

IN THE SUPREME COURT OF THE STATE OF NEVADA

CLYDE BIGGS,
Appellant(s),

vs.

CALVIN JOHNSON, WARDEN,
Respondent(s),

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Case No: A-21-837467-W

Docket No: 83717

RECORD ON APPEAL

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A-21-837467-W

Clyde Biggs, Plaintiff(s)

vs.

Calvin Johnson, Defendant(s)

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Heather S. Lemin
CLERK OF THE COURT

1 Clyde BIGGS #1170985
2 PETITIONER/IN Proper Person
3 P.O. Box 650 HDSP
4 INDIAN SPRINGS, NV 89070
5

6 IN THE 8TH JUDICIAL DISTRICT COURT OF THE
7 STATE OF NEVADA AND COUNTY OF CLARK
8

9	Clyde BIGGS	}	CASE NO:	A-21-837467-W
10	PETITIONER		DEPT :	XXIV
11	CALVIN JOHNSON, WARDEN			
12	HDSP	}		
13	OFFENDER MANAGEMENT DIV.)			
14	STATE OF NEVADA)			

15
16 PetITION FOR WRIT OF HABEAS CORPUS
17 ~~████~~ CREDITS FOR COMPLETION OF VOCATIONAL EDUCATION
18 AND TRAINING OF OTHER PROGRAMS (NRS 209.449.) (NRS
19 34.724(2)(c).)
20

21 1) THAT PETITIONER, CLYDE BIGGS, MAKES Application
22 Herein for writ of HABEAS CORPUS for Calculation of
23 time on his own behalf, and is proceeding in
24 Proper person
25

26 2) That Petitioner believes that HDSP/NDOC is
27 Failing to Apply Accurate AND Approximate "Time" to
28

1 his Sentence from EARNED MERITORIOUS AWARDS,
2 AND COMPLETED VOCATIONAL AND MENTAL HEALTH CLASSES,
3 AS PROSCRIBED UNDER NRS 209.449.

4
5 3) THE IMPRISONMENT AND RESTRAINT IS UNLAWFUL
6 AND IN VIOLATION OF THE NEVADA CONSTITUTION IN
7 NRS 209.449(4)(A) BECAUSE OF RESPONDENTS INCORRECT
8 CALCULATIONS OF PETITIONERS EARNED DEDUCTIONS OF TIME
9 FROM THE "PEXD" (PROJECTED EXPIRATION DATE) / MAXIMUM TERM.
10 FOR COMPLETION OF CLASSES.

11 QUESTION OF LAW

12
13 WHETHER RESPONDENTS CALCULATIONS OF PETITIONERS
14 EARNED DEDUCTIONS FROM HIS "PEXD" (PROJECTED EXPIRATION DATE) /
15 MAXIMUM TERM, FOR HAVING COMPLETED VOCATIONAL AND MENTAL
16 HEALTH CLASSES IS BASED ON THEIR OWN ANALYSIS OR
17 INCORRECT INTERPRETATION OF NRS. 209.449 WHICH IS LESS
18 FAVORABLE TO PETITIONER AS WELL AS DISCRIMINATORY AND IN
19 VIOLATION OF THE DUE PROCESS AND DISCRIMINATION CLAUSES
20 GUARANTEED BY THE 14TH AMENDMENT TO THE U.S.
21 CONSTITUTION.

22 FURTHERMORE PETITIONER PREVIOUSLY HAD MOTION DISMISSED
23 ON DECEMBER 11, 2020; CASE NO: A-20-822591-W, WHICH WAS
24 HEARD BY THE HONORABLE JUDGE JOE HARDY, BECAUSE AS OF
25 JANUARY 1, 2020, AN INMATE MUST FIRST EXHAUST AVAILABLE ADMINISTRATIVE
26 REMEDIES BEFORE INITIATING A HABEAS PETITION CHALLENGING THE NEVADA
27 DEPARTMENT OF CORRECTIONS' COMPUTATION OF TIME CREDITS PURSUANT

1 to NRS 34.724. Petitioner has now exhausted NDOC
2 Administrative Remedies, which has failed to correct AN
3 obvious problem. Exhibit #1, NDOC's Informal, First Level,
4 And Second level Grievances were first filed starting with
5 informal on 12/15/2020, then first level filed on 2/5/2021
6 ~~and~~ and Second level filed by petitioner on 3/18/2021.
7 AR 740 INMATE Grievance procedure in 740.10 Second
8 level Grievance rules states on ~~AR~~ #3, "time limit for response
9 to the inmate for Second level grievance is sixty days (60)."
10 Petitioner's filing of second level grievance was on 3/18/2021,
11 it is now 6/23/2021, 96 days which is 36 days overdue
12 which shows petitioner has exhausted NDOC's administrative
13 Remedies. Exhibit #2, petitioner attempted to ask for a copy
14 of petitioner's Credit History Report by writing to the OMD,
15 (Offender Management Division) which are those in charge of
16 entering petitioner's days earned and deducting them from PEXD/
17 maximum term. Petitioner was denied and given run around also
18 showing the attempt to exhaust administrative remedies. Petitioner
19 has not received an answer back from filing Second level Grievance
20 which has petitioner's informal and first level answers attached as
21 procedure require that petitioner attach previous grievances and answers
22 with exhibits to ~~higher~~ grievances. Petitioner's credit history report
23 and inmate request forms and a printout of NRS 209.449 is still
24 lost somewhere with the Second level grievance filed. Exhibit
25 #3 is a true copy of a letter sent to John Borrowman
26 At Address 5500 Snyder Ave, Carson City, NV 89701. He's the
27 Deputy Director of Support Services which ~~and~~ petitioners asked
28

1 Second level grievance which was overdue. It was written
2 And sent out on 6/10/2021, And still as of this date 6/23/21,
3 no Second level grievance or answer from anyone. Exhibit #4
4 is A copy from NVCODE 2018 Matthew Bender And Company, Inc
5 of NRS 209.449 Credits for Completion of vocational education
6 and training or other program, and NRS 209.4465, credits
7 for offender sentenced for crime committed on or after
8 July 17 1997. Petitioner cites NRS 209.4465(2)(b) which
9 states: For earning a high school diploma "90 days", because in
10 case A-20-821365-W, Trent Herrickson vs. Charles Daniels
11 on Nov 20, 2020, The court order which was heard by
12 Honorable Judge Joe Hardy that NDOC grant the 90 days of
13 credit for his high school diploma which is in NRS 209.4465
14 from his PEXD/maximum term which also confirms NRS 209.449
15 Law entitling petitioner Briggs 60 days deduction from maximum
16 term which is "PEXD" (~~Projected~~ Expiration Date) for completion of program.
17 Exhibit #5 ARE four inmate request forms in order by date's,
18 which shows NDOC deducting only half of Days earned from
19 (PEXD) Projected Expiration Date/maximum term. Inmate request form with
20 date 6/27/18 shows at bottom under response by case worker,
21 that PEXD at that time WAS 5-22-24 which had Auto 1 & 2
22 deducted already which moved my PEXD from 7-21-24 to
23 5-22-24. But if looking at Exhibit #6 credit history by Sentence
24 Report from State of Nevada Department of Corrections on pages
25 6 and 7, At the bottom of page 6, Automotive Tech which was
26 entered on 12/19/17 A deduction of 60 days not 30 days. And on
27 pg 7, Auto Mechanics/Auto Shop entered on 1/11/18 A deduction of 60 days

1 not 30 days And If you look at column, days remaining you can see
2 this deduction which subtracted from the previous days owed that
3 60 days for ~~EACH~~ classes completed WAS entered, but on inmate
4 request form dated 6/27/18, case worker only shows ~~60~~ NDOC
5 deducting 30 days a class for Auto tech and Auto Mech which
6 totals 60 days for two classes instead of 120 days which should
7 have moved petitioner's date to 3/23/24 just for completion
8 of Auto tech and Auto Mech as NES 209.449 says each
9 vocational a deduction of 60 days not 30 days. This is just
10 evidence that petitioner introduces to show honorable court
11 the facts that he is being forced to excessive confinement
12 and or a longer term of imprisonment due to the incorrect interpretation
13 of NES 209.449 by NDOC or their own Analysis which is dividing
14 the meritorious credits by 2, then applying that number to Pxxd, but
15 for example, if you look at exhibit #7 which are all petitioner's
16 certificates minus the class just completed, "Victim Impact". Looking
17 At commitment to change phases I, II, III, you'll see it says
18 15 meritorious credits, so they NDOC divides 15 by 2 given petitioner
19 only a deduction of 7 days off Pxxd which is petitioner's maximum term
20 if petitioner stays working or in school so date does not move away
21 from him. So NDOC deducts 7 days but looking at Exhibit #6
22 Credit History by sentence report on pg 7 and 8, you'll find that
23 commitment to change phase I, II, III had deducted 15 days for each
24 phase instead of dividing by 2 and deducting only 7 days each phase.
25 Under adjust days shows how many to deduct from Max term or Pxxd,
26 And days remaining column shows the deductions. Exhibit #5 shows
27 inaccurate deductions of days under response to inmate by case workers.

28

STATEMENT OF FACTS:

Respondents have calculated petitioners vocational and mental health days of credit/deductions based on their own analysis and/or methodology rather than according to clearly established law under NRS 209.449.

This petitioner (will be/has been) subject to excessive confinement, and/or a longer term of imprisonment than the court intended, as a result of the N.D.C. policy or procedure.

NDOC pre-calculations for petitioners 10-25 year sentence gave petitioner a projected expiration date (PExD) of 6/15/24 which is 13 years and 7 months to expire a 25 year sentence if petitioner works and/or participates in school/vocational programs which petitioner has done since August 2017. (See exhibit #6 credit history by sentence report, pg 6). If petitioner does not work or program, PExD moves away from 6/15/24 extending petitioners stay. This calculation works in this manner. Petitioner served 2,244 days in Clark County Detention Center almost 74 months, this is flat time credit for time already served as shown on exhibit #6 At top of State of Nevada Department of Corrections credit history by sentence report. For that 74 months of flat time petitioner was credited with 20 days of statutory good time every month for 74 months as shown on exhibit #6 which adds up to 1,480 days. [Petitioner ask this Honorable Court to order NDOC to produce updated credit history report for exhibit #6 is from July 15, 2019 and lacks updated vocational and mental health classes completed as of this day 6/23/2021, and also that NDOC provide Honorable Court with petitioners first original projected expiration date (PExD) when petitioner first arrived at High Desert State Prison on 1/5/17]. Petitioner was given when arrived at High Desert State Prison on 1/5/17 an (PExD) projected expiration date 6/15/24 because NDOC further pre-calculated 7 and a half years of flat time after entering in 74 months of flat time served (2,244 days) and the credited 74 months of statutory good time (1,480 days) from Clark County Detention Center.

1 This 7 and A half years pre-calculated Flat time is equal to 90 months which is
2 2,735 in days (This can be seen on Exhibit #6). The difference between NDOC in
3 calculating Clark County Detention Center statutory and work time from NDOC calculating
4 statutory and work time while in High Desert state prison is that while in Clark County
5 Detention Center, Petitioner did not receive work time of 10 days a month. So for the 90
6 months that is pre-calculated starting at the month of January 2017 to June 2024
7 each month petitioner's sentence is pre-calculated with flat time, 20 days of statutory good
8 time and 83 months of work time (10 days a month). Awarded to Petitioner if working.
9 Petitioner started working on the month of August and that is why only 83 months instead
10 of 90 months Petitioner received 10 days a month. For the 7 months (Jan 2017 to Aug 2017),
11 of intake process and being placed in Level 3 protective custody, HDSP added 36 days to
12 petitioner's Original PEXD (Projected Expiration Date) which was 6/15/24, bringing it to 7/21/24.
13 Not being able to work or program during this intake process was not petitioner's fault. For
14 the 90 months of pre-calculated statutory time of 20 days a month adds up to 1,800 days
15 of statutory time. The work days, 10 days a month pre-calculated for 83 months adds up to
16 830 days, so now the Honorable Court can see how NDOC pre-calculated and got petitioner's
17 (PEXD) "Projected Expiration Date" - 6/15/24 by deducting these days from petitioner's 10-25 year
18 sentence which 25 years the max term is 9,131 days. PEXD 6/15/24 stays the same if petitioner
19 has and continues to hold a job at HDSP and or go to school program which allows petitioner to
20 keep the pre-calculated 10 days a month work time that has been given. As stated above,
21 petitioner has held a job and attended school since August 2017. NDOC pre-calculated
22 of petitioner's 7 years and 6 months of flat time, stat time and 83 months of pre-calculated work time, and
23 petitioner already served 6 years and 1 month and 24 days of flat time, plus 6 years and
24 2 months of statutory time credit for serving the 6 years, 1 month and 24 days of flat time from Clark
25 County Detention Center gives petitioner a 13 year, 7 month expiration date (PEXD - Projected Expiration
26 date) that is deducted from petitioner's maximum term of 25 years which is 9,131 days.
27 Petitioner was incarcerated on November 7, 2010 and was given a "Projected
28

1 Expiration Date" of 6/15/24 which is a 13 year, 7 month sentence when arrived at
2 HDSP. Deducting from petitioner's 9,131 days - max term (shown on top of Exhibit #6 under
3 days owed next to Max term), Subtract 2,244 days flat time from 9,131 and it equals
4 6,887 days Subtract 1,480 days statutory time that was credited for serving flat time at Clark
5 County from 6,887 and it equals 5,407. Now deduct the pre-calculated flat time 2,735
6 days from 5,407 and it equals 2,672. Then deduct the pre-calculated statutory time for
7 90 months, 1,800 days from 2,672 and it equals 872 days left of maximum term. Now deduct
8 pre-calculated work time, 10 days a month for 83 months which is 830 days from 872 and
9 it equals 42 days left of maximum term. This method shows Honorable Court how NAOC
10 Arrived At Petitioner's "Projected Expiration Date" (PEXD) which is 13 years and 7 months,
11 11/7/2010 to 6/15/24. This had to be shown to the Honorable Court so that the
12 deductions of vocational and mental health days earned by petitioner can be properly observed
13 and seen correctly without confusion. As shown in Exhibit #6, Credit history by sentence report
14 on page #1, it shows at top Days owed 9131, then on right hand side, a column that says Days
15 Remaining showing 9107 days. Looking at that bar that says 9107, you will see flat time of 24
16 days was deducted from 9131 max term (25 years) to get that 9107 days remaining. This shows also
17 that days remaining column is petitioner's maximum term being deducted from every month starting
18 on November 2010 until original "Projected Expiration Date" 6/15/24 which moved to 7/21/24.
19 Statutory time, work time, days, vocational and mental health class days are deducted also
20 here on days remaining column. On page #6 of Exhibit #6 Credit history Report shows one
21 of petitioner's vocational classes, Auto Technology. Before title it shows Adjust days which are
22 days to be deducted 60 days confirming NRS 209.449 which states: in addition to the
23 credits provided pursuant to NRS 209.433, 209.443, 209.446 or 209.4465, A deduction of
24 60 days from maximum term of offenders sentence as applicable, for successful
25 completion of (A) A program of vocational education and training. On the same line
26 as Auto Technology in the days remaining column, the number of days remaining are 4877. Above
27 this line the number of days remaining are 4937. 60 days for Auto Technology vocational class was

