specific - 10	645
11/04/2013	11/18/2013	MR_CP CTC	15	Commitment to Change Core Program Phase II Volumes	630
12/01/2013	12/31/2013	FLAT	31	No Comment	599
12/01/2013	12/31/2013	STAT	20	No Comment	579
12/01/2013	12/31/2013	WORK	10	Projected Credits not Earned on 01/11/2014 02:45:	569
01/01/2014	01/31/2014	FLAT	31	No Comment	538
01/01/2014	01/31/2014	STAT	20	No Comment	518
01/01/2014	01/31/2014	WORK	0	Projected Credits not Earned on 02/11/2014 02:47:12	518
02/01/2014	02/28/2014	FLAT	28	No Comment	490
02/01/2014	02/28/2014	STAT	20	No Comment	470
02/01/2014	02/28/2014	WORK	1	Projected Credits not Earned on 03/11/2014 02:51:	469
03/01/2014	03/31/2014	FLAT	31	No Comment	438
03/01/2014	03/31/2014	STAT	20	No Comment	418
03/01/2014	03/31/2014	WORK	0	Projected Credits not Earned on 04/11/2014 02:45:55	418
04/01/2014	04/30/2014	FLAT	30	No Comment	388
04/01/2014	04/30/2014	STAT	20	No Comment	368
04/01/2014	04/30/2014	WORK	0	Projected Credits not Earned on 05/11/2014 02:45:40	368
05/01/2014	05/31/2014	FLAT	31	No Comment	337
05/01/2014	05/31/2014	STAT	20	No Comment	317
05/01/2014	05/31/2014	WORK	0	Projected Credits not Earned on 06/11/2014 02:47:57	317
06/01/2014	06/30/2014	FLAT	30	No Comment	287
06/01/2014	06/30/2014	STAT	20	No Comment	267
06/01/2014	06/30/2014	WORK	10	Projected Credits not Earned on 07/11/2014 02:45:	257
07/01/2014	07/31/2014	FLAT	31	No Comment	226
07/01/2014	07/31/2014	STAT	20	No Comment	206
07/01/2014	07/31/2014	WORK	10	Projected Credits not Earned on 08/11/2014 02:45:	196
08/01/2014	08/31/2014	FLAT	31	No Comment	165
08/01/2014	08/31/2014	MR_CP CTC	15	No Comment	150
08/01/2014	08/31/2014	STAT	20	No Comment	130

The PEXD is the 'Projected Expiration Date', as such it is a projected date, and should only be considered an approximation of the actual release date. When NDOC staff have determined the actual release date, the offender's release caseworker will be informed. Entries in Blue are future credits that have not been earned yet.

Offender: DOOLIN, GLENN - 0001023173

Sentence: 1

Count: 1

Current Earned Expiration Date:

Case	Sentence Dt	JC	Retro Dt	MAX Term	Days Owed	PED	PEXD	Status
283685	10/31/2012	76	08/15/2012	0y 48m 0d	1461	02/14/2014	10/30/2014	DCS

From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
08/01/2014	08/31/2014	WORK	10	09/03/2014 Offender Specific - 10	120
09/01/2014	09/30/2014	FLAT	30	No Comment	90
09/01/2014	09/30/2014	STAT	20	No Comment	70
09/01/2014	09/30/2014	WORK	10	No Comment	60
10/01/2014	10/30/2014	FLAT	30	No Comment	30
10/01/2014	10/30/2014	STAT	20	No Comment	10
10/01/2014	10/30/2014	WORK	10	No Comment	0

The PEXD is the 'Projected Expiration Date', as such it is a projected date, and should only be considered an approximation of the actual release date. When NDOC staff have determined the actual release date, the offender's release caseworker will be informed. Entries in Blue are future credits that have not been earned yet.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

July 18, 2017

A-16-745766-W Glenn Doolin, Plaintiff(s)
vs.
Nevada State of, Defendant(s)

**July 18, 2017 9:00 AM Petition for Writ of Habeas
Corpus**

HEARD BY: Hardcastle, Kathy

COURTROOM: RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Petition for Writ of Habeas Corpus

No parties present

Plaintiff is challenging the computation of time by the Nevada Department of Corrections (NDOC). Mr. Doolin is currently incarcerated in Southern Desert Correctional Center and was adjudicated guilty of a 2012 category B felony. He failed to show NDOC has incorrectly computed his credit. Additionally, he has been awarded good time credits and is prohibited from application of good time credits against his minimum sentence pursuant to the statute. COURT ORDERED, petition DENIED.