28

1 deducted from 4937 bringing petitioner's days remaining to 4877. This shows that
2 NRS. 209.449 is being applied in credit history report here on days remaining
3 but, NDOC [REDACTED] methodology does not allow the deduction of 60 days from maximum
4 term to reflect in Actual (Pexo) "Projected Expiration date" 7/21/24 which should have
5 had 60 days deducted from it just for Auto Technology alone, but as shown in exhibit #5
6 on inmate request form dated 6/27/18, Auto Technology and Auto mechanics both were credited and
7 petitioner's Pexo moved from 7/21/24 to 5/22/24, only 60 days deduction instead of 120 days
8 deduction because two vocational classes were completed, which should have brought petitioner's
9 Pexo to March 2024. What NDOC does is after subtracting 60 days for a vocational
10 class from maximum term in Days remaining column in credit history report (exhibit #6), they
11 then divide by 2 the earned 60 days and move the "Projected Expiration date" (Pexo) only
12 30 days. That's why on exhibit #5 inmate request form dated 6/27/18, for the posted classes Auto
13 tech and Auto mechanics, petitioner's Pexo 7/21/24 only moved to 5/22/24 which is only
14 60 days in total but on exhibit #6 credit history report on pages 6 and 7, Auto Tech and Auto
15 mechanics deducted 60 days a piece for each class from petitioner's Max term. This method
16 NDOC uses is subjecting petitioner to excessive confinement and or a longer term of
17 imprisonment, going against the law in NRS 209.449 that states "60 days deducted from maximum
18 term. If Honorable Court would summon updated entire credit history by sentence report
19 and briefly look over the court will see that petitioner Righteously through completion of 7
20 vocation classes and 5 mental Health classes (counting the phases of commitment to change individually)
21 anger management and victim impact, earned a total of 480 days that is being deducted from
22 days remaining column which represents petitioner's maximum term in Days and should reflect
23 in Pexo "Projected Expiration Date". But NDOC methodology or own interpretation, which is erroneous
24 and fraudulent, then divides the Awarded days by 2 which was afforded by NRS 209.449
25 and only deducts petitioner's "Projected Expiration Date" (Pexo) half the actually earned and
26 deducted days on credit history by sentence report (exhibit #6). At this current date,
27 6/23/21 petitioner only received out of 480 days earned, 216 days deducted from

1 *PexD "Projected Expiration Date" 7/21/24 bringing it to 12/15/23 which is a
2 major error. (See exhibit #5 inmate request form dating 6/10/21 showing current PexD 12-15-23)
3 For giving the proper calculations and deductions from credit history by sentence report, Petitioner's
4 original "Projected Expiration Date" 6/15/24 which moved to 7/21/24 should have had
5 480 exceptional achieved earned days deducted from it, bringing that "Projected Expiration
6 Date" (PexD) to ~~6/15/24~~ 3/28/23. Being that in order for NDOC/HOSP to get projected
7 Expiration Date, NDOC/HOSP had to deduct from max term 9131, already served flat time
8 from CDC 2,244 days and the statutory good time credited for serving that flat time which is ~~1,480~~
9 1,480, then pre-calculate flat time of another 7 years and 6 months, 2735, and the statutory good
10 time and work time for that 7 years and 6 months which stat time is 1,800 days, work time is 830
11 days, and if petitioner stays working and or in school, Projected Expiration date stays the
12 same, until days deducted from completing vocational or mental health classes bring petitioner's
13 date (PexD) closer for release. Since arriving at HOSP on 1-5-17 Petitioner's
14 PexD was 6-15-24 and then moved to 7-21-24. Petitioner started working
15 and going to school which petitioner still does at this current date 6/23/21 and
16 have been doing so the whole time and has completed following classes:
17 "Projected Expiration Date" 7/21/24 deducted by 60 days for Auto Tech moves date to 5/22/24;
18 Auto mechanics/workshop 60 days deducted moves PexD from 5/22/24 to 3/23/24, Culinary
19 60 days deduction moves PexD 3/23/24 to 1/22/24; Heavy Equipment Operator 60 days
20 moves PexD 1/22/24 to 11/23/23; Serv safe 30 days deduction moves PexD 11/23/23
21 to 10/24/23; Commitment to change phase I, 15 days deduction moves PexD 10/24/23
22 to 10/9/23; Commitment to change phase II, 15 days deduction moves PexD 10/9/23 to
23 9/24/23; Commitment to change phase III, 15 days deduction moves PexD 9/24/23 to
24 9/9/23; Construction 60 days deduction moves PexD 9/9/23 to 7/11/23; Welding
25 60 days deduction moves PexD 7/11/23 to 5/12/23; Anger management 15 days
26 deduction moves PexD 5/12/23 to 4/27/23; Victim impact 30 days
27 deduction moves PexD 4/27/23 to 3/28/23. According to NRS 209.449,
28

1 which states: "AN OFFENDER who has no serious infraction of the regulations of the
2 department... A Deduction of 60 days from maximum term... For the completion of: (A) A program
3 of vocational education and training; or (B) any other program approved by the Director. 2. IF
4 offender completes such a program with meritorious or exceptional achievement... 60 days
5 of credit in addition to the 60 days allowed for completion of program." As of today
6 6/23/2021, petitioner has only received 216 days deducted from PEXD "Projected Expiration Date"
7 instead of the full 480 days which are seen deducted in updated credit history by sentence
8 report and which are owed to petitioner for petitioner as maintained a job and maintained
9 his statutory 20 days a month and maintained his 10 days a month work time as well. This
10 has kept petitioner's PEXD at same Projected Expiration Date as it should have but
11 this current PEXD "Projected Expiration date" is wrong. Instead of 12/15/23, it should
12 read 3/28/23. According to my calculation and the calculation of credit history
13 report by sentence and NRS 209.449, HDSP/NDOC is only crediting me half
14 of my earned credits, which is a serious mistake that needs to be corrected
15 immediately. As of now, petitioner Biggs is owed an additional 264 days, which
16 should move my "Projected Expiration Date" (PEXD) to 3/28/23. Failure to adjust/
17 correct petitioner's earned credit days is a further injustice petitioner has
18 continually suffered at the hands of HDSP/NDOC and its subordinates. HDSP/NDOC
19 can not say that they divide vocational class credit days and mental health class
20 credit days by 2, first, because in their own manual on interpreting time calculation,
21 NDOC states credit is 1 day, second the law is clear and unambiguous, conveying
22 a clear meaning, and third, in credit history by sentence report (Exhibit # 6), the
23 Honorable Court can see in Days remaining column, petitioner's maximum term
24 9131 days are being subtracted from in this column by flat time, stat time, and
25 work time, and also vocational classes completed and all petitioner's mental health classes
26 completed are being subtracted in this column (Exhibit # 6, pages 6, 7, 8 etc). So to
27 say that they not giving petitioner 60 days deduction for vocational classes from maximum term
28

1 (Which should reflect in Petitioner's (PEXD) "Projected Expiration Date" which was pre-calculated
2 before petitioner began vocational or mental health classes, but dividing that 60 days
3 and other days earned and ~~deducted~~ by 2 and applying only 30 days of deduction
4 to PEXD because the 60 days earned are credit (which a credit is a day), is to say
5 that HDSP/NDAC are not giving petitioner the full flat time that is being deducted
6 on credit history by sentence report every ~~month~~ month as well as stat time and
7 work time. This the Honorable Court can ~~SEE~~ has been clearly shown by
8 petitioner to be false, as flat time, statutory time and work time for every month
9 is being subtracted from petitioner's maximum term under the days remaining
10 column in credit history by sentence report (exhibit #6), and as stated above,
11 petitioner's PEXD "Projected expiration date" was pre-calculated months before petitioner
12 had a job or attended vocational and mental health classes. So that PEXD "Projected
13 Expiration Date" which is derived from petitioner's maximum term of 25 years (913 days)
14 which was 6/15/24 and moved further away to 7/21/24 is the reflection of maximum
15 term and is maximum term as long as petitioner stays working and or in school which
16 petitioner has done since August 2017, which means when petitioner completes a vocational/
17 or mental health class and receive 60 credit days or 30 credit days or 15 credit days. Those
18 days should be subtracted from PEXD "Projected Expiration Date" just as these being
19 subtracted in the days remaining column in credit history by sentence report (exhibit #6).
20 HDSP/NDAC are not dividing the flat time, stat time and work time by two when
21 pre-calculating petitioner's "Projected Expiration Date" (PEXD)? But on this same, Days Remaining
22 column ~~the~~ Honorable Court will find the adjustment/deduction of the correct
23 amount of days for all vocational classes, 60 days and one 30 days for Serv safe, 15 days
24 deduction for each phase of commitment to change (three phases), 15 days for Anger management,
25 and 30 days for victim impact. These deductions from Maximum Term under Days Remaining
26 column should not turn around and be divided by 2 when applying deductions to PEXD
27 "Projected expiration date" which was derive from maximum term and is the reflection of

28

1 same maximum term.

2 LEGAL ARGUMENT

3 The rule is cardinal and universal that if a law is plainly unambiguous, there
4 is no room for construction or interpretation, *Brown v. Davis*, 1 Nev 409, 413 (1865). NRS
5 209.449~~51~~ provides in relevant part that: An offender who has no serious infraction
6 of the regulation of the department the terms and conditions of his residential confinement,
7 or the laws of the state recorded against him, must be allowed, "A ~~deduction~~ deduction
8 of 60 days from the maximum term or the maximum aggregate term of the offender's
9 sentence... For successful completion of: (A) A program of vocational education and
10 training or (B) any other program approved by the Director." However, N.D.O.C. has improperly
11 interpreted and applied the controlling statute as set forth above herein. Therefore,
12 the prison officials are making their calculations in a manner that denies petitioner
13 his statutory right to liberty without due process of law. In the case at bar, the
14 legislature itself created a statutory right in NRS 209.449, which defined therein
15 the correct manner/formula for computing extra credit days of completed vocational
16 classes and training, and any other program approved by director, thereby, the state of Nevada
17 created a liberty interest, requiring Due Process to ensure that such liberty is not
18 Arbitrarily Abrogated.

19 *V. Tek v. Jones*, 100 S. Ct. 1254, 1261-1262 (1980)

20 *Meachum v. Fano*, 96 S. Ct. 2532, 2539-49 (1976).

21 CONCLUSION

22 Finally, the cardinal rule of statutory construction is for a court to give effect
23 to the legislature's intent, "what a legislature says in the text of a statute
24 is considered the best evidence of the legislative intent or will. Therefore, the
25 court must apply the plain meaning of a statute where its language is unambiguous and
26 conveys a clear meaning."

27 The court must reject a statute's interpretation (The NDOC -

1 = merits, credit system formula) leading to absurd and its nonsensical results
2 not intended by the legislature, issue an order that NDOC halt its methodology
3 or whatever formula they are applying to extend petitioner's sentence, and apply
4 provisions of the NRS 209.449 so that its full force and effects benefit
5 this petitioner, for the remainder of this petitioner's sentence, as long as
6 the petitioner continues completing classes.

7 Petitioner ask for nothing but what he is entitled to. If this
8 Honorable court will summon petitioner's updated credit history by sentence report
9 and briefly look at said credit history report. Your Honor will notice the many errors
10 by N.D.O.C. Petitioner ask this Honorable court to Grant Petitioner relief and order
11 N.D.O.C. to properly issue the rest of petitioner's earned vocational and mental health
12 days which are 264 days out of the total 480 that petitioner earned and your
13 Honor can see in credit history report. That those 264 days be deducted from
14 PEXD "Projected Expiration Date", 12/15/23 bringing correct date to 3/28/23, and
15 further order N.D.O.C. to stop methodology of dividing petitioner's future days earned
16 by two and apply full days deduction from PEXD "Projected Expiration Date", what
17 the law states in NRS 209.449.

18
19 I request this Honorable court to conduct an oral hearing
20 immediately, via electronic means, and arrange my attendance to this.

21
22 I further request this court order respondent Charles Daniels to
23 immediately apply 264 days deduction from my sentence in C-10-270005-2
24 to the extent under NRS 209.449, 1(a)(b).

25
26 I further reserve expressly the right to file a civil action via 42
27 U.S.C. Section 1983 against respondent Charles Daniels and any other NDOC.

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Employee per NRS-209,243 inclusive and NRS chapter 41, inclusive.

Respectfully Clyde Biggs 1170925
Clyde Biggs

This 23rd day of June, 2021 HDSP Indian Springs, NV 89070
Petitioner in Pro Per (P.O. Box 650)

1 Nota Bene to Court

2 AS Per NDOC AR 740, I must attach all documents from a lower
3 level grievance to a higher appeal grievance, for this reason the
4 responses to Grievance # 2006-31-10733 Are not accompanying AS I
5 do not have said documents AS these are attached to the unresponded
6 Second level grievance-over due response.

7
8 Verification

9 I, the below sign, verify the contents of this document to be true
10 and correct to the best of my knowledge information and belief,
11 under penalty of perjury pursuant to NRS 208.165.

12
13 AFFIRMATION

14 I, the below signed, affirm This document does not contain Any
15 persons social security number, per NRS 239B.030

16
17 Declaration

18 I, the below signed, ~~and I~~ declare the signatures
19 herein to be my own, original and genuine, under penalty of
20 perjury pursuant to NRS 208.165.

21

22

23 Dated this 23rd day of June, 2021

24

25

26

27

28

Clyde Biggs
Clyde Biggs 1170985
in propria persona
PO Box 650
Indian Springs NV 89070

1 CERTIFICATE OF SERVICE BY MAILING

2 I, Clyde Biggs, hereby certify, pursuant to NRCP 5 (b), that on this 23rd
3 DAY of June, 2021, I mailed A true and correct copy of the
4 foregoing "Petition For writ OF HABEAS CORPUS", by depositing it in
5 the High Desert State Prison, Legal Library, First class Postage, fully
6 prepaid, addressed as follows:

7		
8	STEVEN D. GRIERSON	Office of the Nevada Attorney General
9	clerk of the courts	555 E. Washington Ave., ste. 3900
10	200 Lewis AVENUE ^{3rd floor}	LAS Vegas, NV 89101-1068
11	LAS Vegas, Nevada 89155	

12

13

14 Dated this 23rd day of June, 2021

15

16

17

Clyde Biggs

18

Clyde Biggs #1170985

19

in Propria persona

20

P.O. Box 650

21

INDIAN SPRINGS, NV 89070

22

23

24

25

26

27

28

Exhibit #1
GRIEVANCES (Copies only)

Log Number _____

**NEVADA DEPARTMENT OF CORRECTIONS
INFORMAL GRIEVANCE**

NAME: _____ I.D. NUMBER: _____

INSTITUTION: _____ UNIT: _____

GRIEVANT'S STATEMENT: On 9/10/71 I was at home and my wife and son were

7/15/24 because I took John and Mary Ann to the beach.
 My 2nd most way was 500 (4/1-4/10) & 400 (4/11-4/17) & 300 (4/18-4/24) & 200 (4/25-4/31) & 100 (5/1-5/7) & 50 (5/8-5/14) & 25 (5/15-5/21) & 12 (5/22-5/28) & 6 (5/29-6/4) & 3 (6/5-6/11) & 1 (6/12-6/18) & 0 (6/19-6/25) & 0 (6/26-7/2) & 0 (7/3-7/9) & 0 (7/10-7/16) & 0 (7/17-7/23) & 0 (7/24-7/30) & 0 (7/31-8/6) & 0 (8/7-8/13) & 0 (8/14-8/20) & 0 (8/21-8/27) & 0 (8/28-9/3) & 0 (9/4-9/10) & 0 (9/11-9/17) & 0 (9/18-9/24) & 0 (9/25-10/1) & 0 (10/2-10/8) & 0 (10/9-10/15) & 0 (10/16-10/22) & 0 (10/23-10/29) & 0 (10/30-11/5) & 0 (11/6-11/12) & 0 (11/13-11/19) & 0 (11/20-11/26) & 0 (11/27-12/3) & 0 (12/4-12/10) & 0 (12/11-12/17) & 0 (12/18-12/24) & 0 (12/25-12/31) & 0 (1/1-1/7) & 0 (1/8-1/14) & 0 (1/15-1/21) & 0 (1/22-1/28) & 0 (1/29-2/4) & 0 (2/5-2/11) & 0 (2/12-2/18) & 0 (2/19-2/25) & 0 (2/26-3/1) & 0 (3/2-3/8) & 0 (3/9-3/15) & 0 (3/16-3/22) & 0 (3/23-3/29) & 0 (3/30-4/5) & 0 (4/6-4/12) & 0 (4/13-4/19) & 0 (4/20-4/26) & 0 (4/27-5/3) & 0 (5/4-5/10) & 0 (5/11-5/17) & 0 (5/18-5/24) & 0 (5/25-5/31) & 0 (6/1-6/7) & 0 (6/8-6/14) & 0 (6/15-6/21) & 0 (6/22-6/28) & 0 (6/29-7/5) & 0 (7/6-7/12) & 0 (7/13-7/19) & 0 (7/20-7/26) & 0 (7/27-8/2) & 0 (8/3-8/9) & 0 (8/10-8/16) & 0 (8/17-8/23) & 0 (8/24-8/30) & 0 (8/31-9/6) & 0 (9/7-9/13) & 0 (9/14-9/20) & 0 (9/21-9/27) & 0 (9/28-10/4) & 0 (10/5-10/11) & 0 (10/12-10/18) & 0 (10/19-10/25) & 0 (10/26-11/1) & 0 (11/2-11/8) & 0 (11/9-11/15) & 0 (11/16-11/22) & 0 (11/23-11/29) & 0 (11/30-12/6) & 0 (12/7-12/13) & 0 (12/14-12/20) & 0 (12/21-12/27) & 0 (12/28-1/4) & 0 (1/5-1/11) & 0 (1/12-1/18) & 0 (1/19-1/25) & 0 (1/26-2/1) & 0 (2/2-2/8) & 0 (2/9-2/15) & 0 (2/16-2/22) & 0 (2/23-2/29) & 0 (3/1-3/7) & 0 (3/8-3/14) & 0 (3/15-3/21) & 0 (3/22-3/28) & 0 (3/29-4/4) & 0 (4/5-4/11) & 0 (4/12-4/18) & 0 (4/19-4/25) & 0 (4/26-5/2) & 0 (5/3-5/9) & 0 (5/10-5/16) & 0 (5/17-5/23) & 0 (5/24-5/30) & 0 (5/31-6/6) & 0 (6/7-6/13) & 0 (6/14-6/20) & 0 (6/21-6/27) & 0 (6/28-7/4) & 0 (7/5-7/11) & 0 (7/12-7/18) & 0 (7/19-7/25) & 0 (7/26-8/1) & 0 (8/2-8/8) & 0 (8/9-8/15) & 0 (8/16-8/22) & 0 (8/23-8/29) & 0 (8/30-9/5) & 0 (9/6-9/12) & 0 (9/13-9/19) & 0 (9/20-9/26) & 0 (9/27-10/3) & 0 (10/4-10/10) & 0 (10/11-10/17) & 0 (10/18-10/24) & 0 (10/25-10/31) & 0 (11/1-11/7) & 0 (11/8-11/14) & 0 (11/15-11/21) & 0 (11/22-11/28) & 0 (11/29-12/5) & 0 (12/6-12/12) & 0 (12/13-12/19) & 0 (12/20-12/26) & 0 (12/27-1/3) & 0 (1/4-1/10) & 0 (1/11-1/17) & 0 (1/18-1/24) & 0 (1/25-1/31) & 0 (2/1-2/7) & 0 (2/8-2/14) & 0 (2/15-2/21) & 0 (2/22-2/28) & 0 (2/29-3/5) & 0 (3/6-3/12) & 0 (3/13-3/19) & 0 (3/20-3/26) & 0 (3/27-4/2) & 0 (4/3-4/9) & 0 (4/10-4/16) & 0 (4/17-4/23) & 0 (4/24-4/30) & 0 (5/1-5/7) & 0 (5/8-5/14) & 0 (5/15-5/21) & 0 (5/22-5/28) & 0 (5/29-6/4) & 0 (6/5-6/11) & 0 (6/12-6/18) & 0 (6/19-6/25) & 0 (6/26-7/2) & 0 (7/3-7/9) & 0 (7/10-7/16) & 0 (7/17-7/23) & 0 (7/24-7/30) & 0 (7/31-8/6) & 0 (8/7-8/13) & 0 (8/14-8/20) & 0 (8/21-8/27) & 0 (8/28-9/3) & 0 (9/4-9/10) & 0 (9/11-9/17) & 0 (9/18-9/24) & 0 (9/25-10/1) & 0 (10/2-10/8) & 0 (10/9-10/15) & 0 (10/16-10/22) & 0 (10/23-10/29) & 0 (10/30-11/5) & 0 (11/6-11/12) & 0 (11/13-11/19) & 0 (11/20-11/26) & 0 (11/27-12/3) & 0 (12/4-12/10) & 0 (12/11-12/17) & 0 (12/18-12/24) & 0 (12/25-12/31) & 0 (1/1-1/7) & 0 (1/8-1/14) & 0 (1/15-1/21) & 0 (1/22-1/28) & 0 (1/29-2/4) & 0 (2/5-2/11) & 0 (2/12-2/18) & 0 (2/19-2/25) & 0 (2/26-3/1) & 0 (3/2-3/8) & 0 (3/9-3/15) & 0 (3/16-3/22) & 0 (3/23-3/29) & 0 (3/30-4/5) & 0 (4/6-4/12) & 0 (4/13-4/19) & 0 (4/20-4/26) & 0 (4/27-5/3) & 0 (5/4-5/10) & 0 (5/11-5/17) & 0 (5/18-5/24) & 0 (5/25-5/31) & 0 (6/1-6/7) & 0 (6/8-6/14) & 0 (6/15-6/21) & 0 (6/22-6/28) & 0 (6/29-7/5) & 0 (7/6-7/12) & 0 (7/13-7/19) & 0 (7/20-7/26) & 0 (7/27-8/2) & 0 (8/3-8/9) & 0 (8/10-8/16) & 0 (8/17-8/23) & 0 (8/24-8/30) & 0 (8/31-9/6) & 0 (9/7-9/13) & 0 (9/14-9/20) & 0 (9/21-9/27) & 0 (9/28-10/4) & 0 (10/5-10/11) & 0 (10/12-10/18) & 0 (10/19-10/25) & 0 (10/26-11/1) & 0 (11/2-11/8) & 0 (11/9-11/15) & 0 (11/16-11/22) & 0 (11/23-11/29) & 0 (11/30-12/6) & 0 (12/7-12/13) & 0 (12/14-12/20) & 0 (12/21-12/27) & 0 (12/28-1/4) & 0 (1/5-1/11) & 0 (1/12-1/18) & 0 (1/19-1/25) & 0 (1/26-2/1) & 0 (2/2-2/8) & 0

SWORN DECLARATION UNDER PENALTY OF PERJURY

INMATE SIGNATURE: _____ DATE: _____ TIME: _____

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____ TIME: _____

GRIEVANCE RESPONSE: _____

CASEWORKER SIGNATURE: _____ DATE: _____

____ GRIEVANCE UPHELD ____ GRIEVANCE DENIED ____ ISSUE NOT GRIEVABLE PER AR 740

GRIEVANCE COORDINATOR APPROVAL: _____ DATE: _____

_____ INMATE AGREES _____ INMATE DISAGREES

INMATE SIGNATURE: _____ DATE: _____

FAILURE TO SIGN CONSTITUTES ABANDONMENT OF THE CLAIM. A FIRST LEVEL GRIEVANCE MAY BE PURSUED IN THE EVENT THE INMATE DISAGREES.

Original:	To inmate when complete, or attached to formal grievance
Canary:	To Grievance Coordinator
Pink:	Inmate's receipt when formal grievance filed
Gold:	Inmate's initial receipt

**NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM**

NAME: Clyde Byers I.D. NUMBER: 1170425

INSTITUTION: HDSB UNIT #: 9

GRIEVANCE #: _____ GRIEVANCE LEVEL: _____

GRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 3

until this current date, I have completed 7 vocational programs and three phases of commitment to change and anger management. Vocational classes are auto Tech (60 days), Auto Mech (60 days), Culinary (60 days), Heavy Equip (60 days), Construction (60 days), Welding (60 days), Sewer (30 days). Mental Health classes are: Commitment to change, phases I, II, III (5 days each phase) 45 days total and Anger management, 15 days (which equals up to 450 days) earned to be deducted from PEXD (7/22/24). This would have brought my real PEXD to 4/27/23. The problem is WOP/NDOC and (and) Correction Management Division, are only giving me half my days that I've earned. So for every (60 days) earned, it's being divided by 2 and I'm only given 30 days. For the (30 days) I earned from completing Sewer, I'm only given (15 days) and the total 45 days from completing Commitment to change, I only received 22 days. This Analysis and/or Methodology is incorrect rather than according to ^{clearly} established Law under NRS 209.449. I'm being subjected to excessive confinement and/or a longer term of imprisonment than the court intended, as a result of the WDOC Policy or Procedure. Looking at the state of Nevada Department of Corrections, Credit History by Sentence Timesheet, Days Remaining, and PEXD are Parallel to each other. As my PEXD will be showed at from date to date column, my days remaining will show zero days remaining, and this is pre-calculated before my deduction of days for completing programs. So now looking at pages

Original: _____ Attached to Grievance
Pink: _____ Inmate's Copy

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: Clyde Biggs I.D. NUMBER: 1170985

INSTITUTION: HOSP UNIT #: 9

GRIEVANCE #: _____ GRIEVANCE LEVEL: _____

GRIEVANT'S STATEMENT CONTINUATION: PG. 3 OF 3

I and B at said hearing sheet. I will see under adjust days that in my vacation, illness and mental health cases, the days I've earned + the correct amount of days has been deducted correctly under days remaining. Subtracting my days remaining by the proper number given by the adjust code and posted on the adjust days column. There are my proper number of days earned. This again will have brought my total to 434 days, but instead it is currently calculated and says 12/15/23, NPS 209 419 states, "an offender who has no serious violation of the regulations of the Department... A deduction of 60 days from minimum term... for the completion of: (a) A program of vocational Education and training or (b) another program approved by the Director. If offender completes such a program with merit, honor, or exceptional achievement... 60 days of credit" in addition to the 60 days allowed for completion of program. In response to a Habeas Corpus I filed in August 31, 2020 said that I didn't submit available information regarding corrections officials time and opportunity to correct mistakes. My remedy to ^{resolve} this grievance is for NDOC/HOSP or DOD to give me my remaining 234 days I've earned deducting hours from the ~~my~~ incorrect EXD (12/15/23). This will total the days I've earned up to 430 days deducted from original 660 11/24/24. Also that basic days earned in vocational and mental health or any education classes be properly deducted and not divided by 2 & given an incorrect EXD deduction. This that I ask will resolve the time issue not ~~leaving~~ ^{subjecting} me to excessive confinement and/or a longer term of imprisonment.

Original: Attached to Grievance
Pink: Inmate's Copy

Log Number _____

**NEVADA DEPARTMENT OF CORRECTIONS
FIRST LEVEL GRIEVANCE**

NAME: _____ I.D. NUMBER: _____

INSTITUTION: _____ UNIT: _____

I REQUEST THE REVIEW OF THE GRIEVANCE, LOG NUMBER _____, IN A FORMAL MANNER. THE ORIGINAL COPY OF MY GRIEVANCE AND ALL SUPPORTING DOCUMENTATION IS ATTACHED FOR REVIEW.

SWORN DECLARATION UNDER PENALTY OF PERJURY

INMATE SIGNATURE: _____ DATE: _____

WHY DISAGREE: _____

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

FIRST LEVEL RESPONSE: _____

_____ GRIEVANCE UPHELD _____ GRIEVANCE DENIED _____ ISSUE NOT GRIEVABLE PER AR 740

WARDEN'S SIGNATURE: _____ TITLE: _____ DATE: _____

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

_____ INMATE AGREES _____ INMATE DISAGREES

INMATE SIGNATURE: _____ DATE: _____

FAILURE TO SIGN CONSTITUTES ABANDONMENT OF THE CLAIM. A SECOND LEVEL GRIEVANCE MAY BE PURSUED IN THE EVENT THE INMATE DISAGREES.

Original:	To inmate when complete, or attached to formal grievance
Canary:	To Grievance Coordinator
Pink:	Inmate's receipt when formal grievance filed
Gold:	Inmate's initial receipt

**NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM**

NAME: Clyde Biggs I.D. NUMBER: 1170985
 INSTITUTION: HDSR UNIT #: 12
 GRIEVANCE #: 2006-31-10733 GRIEVANCE LEVEL: First Level
 GRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 3

on 1/16/2020 but if you look at Exhibit #2 which is my credit history by sentence time sheet. At the bottom right hand side, you will see the date they printed the sheet out which is Monday, July 15, 2019. If you look up you'll see my PARD was already 11/7/2019. This is before I got my welding merit in April so when I finally got my welding merit (paid at them) it brought my PARD to 12-17-2023. Now I have completed anger management on July 20, 2020 which suppose to credit me 35 days on 9/16/20. Mr. Soriano sent in the students completion of class so we could get our days. On 10/12/21 I wrote a inmate request form to case worker Pleasure to see if I got my days. He gave me the same info that is on Exhibit #1 the inmate request form) from 3/15/2020 where he wrote 12-17-2023 and mandatory 6-15-2023, if I would have gotten days for anger management my PARD would have moved from 12-15-2023 not so should my mandatory date. So I did not receive my anger management days as you can see on credit history by sentence time sheet (Exhibit #2) where my PARD was 11/12/19 before I got my welding days. This goes into me speaking on the first affidavit I have earned a total of 450 days from vocational instructors: Auto body (60 days), auto mechanic (60 days), auto body (60 days), Heavy Equip (60 days), construction (60 days), welding (60 days), zero score (60 days) and the mental health class. Now commitment to change T.I.I. (15 days each phase) a total of 45 days ^{then} including the above mentioned anger management class that will

Original: Attached to Grievance
 Pink: Inmate's Copy

**NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM**

NAME: Clyde Briggs I.D. NUMBER: 1170985
 INSTITUTION: HDS UNIT #: 12
 GRIEVANCE #: 2006-31-10733 GRIEVANCE LEVEL: First level
 GRIEVANT'S STATEMENT CONTINUATION: PG. 3 OF 3

~~not captured on July 20, 2000 (15 days)~~. These days add up to 450 days that have been subtracted from my maximum term (see Exhibit #2 credit history by sentence). When I look at position the very first day of incarceration I earned 981 days which is 25 years in days. My max term to the right side of time sheet is the days remaining column where these subtract days not credit from max days in maximum to be served. Every month station is being a blanket from this column and stat days which are 20 days every month is given. I did in County in work days were subtracted from this column until I got to date 8/6/2002 when I got to prison and started working (not credit work, by sentence time sheet) so I have continue to monitor when I first arrived at High Desert State Prison. I received with rank 1st on BPD that was 161524 so looking at credit history, my sentence time sheet at the right hand side days remaining column on pg 6 on 9/10/2002 60 days were subtracted from my max term or max days like station, station and work time had been subtracted. Above Automotive Tech ^{it says} work, which is the adjust code and in the days remaining column, days remaining were 4937. Then when you go down to Auto Tech the ^{day remaining} are 4877 showing a subtraction of 60 days. This continues on pages 7, 8 and so on. In every vacation and mental health day taken. This proves that I've earned 450 days from original BPD 161524 which would bring my BPD to 48125. My remedy in the grievance is to correct my BPD by subtracting from 12/5/2003 pg. 2391 days that is owed to me at the 450 days. Administratively is affecting prisoner in excessive confinement and in a longer term of imprisonment (the attached Exhibit #3 NCS 2043449).