Electronically Filed
8/3/2017 2:04 PM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

1 Glenn M. Doolin #1023173

2 . In Propria Personam
3 Post Office Box 208, S.D.C.C.
4 Indian Springs, Nevada 89018

Electronically Filed
Aug 11 2017 04:17 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

5 IN THE 8th JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

6 IN AND FOR THE COUNTY OF CLATSOP

7
8 Glenn M. Doolin

9
10 Plaintiff,

11 vs. The State of Nevada

12
13 Defendant.

Case No. 16-745766-0

Dept. No. VII

Docket _____

14
15
16 **NOTICE OF APPEAL**

17 NOTICE IS HEREBY GIVEN, That the Petitioner/Defendant,
18 Glenn M. Doolin, in and through his proper person, hereby
19 appeals to the Supreme Court of Nevada from the ORDER denying and/or
20 dismissing the

21 Petition for Writ of Habeas Corpus

22
23 ruled on the 18th day of July, 20 17.

24
25 Dated this 31 day of July, 20 17.

26 Respectfully Submitted.

27 Glenn M. Doolin

28 RECEIVED

AUG 3 - 2017

#123
CLERK OF THE COURT

CERTIFICATE OF SERVICE BY MAILING

I, Glenn M. Doolin, hereby certify, pursuant to NRCP 5(b), that on this 31
day of July, 2017, I mailed a true and correct copy of the foregoing, "Notice
of Appeal"

by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

The Clerk of Court
8th District Court
200 Lewis Ave
Las Vegas NV 89102

CC:FILE

DATED: this 31 day of July, 2017.

Glenn M. Doolin
Glenn M. Doolin #1023178
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

(Title of Document)

filed in District Court Case number _____

☐ Does not contain the social security number of any person.

-OR-

☐ Contains the social security number of a person as required by:

A. A specific state or federal law, to wit:

(State specific law)

-or-

B. For the administration of a public program or for an application
for a federal or state grant.

Signature

Date

Print Name

Title

To: The Clerk of the Court
From: Glenn Doolin # 1023173
Re: CA # A-116-745766-60
Dept. VII

Sir: Please Electronic File this appeal, & send
copies to where they need to go: and please send
me my copies.

Thank You in Advance
Glenn M. Doolin # 1023173

P.O. Box 208, SDC

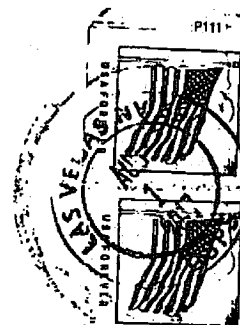
Tadine Springs NJ 09070

RECEIVED

AUG 3 - 1997 *W*

CLERK OF THE COURT

Glass Doolin #103113
P.O. Box 208 505c
Indian Springs WY
89070



The Clerk of the Court
8th. Judicial District Court

200. Garcia, Aylea
9910133300 COTZ Sgr, 14/11/2018

**Southern Desert
Correctional Center**

AUG - 1 2017

Outgoing Mail



1 ASTA

2
3
4
5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9 GLENN DOOLIN,

10 Plaintiff(s),

11 vs.

12
13 STATE OF NEVADA; NEVADA DEPARTMENT
14 OF CORRECTIONS,

15 Defendant(s),

Case No: A-16-745766-W

Dept No: VII

16
17 **CASE APPEAL STATEMENT**

18 1. Appellant(s): Glenn M. Doolin

19 2. Judge: Linda Marie Bell

20 3. Appellant(s): Glenn M. Doolin

21 Counsel:

22
23 Glenn M. Doolin #1023173
24 P.O. Box 208
Indian Springs, NV 89070

25 4. Respondent (s): State of Nevada; Nevada Department of Corrections

26 Counsel:

27 Adams Paul Laxalt, Attorney General
28 555 E. Washington Ave., Ste. 3900

Las Vegas, NV 89101-1068

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Appellant Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis**: N/A
***Expires 1 year from date filed*
Appellant Filed Application to Proceed in Forma Pauperis: No
Date Application(s) filed: N/A

9. Date Commenced in District Court: October 27, 2016

10. Brief Description of the Nature of the Action: Civil Writ

Type of Judgment or Order Being Appealed: Civil Writ of Habeas Corpus

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 7 day of August 2017.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

Heather Ungermann, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Glenn M. Doolin

Glenn Doolin #1623173
Petitioner/In Propria Persona
Post Office Box 208, SDCC
Indian Springs, Nevada 89070-0208

Electronically Filed
8/3/2017 2:05 PM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

IN THE 8th JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF CLACK

Glenn M. Doolin
Plaintiff,

vs.

The State of Nevada
Defendant.

CASE No. A-16-745766-W
DEPT. No. VII

DESIGNATION OF RECORD ON APPEAL

TO: The Clerk of Court
8th Judicial District Court
200 Nevada Ave
Las Vegas, NV 89101

The above-named Plaintiff hereby designates the entire record of the above-entitled case, to include all the papers, documents, pleadings, and transcripts thereof, as and for the Record on Appeal.

DATED this 31 day of July, 2017.

RESPECTFULLY SUBMITTED BY:

Glenn M. Doolin
Glenn M. Doolin #1623173
Plaintiff/In Propria Persona

RECEIVED
AUG 03 2017
#23
CLERK OF THE COURT

DEPARTMENT 7
CASE SUMMARY
CASE NO. A-16-745766-W

Glenn Doolin, Plaintiff(s)
vs.
Nevada State of, Defendant(s)

§
§
§
§
§

Location: Department 7
Judicial Officer: Bell, Linda Marie
Filed on: 10/27/2016
Cross-Reference Case Number: A745766

CASE INFORMATION

Case Type: Writ of Habeas Corpus
Case Flags: Appealed to Supreme Court

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number A-16-745766-W
Court Department 7
Date Assigned 10/27/2016
Judicial Officer Bell, Linda Marie







PARTY INFORMATION

Plaintiff	Doolin, Glenn	<i>Lead Attorneys</i>
		Pro Se
Defendant	Nevada Department of Corrections	Perlick, Jessica E. <i>Retained</i> 702-851-1191(W)
	Nevada State of	Perlick, Jessica E. <i>Retained</i> 702-851-1191(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX

10/27/2016	 Inmate Filed - Petition for Writ of Habeas Corpus Party: Plaintiff Doolin, Glenn <i>Petition for Writ of Habeas Corpus, Pursuant to NRS 34.724 Calculation of Imprisonment</i>
06/07/2017	 Order for Petition for Writ of Habeas Corpus <i>Order for Petition for Writ of Habeas Corpus - AB510</i>
07/17/2017	 Response Filed by: Defendant Nevada State of; Defendant Nevada Department of Corrections; Agency Office of the Attorney General <i>Response to Petition for Writ of Habeas Corpus</i>
07/18/2017	 Petition for Writ of Habeas Corpus (9:00 AM) (Judicial Officer: Hardcastle, Kathy)
08/03/2017	 Notice of Appeal Filed By: Plaintiff Doolin, Glenn <i>Notice Of Appeal</i>
08/03/2017	 Designation of Record on Appeal Filed By: Plaintiff Doolin, Glenn <i>Designation Of Record On Appeal</i>

DEPARTMENT 7
CASE SUMMARY
CASE NO. A-16-745766-W

08/07/2017



Case Appeal Statement
Case Appeal Statement

DATE	FINANCIAL INFORMATION
	Plaintiff Doolin, Glenn
	Total Charges 24.00
	Total Payments and Credits 24.00
	Balance Due as of 8/7/2017 0.00



DISTRICT COURT CIVIL COVER SHEET

County, Nevada

Case No.