Original: Attached to Grievance
 Pink: Inmate's Copy

LOG NUMBER: _____

**NEVADA DEPARTMENT OF CORRECTIONS
SECOND LEVEL GRIEVANCE**

NAME: _____ I.D. NUMBER: _____

INSTITUTION: _____ UNIT: _____

I REQUEST THE REVIEW OF THE GRIEVANCE, LOG NUMBER _____, ON THE SECOND LEVEL. THE ORIGINAL COPY OF MY GRIEVANCE AND ALL SUPPORTING DOCUMENTATION IS ATTACHED FOR REVIEW.

SWORN DECLARATION UNDER PENALTY OF PERJURY

INMATE SIGNATURE: _____ DATE: _____

WHY DISAGREE: _____

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

SECOND LEVEL RESPONSE: _____

_____ GRIEVANCE UPHELD _____ GRIEVANCE DENIED _____ ISSUE NOT GRIEVABLE PER AR 740

SIGNATURE: _____ TITLE: _____ DATE: _____

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

INMATE SIGNATURE: _____ DATE: _____

THIS ENDS THE FORMAL GRIEVANCE PROCESS

Original:	To inmate when complete, or attached to formal grievance
Canary:	To Grievance Coordinator
Pink:	Inmate's receipt when formal grievance filed
Gold:	Inmate's initial receipt

**NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM**

NAME: Clyde Biggs I.D. NUMBER: 1170985
INSTITUTION: HOSP UNIT #: 9
GRIEVANCE #: 2006-9-10733 GRIEVANCE LEVEL: Second level
GRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 3

my already existence 12/17/2015 expiration date I provided the proof and grievance is still denied. Then final level grievance response speaks of projected release date, meaning of inmate is not working, programming or attending school, but what is not recognized is that I have been working and going to vocational school and attending mental health classes since 2017 and have always programmed in my expiration date never moved away from me. What those who answer my grievance continue to do is go around the law and find that I fit in front of them. NRS 209.449 says: "An offender who has no serious infraction of the regulations of the Department, the terms and conditions of his or her residential commitment or the laws of the state recorded against the offender must be allowed in addition to the credit provided pursuant to NRS 209.433, 209.443, 209.444 or 209.445, a deduction of 60 days from the maximum term or the maximum aggregate term of the offender's sentence, as applicable, for successful completion of (3) a program of vocational education and training (b) any other program approved by the Director, with this being said and me also presenting to you NDOC/HOSP your own credit history by sentence report Exhibit #2, I show you both of law NRS 209.449 and find on your credit history report that 60 days are being deducted from my maximum term shown on days remaining on credit history report, 9,131 days is 25 years in days and as you can see on page 1 under days remaining column that 9,107 are the days remaining

Original: Attached to Grievance
Pink: Inmate's Copy

NEVADA DEPARTMENT OF CORRECTIONS GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: Clyde Biggs I.D. NUMBER: 1170985
 INSTITUTION: HDS P UNIT #: 9
 GRIEVANCE #: 2000-31-10733 GRIEVANCE LEVEL: Second Level
 GRIEVANT'S STATEMENT CONTINUATION: PG. 3 OF 3

After 24 days that time was deducted for November 2000. Then shows that deduction in regular
 and mail column in this column all the way through on page 7 of credit history report at top of page
 shows ordinary recreational with about days 60 before it. Then across to the right in the days
 remaining column it shows 4817 days which shows the 60 days being deducted from 4877 days on
 my last credit history report, also on a 60 mechanics internship, it shows about 60 days and then add
 days remaining column it shows 4,696 which was on the line above 4,756 days showing the deduction of
 60 days further considering the evidence that 60 days have been deducted from maximum term on credit
 history report ^{Problem} ~~Report~~ is when I enter House 1/5/17 I ~~was~~ received my projected expiration date 6/15/24
 and since five days marked and attached which my date remained the same. So adding the days deducted
 on credit history report, Auto Test (10 days), Auto Mail (60 days), ordinary (60 days), heavy (100 days), (maximum
 (60 days) ordinary (60 days), work site (30 days), commitment to change prison I, II, III (15 days), a phase 45 days, total,
 wage management (15 days) in add up to 450 days that has been subtracted on credit history report from my
 days remaining column which is my maximum term 73 years is days 6/15/24 original projected expiration date
 subtracted by the 450 days that has been deducted from maximum term should be 3/20/23 and
 12/17/23 (only for the grievance is back to 1/5/17 at NDC 209 unit and more credit history report
 and credit my current days ^{deducted from} my original projected expiration date 6/15/24 which is 450 days marked.

Original
Pink: Attached to Grievance
Inmate's Copy

Exhibit # 2

Letter to OMD (Offender Management Division)
AND their Responce

12/29/2020

TO: THE OFFENDER MANAGEMENT DIVISION C/O Phayre Deal

I'm here in High Desert State Prison and I'm having an issue that deals with the proper 60 days for Vocational and the proper 45 days for mental health classes (commitment to change I, II, III) that I have completed. I'm in the informal phase now and was directed back to the process from the courts themselves. I have to give HDSP/OMD/NDAC a chance to correct the correct amount of days given to me. Long story short I've completed a number of vocational classes and ~~some~~ mental health classes including the Anger management I just completed which totals up to 450 days to be deducted from my expiration date 7/22/24 which was 6/15/24 when I first arrived here on 1/5/17. It moved due to me not having a job while going thru intake process. My current incorrect PEXD says 12/15/~~2023~~ but should be 4/27/23, according to NRS 209.449 and looking at the state of Nevada Department of Corrections, credit history by sentence time sheet. It shows that the correct number of days of vocational (60) are being deducted from days remaining and the same for commitment to change I, II, III, but as it deducts the 450 days from days remaining, my PEXD didn't move from 7/22/24, meaning you didn't deduct 450 days like it shows on time sheet from PEXD date. It should have moved the same

15 days remaining and brought ~~it~~ my PSD to 4/27/23.
I would like to Request a State of Nevada Department
of Corrections, credit history by sentence time sheet that
shows my time from when I was incarcerated until when I
~~PSD~~ expire ~~as~~ I have now Please ~~to~~ consider helping me
in this matter and fixing my PSD to where it should be
and sending me the requested Time sheet mentioned above.
Case Worker in the Unit I'm in instructed me on
writing you for this because he ~~wasn't~~ ^{wasn't} allowed to
provide it. - Please respond -

Thanks

MR. Bagg

State Of Nevada
Department of Corrections
Offender Management Division

9A-14

To: Biggs, Clyde Back Number: 1170985
Date: 1/6/20 Location: HDSP

(Check one that applies)

- ☐ Aggregation requests must be submitted on a DOC 2126 Form, see your Caseworker.
- ☒ OMD does not provide Credit History Reports, see your Caseworker.
- ☐ Work Credits are done at the Institution, see your Caseworker.
- ☐ Your current PEXD is : _____
- ☒ Merit Credits are posted within 5 business days after being received at OMD. Please contact your Caseworker and your Caseworker will contact us with any questions.
- ☐ As a Nevada Department of Corrections inmate currently housed at one of NDOC's facilities, any issues or concerns that you have regarding your classification need to be addressed with your Caseworker. If your Caseworker feels it necessary, the Caseworker can contact me for any clarification that may be needed. If you feel your Caseworker has not adequately addressed your concerns, you can forward your concerns to the Caseworker's Supervisor or file a grievance. As such, your correspondence is being returned to you so that you can properly address these concerns with your Caseworker.
- ☐ Your letter has been forwarded to the CCRM for further review and response. (See Attached)
- ☐ See your Caseworker

☒ Other: All merits are entered correctly.

Offender Management Division
Sentence/Records Management

Rev 07/2020

Exhibit #3

Letter to John Barron and

CC: 1 original
2 personal copy

Date 6/10/2021

To: John Barrowman, Deputy Director of Support Service

Mr. Barrowman, I intend to bring suit in District court of law against NDOC if necessary in relation to NDOC grievance 2006-31-10733 Filed by myself in HDSP on the day and month 12/5/2020 2nd level was filed on 3/18/2021.

The purpose of this letter is to inquire about the disposition of the said grievance because the 2nd level grievance response has exceeded 60 days in violation of A.R. 710. It will be 90 days; 30 days late on 6/17/2021. If it has been answered, it has never been presented to me, nor have I been given the chance to sign for the said 2nd level grievance. So I'm asking for a copy of 2nd level grievance response from HDSP/NDOC and also the exhibits that were attached to it. (Credit History Report for Chyle Byggs and print out of NRS 209.449 credit for completion of vocational education and training or other program). Also the informal and first level grievances attached as well, for District court Judge has ordered that I exhaust Administrative remedies which went into law January 1, 2020 because my claim is true but I didn't give NDOC a

look here to go

216
219
435

209.449. Credits for completion of vocational education and training or other program.

1. An offender 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 must be allowed, in addition to the credits provided pursuant to NRS 209.433, 209.443, 209.446 or 209.4465, a deduction of 60 days from the maximum term or the maximum aggregate term of the offender's sentence, as applicable, for the successful completion of:

(a) A program of vocational education and training; or

(b) Any other program approved by the Director.

2. If the offender completes such a program with meritorious or exceptional achievement, the Director may allow not more than 60 days of credit in addition to the 60 days allowed for completion of the program.

HISTORY:

1989, ch. 790, § 1, p. 1883; 1991, ch. 297, § 9, p. 782; 1993, ch. 83, § 4, p. 137; 1995, ch. 443, § 219, p. 1254; 1997, ch. 641, § 13, p. 3184; 2003, ch. 259, § 14, p. 1368; 2007, ch. 525, § 6.4, p. 3178; 2013, ch. 64, § 10, p. 227.

They been giving us 60 credits and saying it equal 70 days

Editor's note.

Acts 2007, ch. 525, § 21, provides:

1. For the purpose of calculating the credits earned by an offender pursuant to NRS 209.4465, the amendatory provisions of section 5 of this act must be applied:

(a) Retroactively to July 1, 2000, to reduce the minimum term of imprisonment of an offender described in subsection 8 of NRS 209.4465 who was placed in the custody of the Department of Corrections before July 1, 2007, and who remains in such custody on July 1, 2007.

(b) Retroactively to July 1, 2006, to reduce the maximum term of imprisonment of an offender who was placed on parole before July 1, 2007.

NV CODE

1

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Exhibit #4
NWCODE 2018
NRS. 209.449 NRS 209.4465
Credits for Completion of Vocational
Education and Training...

209.444 Vocational Days 60
Calvin Johnson
Warden

209.4465. Credits for offender sentenced for crime committed on or after July 17, 1997.

1. An offender who is sentenced to prison for a crime committed on or after July 17, 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.

2. In addition to the credits allowed pursuant to subsection 1, the Director may allow not more than 10 days of credit each month for an offender whose diligence in labor and study merits such credits. In addition to the credits allowed pursuant to this subsection, an offender is entitled to the following credits for educational achievement:

(a) For earning a general educational development certificate or an equivalent document, 60 days.

(b) For earning a high school diploma, 90 days.

(c) For earning his or her first associate degree, 120 days.

3. The Director may, in his or her discretion, authorize an offender to receive a maximum of 90 days of credit for each additional degree of higher education earned by the offender.

4. The Director may allow not more than 10 days of credit each month for an offender who participates in a diligent and responsible manner in a center for the purpose of making restitution, program for reentry of offenders and parolees into the community, conservation camp, program of work release or another program conducted outside of the prison. An offender who earns credit pursuant to this subsection is eligible to earn the entire 30 days of credit each month that is allowed pursuant to subsections 1 and 2.

5. The Director may allow not more than 90 days of credit each year for an offender who engages in exceptional meritorious service.

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Exhibit #5
INMATE Request forms

Culinary Goods → Look up chicken parmesan
1st tier 2nd eggs 3rd Breading

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Clyde Biggs	#1170985	9E #1	6/27/18

4.) REQUEST FORM TO: (CHECK BOX)

<input checked="" type="checkbox"/> CASEWORKER	<input type="checkbox"/> MEDICAL	<input type="checkbox"/> MENTAL HEALTH	<input type="checkbox"/> CANTEEN
<input type="checkbox"/> EDUCATION	<input type="checkbox"/> VISITING	<input type="checkbox"/> LAW LIBRARY	<input type="checkbox"/> DENTAL
<input type="checkbox"/> LAUNDRY	<input type="checkbox"/> PROPERTY ROOM	<input type="checkbox"/> SHIFT COMMAND	<input type="checkbox"/> OTHER

5.) NAME OF INDIVIDUAL TO CONTACT: Ms Moore (CASEWORKER)

6.) REQUEST: (PRINT BELOW) I would like to know what my
Dates are ~~my~~ expiration please. I should have gotten
60 days for 1st semester of vocational.
Thank you

7.) INMATE SIGNATURE Clyde Biggs DOC # 1170985

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

Recd - 11-6-20 / MPR - 11-20-23 /

Recd - 5-22-24

Auto 1st posted

10.) RESPONDING STAFF SIGNATURE [Signature] DATE 6-29-18

With show my exp date
moved forward

AS of 12/29/16 2244 day credit

95 of 2/13/17

2290 day

AS of 3/5 lost 12 days

exp 6/15/24

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Clyde Biggs	1170985	9 E #1	12-20-18

4.) REQUEST FORM TO: (CHECK BOX)

<input checked="" type="checkbox"/> CASEWORKER	<input type="checkbox"/> MEDICAL	<input type="checkbox"/> MENTAL HEALTH	<input type="checkbox"/> CANTEEN
<input type="checkbox"/> EDUCATION	<input type="checkbox"/> VISITING	<input type="checkbox"/> LAW LIBRARY	<input type="checkbox"/> DENTAL
<input type="checkbox"/> LAUNDRY	<input type="checkbox"/> PROPERTY ROOM	<input type="checkbox"/> SHIFT COMMAND	<input checked="" type="checkbox"/> OTHER <u>CH</u>

5.) NAME OF INDIVIDUAL TO CONTACT MB. Moore

6.) REQUEST: (PRINT BELOW) #1 Hello, I was wondering could you look at my date (PED etc.) And send them to me. I want to see if they gave me my days.

#2 → Also I've been hearing about some move taking place next year in the beginning dealing with P.C's (200 inmates) supposed to be moved up North. I just want to know if this is true and I do I find out if this affects me, because I like to be ready. Thanks

7.) INMATE SIGNATURE Clyde Biggs DOC # 1170985

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

Ped-11-16-20
MPP-9-14-23 5-22
Ped-3-16-24 3-16

I have not heard anything about that.