(Assigned by Clerk's Office)

A-16-745766-W
VII

I. Party Information (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone):

Glenn Doolin

Defendant(s) (name/address/phone):

The State of Nevada
The Nevada Dept of
Corrections, et al

Attorney (name/address/phone):

Attorney (name/address/phone):

II. Nature of Controversy (please select the one most applicable filing type below)

Civil Case Filing Types

Real Property Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ <input checked="" type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ	Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters	

Business Court filings should be filed using the Business Court civil coversheet.

10/26/16
Date

Prepared by Clerk
Signature of initiating party or representative

See other side for family-related case filings.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

July 18, 2017

A-16-745766-W Glenn Doolin, Plaintiff(s)
vs.
Nevada State of, Defendant(s)

July 18, 2017 9:00 AM **Petition for Writ of Habeas
Corpus**

HEARD BY: Hardcastle, Kathy

COURTROOM: RJC Courtroom 15A

COURT CLERK: Sylvia Perry

RECORDER: Renee Vincent

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Petition for Writ of Habeas Corpus

No parties present

Plaintiff is challenging the computation of time by the Nevada Department of Corrections (NDOC). Mr. Doolin is currently incarcerated in Southern Desert Correctional Center and was adjudicated guilty of a 2012 category B felony. He failed to show NDOC has incorrectly computed his credit. Additionally, he has been awarded good time credits and is prohibited from application of good time credits against his minimum sentence pursuant to the statute. COURT ORDERED, petition DENIED.



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

GLENN M. DOOLIN #1023173
P.O. BOX 208
INDIAN SPRINGS, NV 89070

DATE: August 7, 2017
CASE: A-16-745766-W

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

NOTICE OF APPEAL FILED: August 3, 2017

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☒ Order
- ☒ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

Certification of Copy

State of Nevada }
County of Clark } SS:

I, 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):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DESIGNATION OF RECORD ON APPEAL; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

GLENN DOOLIN,

Plaintiff(s),

vs.

STATE OF NEVADA; NEVADA
DEPARTMENT OF CORRECTIONS,

Defendant(s),

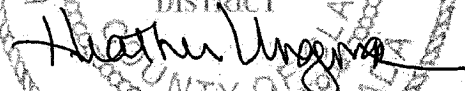
Case No: A-16-745766-W

Dept No: VII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 7 day of August 2017.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

IN THE SUPREME COURT OF THE STATE OF NEVADA

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

No. 73698

FILED

OCT 03 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

*ORDER DIRECTING ENTRY AND TRANSMISSION OF
WRITTEN ORDER*

This is a pro se appeal from a decision denying a postconviction petition for a writ of habeas corpus. The documents before this court do not contain a written order memorializing the court's decision made on July 18, 2017. A copy of the written order is essential to a determination of this court's jurisdiction to consider this appeal.¹ The district court shall have 60 days from the date of this order to: (1) enter a written order, (2) inform this court in writing that it is reconsidering its decision, or (3) inform this court in writing that additional time is needed to enter the written order. In the event the district court enters a written order (or has already entered a written order of which this court is unaware), the clerk of the district court

¹Prior to the entry of a final written judgment, and the timely filing of a notice of appeal, the district court technically retains jurisdiction over appellant's case. *See Bradley v. State*, 109 Nev. 1090, 1094-95, 864 P.2d 1272, 1275 (1993). In a criminal case, a notice of appeal filed after announcement of the decision, but before entry of the written judgment or order is deemed to have been filed after such entry and on the day thereof. NRAP 4(b)(2).

shall immediately transmit a certified copy of the order to the clerk of this court.

It is so ORDERED.

Cherry, C.J.

cc: Hon. Linda Marie Bell, District Judge
Glenn Miller Doolin
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk



1 NEOJ

2 **DISTRICT COURT**
3 **CLARK COUNTY, NEVADA**

4 GLENN DOOLIN,

5
6 Petitioner,

Case No: A-16-745766-W

Dept. No: VII

7 vs.