Culinary & Heavy Equip

10.) RESPONDING STAFF SIGNATURE AB DATE 12-24

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Chad Biggs	1170985	9E#1	3/1/19

4.) REQUEST FORM TO: (CHECK BOX)

<input checked="" type="checkbox"/> CASEWORKER	<input type="checkbox"/> MEDICAL	<input type="checkbox"/> MENTAL HEALTH	<input type="checkbox"/> CANTEEN
<input type="checkbox"/> EDUCATION	<input type="checkbox"/> VISITING	<input type="checkbox"/> LAW LIBRARY	<input type="checkbox"/> DENTAL
<input type="checkbox"/> LAUNDRY	<input type="checkbox"/> PROPERTY ROOM	<input type="checkbox"/> SHIFT COMMAND	<input type="checkbox"/> OTHER _____

5.) NAME OF INDIVIDUAL TO CONTACT: Mr Smith Case worker unit 9

6.) REQUEST: (PRINT BELOW) Hello sir, I would like my parole mandatory and expiration date please to see if I received my days for commitment to change
Thanks

7.) INMATE SIGNATURE Chad Biggs DOC # 1170985

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

PED=11/6/2020; MPR=8/30/2023; PEXD=3/2/2024. Commitment to Change credits have been entered.

All commitment to change phases entered only 14 days deducted

10.) RESPONDING STAFF SIGNATURE _____ DATE MAR 07 2019

INMATE REQUEST FORM

1.) INMATE NAME <u>Clyde Biggs</u>	DOC # <u>1170985</u>	2.) HOUSING UNIT <u>9B-24</u>	3.) DATE <u>6/10/21</u>
---------------------------------------	-------------------------	----------------------------------	----------------------------

4.) REQUEST FORM TO: (CHECK BOX)

<input checked="" type="checkbox"/> CASEWORKER	<input type="checkbox"/> MEDICAL	<input type="checkbox"/> MENTAL HEALTH	<input type="checkbox"/> CANTEEN
<input type="checkbox"/> EDUCATION	<input type="checkbox"/> VISITING	<input type="checkbox"/> LAW LIBRARY	<input type="checkbox"/> DENTAL
<input type="checkbox"/> LAUNDRY	<input type="checkbox"/> PROPERTY ROOM	<input type="checkbox"/> SHIFT COMMAND	<input type="checkbox"/> OTHER _____

5.) NAME OF INDIVIDUAL TO CONTACT: CASE worker Filazee unit #9

6.) REQUEST: (PRINT BELOW) I would like to know my current PEXD
and MPD please.
Thanks

7.) INMATE SIGNATURE Clyde Biggs DOC # 1170985

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

MPR 6-13-23

PEXD 12-15-23

10.) RESPONDING STAFF SIGNATURE Fa1520K DATE 6-10-21

Exhibit #6

Credit History by Sentence Report

→ All the programs I've completed: Automotive, culinary, auto mech, heavy equip, serv safe, commit to change I, commit change II, commit change III, Construction equals to 375 days that I should have earned the exp date 1 first ← Sentence: 1 Count: 1
 I received which was 6/15/24 Current Earned Expiration Date: 07/09/2028

Offender: BIGGS, CLYDE - 0001170985	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	01/17/2024	A
-------------------------------------	------------	------	------------	-----------	------	------------	------------	---

For Date	To Date	Activity	Days	Comments	Points
08/01/2016	08/31/2016	WORK	0	No Comment	5610
09/01/2016	09/30/2016	FLAT	30	No Comment	5580
09/01/2016	09/30/2016	STAT	20	No Comment	5560
09/01/2016	09/30/2016	WORK	0	No Comment	5560
10/01/2016	10/31/2016	FLAT	31	No Comment	5529
10/01/2016	10/31/2016	STAT	20	No Comment	5509
10/01/2016	10/31/2016	WORK	0	No Comment	5509
11/01/2016	11/30/2016	FLAT	30	No Comment	5479
11/01/2016	11/30/2016	STAT	20	No Comment	5459
11/01/2016	11/30/2016	WORK	0	No Comment	5459
12/01/2016	12/28/2016	FLAT	28	No Comment	5431
12/01/2016	12/28/2016	STAT	19	No Comment	5412
12/01/2016	12/31/2016	WORK	0	Reduction for not working	5412
12/29/2016	12/31/2016	FLAT	3	No Comment	5409
12/29/2016	12/31/2016	STAT	1	No Comment	5408
01/01/2017	01/31/2017	FLAT	31	No Comment	5377
01/01/2017	01/31/2017	STAT	20	No Comment	5357
01/01/2017	01/31/2017	WORK	0	Reduction for not working 6 day taken	5357
02/01/2017	02/28/2017	FLAT	28	No Comment	5329
02/01/2017	02/28/2017	STAT	20	No Comment	5309
02/01/2017	02/28/2017	WORK	0	Reduction for not working 6 days	5309
03/01/2017	03/31/2017	FLAT	31	No Comment	5278
03/01/2017	03/31/2017	STAT	20	No Comment	5258
03/01/2017	03/31/2017	WORK	0	Reduction for not working 6 day	5258
04/01/2017	04/30/2017	FLAT	30	No Comment	5228
04/01/2017	04/30/2017	STAT	20	No Comment	5208
04/01/2017	04/30/2017	WORK	0	Reduction for not working 6 day taken	5208
05/01/2017	05/31/2017	FLAT	31	No Comment	5177
05/01/2017	05/31/2017	STAT	20	No Comment	5157
05/01/2017	05/31/2017	WORK	0	Reduction for not working 6 days taken	5157
06/01/2017	06/30/2017	FLAT	30	No Comment	5127
06/01/2017	06/30/2017	STAT	20	No Comment	5107
06/01/2017	06/30/2017	WORK	0	Reduction for not working 6 day taken	5107
07/01/2017	07/31/2017	FLAT	31	No Comment	5076
07/01/2017	07/31/2017	STAT	20	No Comment	5056
07/01/2017	07/31/2017	WORK	0	Reduction for not working	5056
08/01/2017	08/31/2017	FLAT	31	No Comment	5025
08/01/2017	08/31/2017	STAT	20	No Comment	5005
08/01/2017	08/31/2017	WORK	8	No Comment	4997
09/01/2017	09/30/2017	FLAT	30	No Comment	4967
09/01/2017	09/30/2017	STAT	20	No Comment	4947
09/01/2017	09/30/2017	WORK	10	No Comment	4937
09/18/2017	12/18/2017	MR_VC_AT	60	Automotive Technology ←	4877

The PECD 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: BIGGS, CLYDE - 0001170985

Sentence: 1

Count: 1

Current Earned Expiration Date: 07/09/2028

Case	Sentence Dt	LS	Rec'd Dt	Max TSP	Days Served	SPD	PEXD	Status
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	01/17/2024	A

From Date	To Date	Activity	Days	Comments	Score
09/18/2017	04/23/2018	MR_VC_CUL	60	Culinary ←	4817
10/01/2017	10/31/2017	FLAT	31	No Comment	4786
10/01/2017	10/31/2017	STAT	20	No Comment	4766
10/01/2017	10/31/2017	WORK	10	No Comment	4756
10/16/2017	01/11/2018	MR_VC_AM	60	Auto Mechanics/Auto Shop ←	4696
11/01/2017	11/30/2017	FLAT	30	No Comment	4666
11/01/2017	11/30/2017	STAT	20	No Comment	4646
11/01/2017	11/30/2017	WORK	10	No Comment	4636
12/01/2017	12/31/2017	FLAT	31	No Comment	4605
12/01/2017	12/31/2017	STAT	20	No Comment	4585
12/01/2017	12/31/2017	WORK	10	No Comment	4575
01/01/2018	01/31/2018	FLAT	31	No Comment	4544
01/01/2018	01/31/2018	STAT	20	No Comment	4524
01/01/2018	01/31/2018	WORK	10	Reduction for not working	4514
02/01/2018	02/28/2018	FLAT	28	No Comment	4488
02/01/2018	02/28/2018	STAT	20	No Comment	4466
02/01/2018	02/28/2018	WORK	10	No Comment	4456
02/07/2018	04/26/2018	MR_VC_HEO	60	Heavy Equipment Operator ←	4396
03/01/2018	03/31/2018	FLAT	31	No Comment	4365
03/01/2018	03/31/2018	STAT	20	No Comment	4345
03/01/2018	03/31/2018	WORK	10	Reduction for not working	4335
04/01/2018	04/30/2018	FLAT	30	No Comment	4305
04/01/2018	04/30/2018	STAT	20	No Comment	4285
04/01/2018	04/30/2018	WORK	10	No Comment	4275
05/01/2018	05/31/2018	FLAT	31	No Comment	4244
05/01/2018	05/31/2018	STAT	20	No Comment	4224
05/01/2018	05/31/2018	WORK	10	No Comment	4214
06/01/2018	06/30/2018	FLAT	30	No Comment	4184
06/01/2018	06/30/2018	STAT	20	No Comment	4164
06/01/2018	06/30/2018	WORK	10	No Comment	4154
07/01/2018	07/31/2018	FLAT	31	No Comment	4123
07/01/2018	07/31/2018	STAT	20	No Comment	4103
07/01/2018	07/31/2018	WORK	10	Reduction for not working	4093
08/01/2018	08/31/2018	FLAT	31	No Comment	4062
08/01/2018	08/31/2018	STAT	20	No Comment	4042
08/01/2018	08/31/2018	WORK	10	No Comment	4032
08/22/2018	05/01/2019	MR_CP_SRS	30	ServSafe ←	4002
09/01/2018	09/30/2018	FLAT	30	No Comment	3972
09/01/2018	09/30/2018	STAT	20	No Comment	3952
09/01/2018	09/30/2018	WORK	10	No Comment	3942
09/21/2018	10/25/2018	MR_CP_CTC	15	Commitment to Change, Phase I ←	3927
10/01/2018	10/31/2018	FLAT	31	No Comment	3896
10/01/2018	10/31/2018	STAT	20	No Comment	3876

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: BIGGS, CLYDE - 0001170985 Sentence: 1 Count: 1
Current Earned Expiration Date: 07/09/2028

Case	Start Date	Level	Adm. Ct.	Max Term	Days Off	Exp.	Exp.	Exp.
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	01/17/2024	A

From Date	To Date	Activity	Adm. Ct.	Days Off	Exp.
10/01/2018	10/31/2018	WORK	8	Reduction for not working	3868
10/31/2018	11/21/2018	MR_CP_CTC	15	Commitment to Change, Phase II ←	3853
11/01/2018	11/30/2018	FLAT	30	No Comment	3823
11/01/2018	11/30/2018	STAT	20	No Comment	3803
11/01/2018	11/30/2018	WORK	10	No Comment	3793
12/01/2018	12/31/2018	FLAT	31	No Comment	3762
12/01/2018	12/31/2018	STAT	20	No Comment	3742
12/01/2018	12/31/2018	WORK	10	Reduction for not working	3732
12/05/2018	01/11/2019	MR_CP_CTC	15	Commitment to Change, Phase III ←	3717
01/01/2019	01/31/2019	FLAT	31	No Comment	3686
01/01/2019	01/31/2019	STAT	20	No Comment	3666
01/01/2019	01/31/2019	WORK	9	Reduction for not working	3657
01/07/2019	05/16/2019	MR_VC_CN	60	Construction ←	3597
02/01/2019	02/28/2019	FLAT	28	No Comment	3569
02/01/2019	02/28/2019	STAT	20	No Comment	3549
02/01/2019	02/28/2019	WORK	10	No Comment	3539
03/01/2019	03/31/2019	FLAT	31	No Comment	3508
03/01/2019	03/31/2019	STAT	20	No Comment	3488
03/01/2019	03/31/2019	WORK	10	No Comment	3478
04/01/2019	04/30/2019	FLAT	30	No Comment	3448
04/01/2019	04/30/2019	STAT	20	No Comment	3428
04/01/2019	04/30/2019	WORK	10	No Comment	3418
05/01/2019	05/31/2019	FLAT	31	No Comment	3387
05/01/2019	05/31/2019	STAT	20	No Comment	3367
05/01/2019	05/31/2019	WORK	10	No Comment	3357
06/01/2019	06/30/2019	FLAT	30	No Comment	3327
06/01/2019	06/30/2019	STAT	20	No Comment	3307
06/01/2019	06/30/2019	WORK	10	No Comment	3297
07/01/2019	07/31/2019	FLAT	31	No Comment	3266
07/01/2019	07/31/2019	STAT	20	No Comment	3246
07/01/2019	07/31/2019	WORK	10	No Comment	3236
08/01/2019	08/31/2019	FLAT	31	No Comment	3205
08/01/2019	08/31/2019	STAT	20	No Comment	3185
08/01/2019	08/31/2019	WORK	10	No Comment	3175
09/01/2019	09/30/2019	FLAT	30	No Comment	3145
09/01/2019	09/30/2019	STAT	20	No Comment	3125
09/01/2019	09/30/2019	WORK	10	No Comment	3115
10/01/2019	10/31/2019	FLAT	31	No Comment	3084
10/01/2019	10/31/2019	STAT	20	No Comment	3064
10/01/2019	10/31/2019	WORK	10	No Comment	3054
11/01/2019	11/30/2019	FLAT	30	No Comment	3024
11/01/2019	11/30/2019	STAT	20	No Comment	3004
11/01/2019	11/30/2019	WORK	10	No Comment	2994

The PECD 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: BIGGS, CLYDE - 0001170985					Sentence: 1		Count: 1	
Current Earned Expiration Date: 07/09/2028								
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	01/17/2024	A

PERIOD	DATE	ACTIVITY	AMOUNT	REMARKS	POINTS
12/01/2019	12/31/2019	FLAT	31	No Comment	2963
12/01/2019	12/31/2019	STAT	20	No Comment	2943
12/01/2019	12/31/2019	WORK	10	No Comment	2933
01/01/2020	01/31/2020	FLAT	31	No Comment	2902
01/01/2020	01/31/2020	STAT	20	No Comment	2882
01/01/2020	01/31/2020	WORK	10	No Comment	2872
02/01/2020	02/29/2020	FLAT	29	No Comment	2843
02/01/2020	02/29/2020	STAT	20	No Comment	2823
02/01/2020	02/29/2020	WORK	10	No Comment	2813
03/01/2020	03/31/2020	FLAT	31	No Comment	2782
03/01/2020	03/31/2020	STAT	20	No Comment	2762
03/01/2020	03/31/2020	WORK	10	No Comment	2752
04/01/2020	04/30/2020	FLAT	30	No Comment	2722
04/01/2020	04/30/2020	STAT	20	No Comment	2702
04/01/2020	04/30/2020	WORK	10	No Comment	2692
05/01/2020	05/31/2020	FLAT	31	No Comment	2661
05/01/2020	05/31/2020	STAT	20	No Comment	2641
05/01/2020	05/31/2020	WORK	10	No Comment	2631
06/01/2020	06/30/2020	FLAT	30	No Comment	2601
06/01/2020	06/30/2020	STAT	20	No Comment	2581
06/01/2020	06/30/2020	WORK	10	No Comment	2571
07/01/2020	07/31/2020	FLAT	31	No Comment	2540
07/01/2020	07/31/2020	STAT	20	No Comment	2520
07/01/2020	07/31/2020	WORK	10	No Comment	2510
08/01/2020	08/31/2020	FLAT	31	No Comment	2479
08/01/2020	08/31/2020	STAT	20	No Comment	2459
08/01/2020	08/31/2020	WORK	10	No Comment	2449
09/01/2020	09/30/2020	FLAT	30	No Comment	2419
09/01/2020	09/30/2020	STAT	20	No Comment	2399
09/01/2020	09/30/2020	WORK	10	No Comment	2389
10/01/2020	10/31/2020	FLAT	31	No Comment	2358
10/01/2020	10/31/2020	STAT	20	No Comment	2338
10/01/2020	10/31/2020	WORK	10	No Comment	2328
11/01/2020	11/30/2020	FLAT	30	No Comment	2298
11/01/2020	11/30/2020	STAT	20	No Comment	2278
11/01/2020	11/30/2020	WORK	10	No Comment	2268
12/01/2020	12/31/2020	FLAT	31	No Comment	2237
12/01/2020	12/31/2020	STAT	20	No Comment	2217
12/01/2020	12/31/2020	WORK	10	No Comment	2207
01/01/2021	01/31/2021	FLAT	31	No Comment	2176
01/01/2021	01/31/2021	STAT	20	No Comment	2156
01/01/2021	01/31/2021	WORK	10	No Comment	2146
02/01/2021	02/28/2021	FLAT	28	No Comment	2118