8 STATE OF NEVADA; ET AL.,

9 Respondent,

NOTICE OF ENTRY OF ORDER

10
11 **PLEASE TAKE NOTICE** that on October 9, 2017, the court entered a decision or order in this matter, a
12 true and correct copy of which is attached to this notice.

13 You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you
14 must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is
15 mailed to you. This notice was mailed on October 12, 2017.

16 STEVEN D. GRIERSON, CLERK OF THE COURT

17 /s/ Heather Ungermann

18 Heather Ungermann, Deputy Clerk

19 CERTIFICATE OF E-SERVICE / MAILING

20 I hereby certify that on this 12 day of October 2017, I served a copy of this Notice of Entry on the
21 following:

22 ☒ By e-mail:

23 Clark County District Attorney's Office
Attorney General's Office – Appellate Division-

24 ☒ The United States mail addressed as follows:

25 Glenn Doolin # 1023173
26 P.O. Box 208
Indian Springs, NV 89070

27 /s/ Heather Ungermann

28 Heather Ungermann, Deputy Clerk

Steven D. Grierson

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.

<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

1 II. Discussion

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

8 Nevada Revised Statute 209.4465 governs the award of credits for crimes committed on or
9 after July 17, 1997. An inmate that meets certain qualifications "must be allowed. . . a deduction of
10 20 days from his or her sentence for each month the offender serves." NRS 209.4465(1). These
11 credits "[a]pply to eligibility for parole" unless "otherwise provided in subsections 8 and 9." NRS
12 209.4465(7). Under subsection 8, the credits apply to eligibility for parole for:

13 an offender who has not been convicted of:

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

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

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

19 (d) A category A or B felony.

20 NRS 209.4465(8).

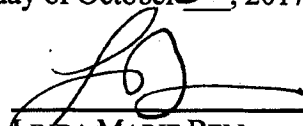
21 The Court finds Mr. Doolin is not entitled to good time credit deductions from his parole
22 eligibility date under NRS 209.4465. Mr. Doolin is serving a sentence based on a category B felony.
23 NRS 209.4465(8) specifically exempts this type of offense from NRS 209.4465(1)'s award for good
24 time credit deductions from an inmate's parole eligibility date. Furthermore, Mr. Doolin's current
25 sentence is for category B felon7 committed in 2013, after the effective date of the effective date of
26 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

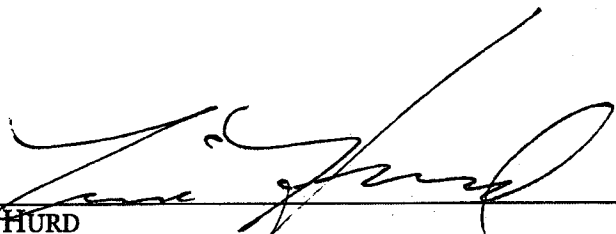
LINDA MARIE BELL
DISTRICT JUDGE
DEPARTMENT VII

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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 Date 10/4/2017
District Court Judge

**IN THE SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

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

Supreme Court No. 73698
District Court Case No. A745766

NOTICE OF TRANSFER TO COURT OF APPEALS

TO: Hon. Linda Marie Bell, District Judge
Glenn Miller Doolin
Clark County District Attorney \ Steven S. Owens, Chief Deputy District Attorney
Attorney General/Carson City \ Adam Paul Laxalt, Attorney General
Steven D. Grierson, Eighth District Court Clerk

Pursuant to NRAP 17(b), the Supreme Court has decided to transfer this matter to the Court of Appeals. Accordingly, any filings in this matter from this date forward shall be entitled "In the Court of Appeals of the State of Nevada." NRAP 17(e).

DATE: March 01, 2018

Elizabeth A. Brown, Clerk of Court

By: Amanda Ingersoll
Chief Deputy Clerk

Notification List

Electronic

Attorney General/Carson City \ Adam Paul Laxalt, Attorney General
Clark County District Attorney \ Steven S. Owens, Chief Deputy District Attorney

Paper

Hon. Linda Marie Bell, District Judge
Glenn Miller Doolin
Steven D. Grierson, Eighth District Court Clerk

18-08198

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