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: BIGGS, CLYDE - 0001170985					Sentence: 1	Count: 1
Current Earned Expiration Date: 07/09/2028						
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020
						01/17/2024
						A

From Date	To Date	Activity	Amount	Comment	Balance
02/01/2021	02/28/2021	STAT	20	No Comment	2098
02/01/2021	02/28/2021	WORK	10	No Comment	2088
03/01/2021	03/31/2021	FLAT	31	No Comment	2057
03/01/2021	03/31/2021	STAT	20	No Comment	2037
03/01/2021	03/31/2021	WORK	10	No Comment	2027
04/01/2021	04/30/2021	FLAT	30	No Comment	1997
04/01/2021	04/30/2021	STAT	20	No Comment	1977
04/01/2021	04/30/2021	WORK	10	No Comment	1967
05/01/2021	05/31/2021	FLAT	31	No Comment	1936
05/01/2021	05/31/2021	STAT	20	No Comment	1916
05/01/2021	05/31/2021	WORK	10	No Comment	1906
06/01/2021	06/30/2021	FLAT	30	No Comment	1876
06/01/2021	06/30/2021	STAT	20	No Comment	1856
06/01/2021	06/30/2021	WORK	10	No Comment	1846
07/01/2021	07/31/2021	FLAT	31	No Comment	1815
07/01/2021	07/31/2021	STAT	20	No Comment	1795
07/01/2021	07/31/2021	WORK	10	No Comment	1785
08/01/2021	08/31/2021	FLAT	31	No Comment	1754
08/01/2021	08/31/2021	STAT	20	No Comment	1734
08/01/2021	08/31/2021	WORK	10	No Comment	1724
09/01/2021	09/30/2021	FLAT	30	No Comment	1694
09/01/2021	09/30/2021	STAT	20	No Comment	1674
09/01/2021	09/30/2021	WORK	10	No Comment	1664
10/01/2021	10/31/2021	FLAT	31	No Comment	1633
10/01/2021	10/31/2021	STAT	20	No Comment	1613
10/01/2021	10/31/2021	WORK	10	No Comment	1603
11/01/2021	11/30/2021	FLAT	30	No Comment	1573
11/01/2021	11/30/2021	STAT	20	No Comment	1553
11/01/2021	11/30/2021	WORK	10	No Comment	1543
12/01/2021	12/31/2021	FLAT	31	No Comment	1512
12/01/2021	12/31/2021	STAT	20	No Comment	1492
12/01/2021	12/31/2021	WORK	10	No Comment	1482
01/01/2022	01/31/2022	FLAT	31	No Comment	1451
01/01/2022	01/31/2022	STAT	20	No Comment	1431
01/01/2022	01/31/2022	WORK	10	No Comment	1421
02/01/2022	02/28/2022	FLAT	28	No Comment	1393
02/01/2022	02/28/2022	STAT	20	No Comment	1373
02/01/2022	02/28/2022	WORK	10	No Comment	1363
03/01/2022	03/31/2022	FLAT	31	No Comment	1332
03/01/2022	03/31/2022	STAT	20	No Comment	1312
03/01/2022	03/31/2022	WORK	10	No Comment	1302
04/01/2022	04/30/2022	FLAT	30	No Comment	1272
04/01/2022	04/30/2022	STAT	20	No Comment	1252

The PEED 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: BIGGS, CLYDE - 0001170985

Sentence: 1

Count: 1

Current Earned Expiration Date: 07/09/2028

Case	Arrest Date	Age	Birth Date	Arrest	Days	PD	PD	PD
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	01/17/2024	A

From Date	To Date	Arrest Date	Arrest	Days	PD	PD	PD
04/01/2022	04/30/2022	WORK	10	No Comment			1242
05/01/2022	05/31/2022	FLAT	31	No Comment			1211
05/01/2022	05/31/2022	STAT	20	No Comment			1191
05/01/2022	05/31/2022	WORK	10	No Comment			1181
06/01/2022	06/30/2022	FLAT	30	No Comment			1151
06/01/2022	06/30/2022	STAT	20	No Comment			1131
06/01/2022	06/30/2022	WORK	10	No Comment			1121
07/01/2022	07/31/2022	FLAT	31	No Comment			1090
07/01/2022	07/31/2022	STAT	20	No Comment			1070
07/01/2022	07/31/2022	WORK	10	No Comment			1060
08/01/2022	08/31/2022	FLAT	31	No Comment			1029
08/01/2022	08/31/2022	STAT	20	No Comment			1009
08/01/2022	08/31/2022	WORK	10	No Comment			999
09/01/2022	09/30/2022	FLAT	30	No Comment			969
09/01/2022	09/30/2022	STAT	20	No Comment			949
09/01/2022	09/30/2022	WORK	10	No Comment			939
10/01/2022	10/31/2022	FLAT	31	No Comment			908
10/01/2022	10/31/2022	STAT	20	No Comment			888
10/01/2022	10/31/2022	WORK	10	No Comment			878
11/01/2022	11/30/2022	FLAT	30	No Comment			848
11/01/2022	11/30/2022	STAT	20	No Comment			828
11/01/2022	11/30/2022	WORK	10	No Comment			818
12/01/2022	12/31/2022	FLAT	31	No Comment			787
12/01/2022	12/31/2022	STAT	20	No Comment			767
12/01/2022	12/31/2022	WORK	10	No Comment			757
01/01/2023	01/31/2023	FLAT	31	No Comment			726
01/01/2023	01/31/2023	STAT	20	No Comment			706
01/01/2023	01/31/2023	WORK	10	No Comment			696
02/01/2023	02/28/2023	FLAT	28	No Comment			668
02/01/2023	02/28/2023	STAT	20	No Comment			648
02/01/2023	02/28/2023	WORK	10	No Comment			638
03/01/2023	03/31/2023	FLAT	31	No Comment			607
03/01/2023	03/31/2023	STAT	20	No Comment			587
03/01/2023	03/31/2023	WORK	10	No Comment			577
04/01/2023	04/30/2023	FLAT	30	No Comment			547
04/01/2023	04/30/2023	STAT	20	No Comment			527
04/01/2023	04/30/2023	WORK	10	No Comment			517
05/01/2023	05/31/2023	FLAT	31	No Comment			486
05/01/2023	05/31/2023	STAT	20	No Comment			466
05/01/2023	05/31/2023	WORK	10	No Comment			456
06/01/2023	06/30/2023	FLAT	30	No Comment			426
06/01/2023	06/30/2023	STAT	20	No Comment			406
06/01/2023	06/30/2023	WORK	10	No Comment			396

The PEED 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: BIGGS, CLYDE - 0001170985						Sentence: 1.		Count: 1
						Current Earned Expiration Date: 07/09/2028		
Case	Sentence Dt	JC	Retro Dt	MAX Term	Days Owed	PED	PEXD	Status
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	01/17/2024	A

From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
07/01/2023	07/31/2023	FLAT	31	No Comment	365
07/01/2023	07/31/2023	STAT	20	No Comment	345
07/01/2023	07/31/2023	WORK	10	No Comment	335
08/01/2023	08/31/2023	FLAT	31	No Comment	304
08/01/2023	08/31/2023	STAT	20	No Comment	284
08/01/2023	08/31/2023	WORK	10	No Comment	274
09/01/2023	09/30/2023	FLAT	30	No Comment	244
09/01/2023	09/30/2023	STAT	20	No Comment	224
09/01/2023	09/30/2023	WORK	10	No Comment	214
10/01/2023	10/31/2023	FLAT	31	No Comment	183
10/01/2023	10/31/2023	STAT	20	No Comment	163
10/01/2023	10/31/2023	WORK	10	No Comment	153
11/01/2023	11/30/2023	FLAT	30	No Comment	123
11/01/2023	11/30/2023	STAT	20	No Comment	103
11/01/2023	11/30/2023	WORK	10	No Comment	93
12/01/2023	12/31/2023	FLAT	31	No Comment	62
12/01/2023	12/31/2023	STAT	20	No Comment	42
12/01/2023	12/31/2023	WORK	10	No Comment	32
01/01/2024	01/17/2024	FLAT	17	No Comment	15
01/01/2024	01/17/2024	STAT	10	No Comment	5
01/01/2024	01/17/2024	WORK	5	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.

Clyde Biggs #1170985

H.D.S.P.

P.O. BOX 650

INDIAN SPRINGS, NV 89070

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07/25/019
US POSTAGE \$001.302

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011E12651E

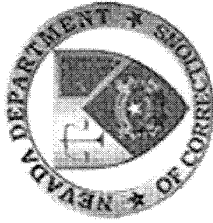
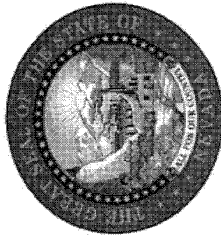
STEVEN D. GRIERSON, Clerk of the Court
200 LEWIS AVENUE 3RD Floor
LAS VEGAS, NV 89155

Legal mail

3-11-14

Exhibit #7

Certificates



Certificate of Completion

Biggs, Clyde (1170985)
successfully completed 12 hours of

Commitment to Change Phase I

on

October 29, 2018

The Program Review Committee has approved this class/program for

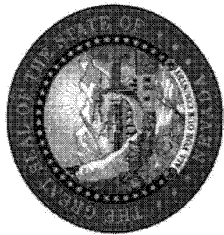
15 Meritorious Credits

Laffell
Facilitator/Instructor (Sign)

10-29-18
Date

[Signature]
Warden/AW (Sign)

10-29-18
Date



Certificate of Completion

Biggs, Clyde (1170985)



successfully completed 12 hours of

Commitment to Change Phase II

on

November 21, 2018

The Program Review Committee has approved this class/program for

15 Meritorious Credits

Saffell

Facilitator/Instructor (Sign)

11-27-2018

Date

[Signature]

Warden/AW (Sign)

11-27-2018

Date



Certificate of Completion

Biggs, Clyde (1170985)

successfully completed 10 hours of

Commitment to Change Phase III

on

January 11, 2019

The Program Review Committee has approved this class/program for

15 Meritorious Credits

Sattell

Facilitator/Instructor (Sign)

1/14/2019

Date

[Signature]

Warden/AW (Sign)

1/14/2019

Date





Certificate of Completion



CLYDE, BIGGS

1170985

Anger Management for Substance Abuse and Mental Health Clients

on

July 20, 2020

The Program Review Committee has approved this class/program for

15 Meritorious Credits

M. Serrano

Facilitator/Instructor (Print)

09/30/2020

Date

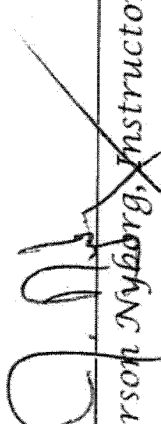
Facilitator/Instructor (Sign)

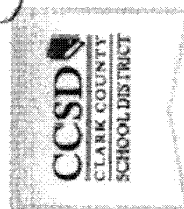
09/30/2020


Date

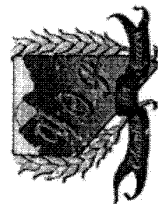
Certificate of Merit

This certificate declares that on the 18th day of December 2017, Clyde Biggs has, with acceptable aptitude and comprehensive skill, fulfilled all criteria of the Automotive Technology Program of the Clark County School District.


Jefferson Nyberg, Instructor

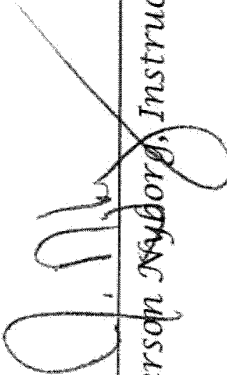



Michael Rolands, Principal

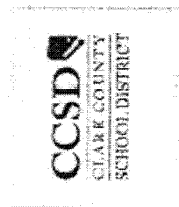


Certificate of Merit

This certificate declares that on the 11th day of January 2018,
Clyde Biggs has, with acceptable aptitude and comprehensive skill,
fulfilled all criteria of the Automotive Mechanics Program of the
Clark County School District.



Jefferson Nyborg, Instructor





Michael Rolands, Principal



Certificate of Merit

This certificate declares that on the 23rd day of April 2018, Clyde Biggs has, with acceptable aptitude and comprehensive skill, fulfilled all criteria of the Culinary Arts Program of the Clark County School District.

James McParland
James McParland, Instructor

Michael Rolands
Michael Rolands, Principal



Certificate of Merit

This certificate declares that on the 11th day of March 2019,
Clyde Biggs has, with acceptable aptitude and comprehensive skill,
fulfilled all criteria of the Serv Safe Managers Program of the
Clark County School District.


James McParland
James McParland, Instructor

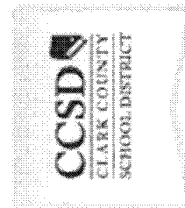
Michael Rolands
Michael Rolands, Principal



Certificate of Merit

*This certificate declares that on the 20th Day of May 2018,
Clyde Biggs #1170985 has, with acceptable aptitude and
comprehensive skill, fulfilled all criteria of the Heavy Equipment
Operator Program of the Clark County School District.*


Michael Budd, Instructor



Certificate of Merit

*This certificate declares that on the 2nd day of May, 2019,
Clyde Biggs, #1170085, with acceptable aptitude and comprehensive
skill, has fulfilled all criteria of the Construction Program of the
Clark County School District.*


Michael Budd, Instructor


Michael Rolands, Principal



Certificate of Merit

This certificate declares that on the 16th day of January, 2020,
Clyde Biggs has, with acceptable aptitude and comprehensive skill,
fulfilled all criteria of Shielded Metal Arc Welding of the Welding
Technology Program of the Clark County School District.

Bruce Waltermeyer
Bruce Waltermeyer, Instructor



Michael Rolands
Michael Rolands, Principal



Clyde Riggs #1170985

ADSP

P.O. Box 650

INDIAN SPRINGS, NV 89070

STEVEN D GRIERSON Clerk of Ar
200 Lewis AVENUE 3rd floor
LAS Vegas, NV 89155

3762

OPWH

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Clyde Biggs,

Plaintiff(s)

Case No.: A-21-837467-W

Department: XXIV

vs.

Calvin Johnson,

Defendant(s)

ORDER FOR PETITION FOR WRIT OF HABEAS CORPUS
(TIME COMPUTATION)

Petitioner filed a Petition for Writ of Habeas Corpus on **July 7, 2021**. 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 NRS 34.724 and, good cause appearing therefore,

IT IS HEREBY ORDERED, Respondent shall, within 30 days after the date of this Order, to file any motion it deems necessary.

If no motion is filed, **IT IS HEREBY FURTHER ORDERED**, Respondent shall, 45 days after the date of this Order, file an answer or otherwise respond to the Petition.

IT IS FURTHER ORDERED, this matter is placed on calendar for hearing on **September 7, 2021**, in chambers in District Court Department XXIV.

Dated this 8th day of July, 2021



**74A 444 BDA0 BB32
Erika Ballou
District Court Judge**

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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:

Clark county District Attorney's Office Motions@clarkcountynvda.com

Office of The Attorney General wiznetfilings@ag.nv.gov

Chapri Wright

Chapri Wright
Judicial Executive Assistant

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Clyde Biggs, Plaintiff(s)

CASE NO: A-21-837467-W

7 vs.

DEPT. NO. Department 24

8 Calvin Johnson, Defendant(s)

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 Electronic service was attempted through the Eighth Judicial District Court's
12 electronic filing system, but there were no registered users on the case.

13
14 If indicated below, a copy of the above mentioned filings were also served by mail
15 via United States Postal Service, postage prepaid, to the parties listed below at their last
16 known addresses on 7/9/2021

16 Clyde Biggs

HDSP P.O. Box 650

SID# 1170985

17 Indian Springs, NV, 89070
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RSPN
AARON D. FORD
Attorney General
Trisha Chapman (Bar No. 12716)
Deputy Attorney General
State of Nevada
Office of the Attorney General
555 E. Washington Avenue, Ste. 3900
Las Vegas, Nevada 89101
Phone: (702) 486-3107
Fax: (702) 486-2377
tchapman@ag.nv.gov
Attorneys for Respondent

DISTRICT COURT
CLARK COUNTY, NEVADA

CLYDE BIGGS,

Petitioner,

vs.

CALVIN JOHNSON, *et al.*,

Respondents.

Case No. A-21-837467-W

Dept. No. XXIV

Hearing Date: September 7, 2021

Hearing Time: 9:00 a.m.

RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS

Respondent¹ opposes Petitioner Clyde Biggs' Petition for Writ of Habeas Corpus filed on July 7, 2021, because the Nevada Department of Corrections properly awarded Biggs all meritorious and work credit owed in compliance with NRS 209.4465. This response is based on the following points and authorities, together with all other pleadings, documents and exhibits on file herein.

DATED August 19, 2021.

AARON D. FORD
Attorney General

By: /s/ Trisha Chapman
Trisha Chapman, Bar No.: 12716
Deputy Attorney General

¹ Biggs identified Warden, Calvin Johnson, High Desert State Prison (HDSP), Offender Management Division (OMD) and the State of Nevada as respondents in this petition. Under NRS 34.370(2), the proper respondent in a state post-conviction is the "officer or other person by whom the petition is confined or restrained," which is Warden, Calvin Johnson. The other agencies listed are not "an officer or other person," and should be dismissed from this action.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **BACKGROUND**

3 Petitioner Clyde Biggs (Biggs) is currently incarcerated at High Desert State Prison (HDSP).
4 Exhibit 1 – NDOC Inmate Search. Biggs was convicted of Second-Degree Murder and sentenced to 10-
5 25 years in the Nevada Department of Corrections (NDOC). Exhibit 2 – Judgment of Conviction. Biggs
6 appeared before the parole board in 2020 but was denied parole. The instant petition is Biggs' fourth
7 petition challenging the application of credit to his sentence.²

8 **ARGUMENT**

9 **I. Biggs' Claim Challenging Work Credits Should be Dismissed as a Second or Successive**
10 **Petition Pursuant to NRS 34.810(2).**

11 To the extent that Biggs is challenging the amount of work credit applied to his sentence, his
12 claim should be dismissed under NRS 34.810(2) as a second or successive petition as he previously raised
13 a claim in 2019 challenging the application of good-time and work credit to his sentence. *See* Petition in
14 A-19-794378-W. The district court denied that petition and found that an inmate must perform work to
15 receive credit and he cannot claim a liberty interest in credit for work that was not assigned; even when
16 he was able and willing to work. Exhibit 3 at 2.

17 . . . based on the statutory language provided in NRS 209.4465(2), an
18 inmate must work in order to receive work credit. In this case, Mr. Biggs
19 has received work credits between August 2017 and July 2019. Therefore,
20 Mr. Biggs cannot claim being housed in protective custody is preventing
21 him from receiving full workday or full salary work credit towards his
22 sentence. Mr. Biggs claims High Desert State Prison is only allowing
23 inmates to receive six days work credit each month, which is untrue. A
24 review of Mr. Biggs' credit history shows that he has always received more
25 than six work credits each month. Mr. Biggs argues that the director must
26 give inmates ten days work credit each month, which is a misstatement of
27 the applicable law. NRS 209.4465(2) clearly states that "the director may
allow not more than 10 days of credit each month". . . Mr. Biggs further
claims that he has made every effort to participate in rehabilitation,
educational and/or work programs while in prison, but he cannot claim that
he has a constitutionally protected liberty interest, even when he is able to
work but work is not available.

25 ///

26 ///

27
28 ² Biggs also filed time computation petitions in cases, A-17-755397-W (denied for failure to serve
petition on Respondent); A-19-794378-W (denied on the merits – *see* Exhibit 3 – Decision and Order);
and A-20-822591-W (denied for failure to exhaust administrative remedies).

1 *Id.* (internal citations omitted). The state district court’s ruling was affirmed by the Nevada Supreme
2 Court in case 79644. Exhibit 4 – Order of Affirmance. While Biggs has modified his argument to include
3 the period of January 2017 through July 2017, 2020 and 2021, the same arguments preventing an
4 additional award of credit last time still apply to his new request.³

5 **II. Biggs’ Due Process Rights Have Not Been Violated.**

6 The Fourteenth Amendment of the United States Constitution guarantees citizens due process of
7 law, stating that no State shall “deprive any person of life, liberty, or property, without due process of
8 law; nor deny to any person within its jurisdiction the equal protection of the laws.” The Nevada Supreme
9 Court has noted that “before due process protections can apply, there must first exist a protectable liberty
10 or property interest.” *Severance v. Armstrong*, 96 Nev. 836, 838, 620 P.2d 369, 370 (1980) (quoting
11 *Averhart v. Tutsie*, 618 F.2d 479, 480-481 (7th Cir. 1980)).

12 Primarily at issue is Biggs perception that his projected expiration date (PEXD) is not changing
13 at the same rate that he is earning credit. Petition at 6-12. This is because comparing earned credit with
14 projected credits is like comparing apples to oranges. While both are fruit, they are not interchangeable.
15 Similarly, while earned credits and projected credits are all aspects of time keeping, they are not
16 interchangeable. Biggs’ allegation that NDOC is failing to properly reduce his PEXD date is a
17 mischaracterization of the process.

18 PEXD stands for projected expiration date. This date is used to estimate when an inmate’s
19 sentence will expire. At best, it is a ballpark figure. The projection assumes that an inmate will earn 100%
20 of the good time and work credit available. It is intended to incentivize an inmate to follow the rules and
21 apply for work. In practice however, an inmate may not earn all of the projected credit. For instance, an
22 inmate may not be working so he will not earn work credit, or an inmate may have a disciplinary problem
23 causing him to earn less than the full amount of good time credit. While Biggs may perceive this as

24 ³ To the extent Biggs is challenging work credits due to his restrictive classification at HDSP for
25 the months of January 2017 through August 2017, his claim is not cognizable. Nevada’s post-conviction
26 petition for writ of habeas corpus is not a proper means for an inmate to challenge conditions of
27 confinement, including his placement in a more restrictive correctional setting. *Bowen v. Warden*, 100
28 Nev. 489, 490, 686 P.2d 250, 250 (1984) (in addressing “the specific question raised by this appeal,
whether the *imposition of a qualitatively more restrictive type of confinement* within the prison, such as
punitive segregation, may be challenged by a petition for writ of habeas corpus [; w]e now hold such a
challenge *speaks only to the conditions of confinement and therefore may not be raised by a habeas
corpus petition.*” (Emphasis added)).

1 “adding” days to his release date, in reality, the projected date is merely being adjusted with more accurate
2 data as time goes by.

3 PEXD is a projected date and should only be considered an *approximation* of the actual release
4 date. It is not a guaranteed release date. *See* Exhibit 5 – Credit History Report (a disclaimer is provided
5 on the bottom of each page warning that the PEXD is only an approximation). In other words, the PEXD
6 will change over time as projected credits are replaced with actual earned credits each month. As an
7 inmate’s sentence progresses, the projection becomes more accurate because it relies more heavily on
8 actual data rather than projected data. But in the end, it is just a projected date. It is neither accurate nor
9 inaccurate as it is based in part on conjecture rather than true facts. Thus, it is neither discriminatory nor
10 in violation of Biggs’ due process rights.

11 **III. All Meritorious Credit Was Properly Applied to Biggs’ Sentence.**

12 Biggs alleges that NDOC failed to properly award him meritorious credits for the 11 classes
13 and/or programs that he completed from 2017 to 2020. Petition at 10-11; *see also* Certificates at 52-63.
14 If Biggs is looking for confirmation that his credit has been applied to his sentence, he should look at the
15 days remaining in his sentence to determine whether NDOC has given him full credit.⁴ As shown in the
16 table below and is reflected in his credit history, NDOC has awarded full credit for each program Biggs
17 has claimed and has reduced the total days owed toward his sentence by the credits earned.

18

19

Page Reference to Certificates	Class	Date	Number of Meritorious Credits	“Days Remaining”
Page 57 of 64	Automotive Technology Program	09/18/17 – 12/18/17	60 days credit	Reduced by 60 days from 4,937 days to 4,877 days. <i>See</i> Exhibit 5 at 6.
Page 59 of 64	Culinary Arts Program	09/18/17 – 4/23/18	60 days credit	Reduced by 60 days from 4,877 days to 4,817 days. <i>Id.</i> at 6-7.

20

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28 ⁴ “Days Remaining” is found on the far right-hand column of the credit history report and
references the on-going number of days owed on an inmate’s sentence based on the deduction of various
credits such as flat time (FLAT), statutory or good time (STAT), work time (WORK) and/or other classes
and programs.

1	Page 58 of 64	Automotive Mechanics Program	10/16/17 – 01/11/18	60 days credit	Reduced by 60 days from 4,756 days to 4,696 days. <i>Id.</i> at 7.
2					
3	Page 61 of 64	Heavy Equipment Operator Program	02/07/18 – 04/26/18	60 days credit	Reduced by 60 days from 4,456 days to 4,396 days. <i>Id.</i> at 7.
4					
5	Page 60 of 64	Serv Safe Managers Program	08/22/18 – 05/01/19	30 days credit	Reduced by 30 days from 4,032 days to 4,002 days. <i>Id.</i> at 7.
6					
7					
8	Page 53 of 64	Commitment to Change Phase I	09/21/18 – 10/25/18	15 days credit	Reduced by 15 days from 3,942 days to 3,927 days. <i>Id.</i> at 7.
9					
10	Page 54 of 64	Commitment to Change Phase II	10/31/18 – 11/21/18	15 days credit	Reduced by 15 days from 3,868 days to 3,853 days. <i>Id.</i> at 8.
11					
12	Page 55 of 64	Commitment to Change Phase III	12/05/18 – 01/11/19	15 days credit	Reduced by 15 days from 3,732 days to 3,717 days. <i>Id.</i> at 8.
13					
14					
15	Page 62 of 64	Construction Program	01/07/19 – 05/16/19	60 days credit	Reduced by 60 days from 3,657 days to 3,597 days. <i>Id.</i> at 8.
16					
17	Page 63 of 64	Shielded Metal Arc Welding of the Welding Technology Program (Welding Re-Entry)	08/14/19 – 01/16/20	60 days credit	Reduced by 60 days from 3,175 days to 3,115 days. <i>Id.</i> at 8.
18					
19					
20	Page 56 of 64	Anger Management for Substance Abuse and Mental Health Clients	05/12/20 – 07/23/20	15 days credit	Reduced by 15 days from 2,566 days to 2,551 days. <i>Id.</i> at 9.
21					
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CONCLUSION

Because NDOC properly awarded Biggs all credit owed to him in compliance with NRS 209.4465, Respondents respectfully request this Court to deny his petition in its entirety.

Dated: August 19, 2021.

AARON D. FORD
Attorney General

By: /s/ Trisha Chapman
Trisha Chapman, Bar No.: 12716
Deputy Attorney General

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: August 19, 2021.

AARON D. FORD
Attorney General

By: /s/ Trisha Chapman
Trisha Chapman, Bar No.: 12716
Deputy Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing *Response to Petition for Writ of Habeas Corpus* with the Clerk of the Court by using the electronic filing system on August 19, 2021.

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 at his last known address:

Clyde Biggs, #1170985
c/o High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070-0650

/s/ M. Landreth
An employee of the Office of the Attorney General

Exhibit 1

NDOC Inmate Search

Search By Offender ID
Offender ID:

-or-

Search By Demographics
First Name: Wildcard %
Last Name: Wildcard %

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 Scott Kelley. email: sckelley@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 2021-07-19

Identification and Demographics

Name	Offender ID	Gender	Ethnic	Age	Height	Weight	Build	Complexion	Hair	Eyes	Institution	Custody Level	Aliases	Prior Felonies
CLYDE BIGGS	1170985	Male	BLACK	40	6'0"	180lb		DARK	BLACK	BROWN	HIGH DESERT STATE PRISON	CLOSE	THOMAS HARRIS, CLYDE L., BIGGS, "BOO", CLYDE LAFON BIGGS	NO

Booking Information

Offense Code	Offense Description	Sent. Status	Sent. Min	Sent. Max	Sent. PED	Sent. MPR	Sent. County	Sent. PECD	Sent. Type	Sent. RRD	Sent. Start Date
94	MURDER 2ND DEGREE	Active	10 yr. 0 mo. 0 days	25 yr. 0 mo. 0 days	2020-11-06	2023-05-13	CLARK COUNTY COURTHOUSE	2023-11-14	DETERMINE		2010-11-07

Inmate Photo**Parole Hearing Details**

Offender Book ID	Parole Hearing Date	Parole Hearing Location
177052	2020-08-17	PAROLE BOARD ROOM 201

Exhibit 2

Judgment of Conviction


CLERK OF THE COURT

JOCP

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CLYDE BIGGS
#1970263

Defendant.

CASE NO. C270005-2

DEPT. NO. IX

JUDGMENT OF CONVICTION
(PLEA OF GUILTY - ALFORD)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty pursuant to Alford Decision to the crime of MURDER (SECOND DEGREE) (Category A Felony) in violation of NRS 200.010, 200.030.2; thereafter, on the 29th day of December, 2016, the Defendant was present in court for sentencing with his counsel DAN WINDER, ESQ., and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to the \$25.00 Administrative Assessment Fee, Restitution in the amount of \$2,498.71 payable to Victims of Crime, and a \$150.00 DNA Analysis Fee, including

1 testing to determine genetic markers, plus a \$3.00 DNA Collection Fee, the Defendant
2 is sentenced as follows: a MAXIMUM of TWENTY-FIVE (25) YEARS with a MINIMUM
3 parole eligibility of TEN (10) YEARS in the Nevada Department of Corrections (NDC);
4 with TWO THOUSAND TWO HUNDRED FORTY-FOUR (2,244) DAYS credit for time
5 served.
6

7 FINDINGS AND CORRECTIONS TO THE PRESENTENCE INVESTIGATION
8 REPORT (PSI): The COURT FINDS the PSI inaccurate as to page 4 – 2004 California
9 Conviction listed as a Felony was reduced to a Misdemeanor.
10

11
12 DATED this 30th day of December, 2016

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14 
15 JENNIFER TOGLIATTI
16 DISTRICT JUDGE
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AMT

Exhibit 3

Decision and Order

A-19-794378-W

8/28/2019



1 DAO

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5 CLYDE BIGGS,

6 Petitioner,

7 vs.

8 BRIAN WILLIAMS, *et al.*,

9 Respondents.

Case No. A-19-794378-W

Dept. No. X

10 **DECISION AND ORDER**

11 THIS CAUSE came before the Honorable Tierra Jones on August 1, 2019, for review of Clyde
12 Biggs' *Petition for Writ of Habeas Corpus Good and Work Time, Meritorious Award Calculations (NRS*
13 *34.724, Subsection 2 (c))* ("Petition") filed on May 6, 2019 where he requests application of credit
14 against his minimum sentence pursuant to NRS 209.4465(7)(b). Respondents filed a response on July
15 16, 2019. At the hearing, the Court did not entertain argument. Pursuant to NRS 34.770(2), the Court
16 makes its decision based solely upon the pleadings without the need of an evidentiary hearing.

17 THE COURT FINDS that Petitioner Clyde Biggs ("Mr. Biggs") is currently incarcerated at High
18 Desert State Prison for a crime committed on or about November 1, 2010. Mr. Biggs was convicted of
19 Murder (Second Degree), a category A felony.

20 THE COURT FURTHER FINDS that Mr. Biggs was sentenced to twenty-five years
21 incarceration with minimum parole eligibility after ten years.

22 WHEREFORE THE COURT CONCLUDES that NRS 209.4465 applies to Mr. Biggs and
23 provides the statutory framework for applying credit to his sentence. Based on the provisions set forth
24 in NRS 209.4465(1), an inmate is entitled to twenty days good-time credit for each month so long as the
25 inmate abides by the law and prison regulations. In this case, Mr. Biggs has received twenty days good-
26 time credit for each month he has served. Upon review of Mr. Biggs' credit history, there is an award of
27 twenty days "STAT" applied each month. STAT credit or statutory credit is another name for good-time
28 credit, showing that Mr. Biggs has had credit applied against his maximum sentence each month. To the

<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

Page 1 of 3

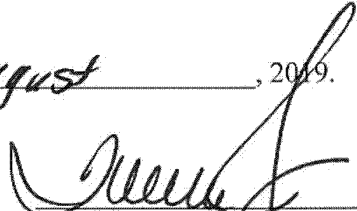
1 extent that Mr. Biggs also seeks the application of good-time credit against his minimum sentence, NRS
2 209.4465(8) prevents the application. Under NRS 209.4465(8), an offender who is convicted of a felony
3 involving the use or threatened use of force or violence against the victim, a felony sex offense, a
4 violation of NRS 484C.110, 484C.120, 484C.130 or 484C.430 that is punishable as a felony, or, who
5 has been convicted of a category A or B felony, is not eligible to have his credits applied against his
6 parole eligibility or minimum sentence. NRS 209.4465(8)(a)-(d). Murder (Second Degree) is both a
7 category A felony and a felony involving the use of force or violence against a victim. Application of
8 credit to the minimum sentence of a category A felony and/or a felony involving the use of force or
9 violence against a victim is prohibited by NRS 209.4465(8)(a) and (d), because of the level and nature
10 of the offense.

11 WHEREFORE THE COURT FURTHER CONCLUDES that based on the statutory language
12 provided in NRS 209.4465(2), an inmate must work in order to receive work credit. In this case, Mr.
13 Biggs has received work credits between August 2017 and July 2019. Therefore, Mr. Biggs cannot claim
14 being housed in protective custody is preventing him from receiving full work day or full salary work
15 credit towards his sentence. Mr. Biggs claims High Desert State Prison is only allowing inmates to
16 receive six days work credit each month, which is untrue. A review of Mr. Biggs' credit history shows
17 that he has always received more than six work credits each month. Mr. Biggs argues that the director
18 must give inmates ten days work credit each month, which is a misstatement of the applicable law. NRS
19 209.4465(2) clearly states that "the director may allow not more than 10 days of credit each month". Mr.
20 Biggs then argues that NDOC does not have jobs or educational programs for all inmates, including
21 inmates who have not violated any of NDOC's rules and regulations, which is an inaccurate statement.
22 Assuming an inmate has not escaped from an NDOC facility, an inmate is not prevented from working
23 certain jobs. As for educational programs, there are many programs for inmates to enroll and participate
24 in. As for Mr. Biggs' claim that his work credit is prorated, the distribution of work credit is based on
25 the number of days an inmate actually works a month and is not prorated for any other reason. Mr. Biggs
26 further claims that he has made every effort to participate in rehabilitation, educational and/or work
27 programs while in prison, but he cannot claim that he has a constitutionally protected liberty interest,
28 even when he is able to work but work is not available. *See Kalka v. Vasquez*, 867 F.2d 546, 547 (9th

1 Cir. 1989). Since Mr. Biggs claims that he is only being denied the right to earn work credit (and not
2 that he has actually completed work and did not receive any credit for it), his claim for additional work
3 credit should be denied pursuant to NRS 209.4465(2).

4 THEREFORE, IT IS HEREBY ORDERED that Mr. Biggs' Petition for Writ of Habeas Corpus
5 is DENIED.

6 IT IS SO ORDERED this 27 day of August, 2019.

7
8 
9 The Honorable Tierra Jones
District Court Judge
SW

10 Submitted by:

11 AARON D. FORD
Attorney General

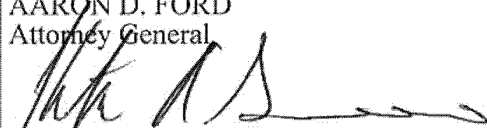
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13 Katrina A. Samuels (Bar No. 13394)
14 Deputy Attorney General
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Exhibit 4


Order of Affirmance
NSC 79644 3/30/2020

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CLYDE BIGGS,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN; HDSP;
OFFENDER MANAGEMENT
DIVISION; AND THE STATE OF
NEVADA,
Respondents.

No. 79644-COA

FILED

MAR 20 2020
ELIZABETH A. DROWN
CLERK OF THE COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Clyde Biggs appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on May 6, 2019. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

Biggs argues the district court erred by denying his claim that the Nevada Department of Corrections (NDOC) is not properly applying his work credits. Biggs argues NDOC is only giving him six days of credit when he is entitled to receive 10 days of credit. The district court found Biggs' work credits are being correctly applied, he has earned more than six credits every month he has worked, and NDOC is not required to award all 10 discretionary work credits every month. See NRS 209.4465(2). The record supports the decision of the district. Because Biggs failed to demonstrate NDOC has denied Biggs any credits that he has actually earned, we conclude the district court did not err by denying this claim.


Biggs also claims the district court erred by failing to consider his claim regarding his vocational and mental health class credits. Biggs did not raise this claim in his petition below. Instead, he raised it for the

first time in his opposition to the State's reply to his petition. Because Biggs was not allowed to file a pleading to the State's response without court permission, *see* NRS 34.750(5), we conclude the district court did not err by not considering this claim.

Having concluded Biggs is not entitled to relief, we
ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons

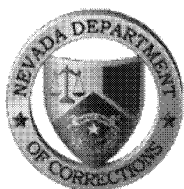

_____, J.
Tao


_____, J.
Bulla

cc: Hon. Tierra Danielle Jones, District Judge
Clyde Biggs
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk

Exhibit 5

Credit History Report



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

Offender: BIGGS, CLYDE - 0001170985						Sentence: 1	Count: 1	
						Current Earned Expiration Date: 03/17/2026		
Case	Sentence Dt	JC	Retro Dt	MAX Term	Days Owed	PED	PEXD	Status
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	11/14/2023	A

From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
11/07/2010	11/30/2010	FLAT	24	No Comment	9107
11/07/2010	11/30/2010	STAT	16	No Comment	9091
11/07/2010	11/30/2010	WORK	0	No Comment	9091
12/01/2010	12/31/2010	FLAT	31	No Comment	9060
12/01/2010	12/31/2010	STAT	20	No Comment	9040
12/01/2010	12/31/2010	WORK	0	No Comment	9040
01/01/2011	01/31/2011	FLAT	31	No Comment	9009
01/01/2011	01/31/2011	STAT	20	No Comment	8989
01/01/2011	01/31/2011	WORK	0	No Comment	8989
02/01/2011	02/28/2011	FLAT	28	No Comment	8961
02/01/2011	02/28/2011	STAT	20	No Comment	8941
02/01/2011	02/28/2011	WORK	0	No Comment	8941
03/01/2011	03/31/2011	FLAT	31	No Comment	8910
03/01/2011	03/31/2011	STAT	20	No Comment	8890
03/01/2011	03/31/2011	WORK	0	No Comment	8890
04/01/2011	04/30/2011	FLAT	30	No Comment	8860
04/01/2011	04/30/2011	STAT	20	No Comment	8840
04/01/2011	04/30/2011	WORK	0	No Comment	8840
05/01/2011	05/31/2011	FLAT	31	No Comment	8809
05/01/2011	05/31/2011	STAT	20	No Comment	8789
05/01/2011	05/31/2011	WORK	0	No Comment	8789
06/01/2011	06/30/2011	FLAT	30	No Comment	8759
06/01/2011	06/30/2011	STAT	20	No Comment	8739
06/01/2011	06/30/2011	WORK	0	No Comment	8739
07/01/2011	07/31/2011	FLAT	31	No Comment	8708
07/01/2011	07/31/2011	STAT	20	No Comment	8688
07/01/2011	07/31/2011	WORK	0	No Comment	8688
08/01/2011	08/31/2011	FLAT	31	No Comment	8657
08/01/2011	08/31/2011	STAT	20	No Comment	8637
08/01/2011	08/31/2011	WORK	0	No Comment	8637
09/01/2011	09/30/2011	FLAT	30	No Comment	8607
09/01/2011	09/30/2011	STAT	20	No Comment	8587
09/01/2011	09/30/2011	WORK	0	No Comment	8587
10/01/2011	10/31/2011	FLAT	31	No Comment	8556
10/01/2011	10/31/2011	STAT	20	No Comment	8536
10/01/2011	10/31/2011	WORK	0	No Comment	8536
11/01/2011	11/30/2011	FLAT	30	No Comment	8506

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: BIGGS, CLYDE - 0001170985

Sentence: 1

Count: 1

Current Earned Expiration Date: 03/17/2026

Case	Sentence Dt	JC	Retro Dt	MAX Term	Days Owed	PED	PEXD	Status
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	11/14/2023	A

From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
11/01/2011	11/30/2011	STAT	20	No Comment	8486
11/01/2011	11/30/2011	WORK	0	No Comment	8486
12/01/2011	12/31/2011	FLAT	31	No Comment	8455
12/01/2011	12/31/2011	STAT	20	No Comment	8435
12/01/2011	12/31/2011	WORK	0	No Comment	8435
01/01/2012	01/31/2012	FLAT	31	No Comment	8404
01/01/2012	01/31/2012	STAT	20	No Comment	8384
01/01/2012	01/31/2012	WORK	0	No Comment	8384
02/01/2012	02/29/2012	FLAT	29	No Comment	8355
02/01/2012	02/29/2012	STAT	20	No Comment	8335
02/01/2012	02/29/2012	WORK	0	No Comment	8335
03/01/2012	03/31/2012	FLAT	31	No Comment	8304
03/01/2012	03/31/2012	STAT	20	No Comment	8284
03/01/2012	03/31/2012	WORK	0	No Comment	8284
04/01/2012	04/30/2012	FLAT	30	No Comment	8254
04/01/2012	04/30/2012	STAT	20	No Comment	8234
04/01/2012	04/30/2012	WORK	0	No Comment	8234
05/01/2012	05/31/2012	FLAT	31	No Comment	8203
05/01/2012	05/31/2012	STAT	20	No Comment	8183
05/01/2012	05/31/2012	WORK	0	No Comment	8183
06/01/2012	06/30/2012	FLAT	30	No Comment	8153
06/01/2012	06/30/2012	STAT	20	No Comment	8133
06/01/2012	06/30/2012	WORK	0	No Comment	8133
07/01/2012	07/31/2012	FLAT	31	No Comment	8102
07/01/2012	07/31/2012	STAT	20	No Comment	8082
07/01/2012	07/31/2012	WORK	0	No Comment	8082
08/01/2012	08/31/2012	FLAT	31	No Comment	8051
08/01/2012	08/31/2012	STAT	20	No Comment	8031
08/01/2012	08/31/2012	WORK	0	No Comment	8031
09/01/2012	09/30/2012	FLAT	30	No Comment	8001
09/01/2012	09/30/2012	STAT	20	No Comment	7981
09/01/2012	09/30/2012	WORK	0	No Comment	7981
10/01/2012	10/31/2012	FLAT	31	No Comment	7950
10/01/2012	10/31/2012	STAT	20	No Comment	7930
10/01/2012	10/31/2012	WORK	0	No Comment	7930
11/01/2012	11/30/2012	FLAT	30	No Comment	7900
11/01/2012	11/30/2012	STAT	20	No Comment	7880
11/01/2012	11/30/2012	WORK	0	No Comment	7880
12/01/2012	12/31/2012	FLAT	31	No Comment	7849
12/01/2012	12/31/2012	STAT	20	No Comment	7829
12/01/2012	12/31/2012	WORK	0	No Comment	7829
01/01/2013	01/31/2013	FLAT	31	No Comment	7798
01/01/2013	01/31/2013	STAT	20	No Comment	7778

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: BIGGS, CLYDE - 0001170985

Sentence: 1

Count: 1

Current Earned Expiration Date: 03/17/2026

Case	Sentence Dt	JC	Retro Dt	MAX Term	Days Owed	PED	PEXD	Status
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	11/14/2023	A

From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
01/01/2013	01/31/2013	WORK	0	No Comment	7778
02/01/2013	02/28/2013	FLAT	28	No Comment	7750
02/01/2013	02/28/2013	STAT	20	No Comment	7730
02/01/2013	02/28/2013	WORK	0	No Comment	7730
03/01/2013	03/31/2013	FLAT	31	No Comment	7699
03/01/2013	03/31/2013	STAT	20	No Comment	7679
03/01/2013	03/31/2013	WORK	0	No Comment	7679
04/01/2013	04/30/2013	FLAT	30	No Comment	7649
04/01/2013	04/30/2013	STAT	20	No Comment	7629
04/01/2013	04/30/2013	WORK	0	No Comment	7629
05/01/2013	05/31/2013	FLAT	31	No Comment	7598
05/01/2013	05/31/2013	STAT	20	No Comment	7578
05/01/2013	05/31/2013	WORK	0	No Comment	7578
06/01/2013	06/30/2013	FLAT	30	No Comment	7548
06/01/2013	06/30/2013	STAT	20	No Comment	7528
06/01/2013	06/30/2013	WORK	0	No Comment	7528
07/01/2013	07/31/2013	FLAT	31	No Comment	7497
07/01/2013	07/31/2013	STAT	20	No Comment	7477
07/01/2013	07/31/2013	WORK	0	No Comment	7477
08/01/2013	08/31/2013	FLAT	31	No Comment	7446
08/01/2013	08/31/2013	STAT	20	No Comment	7426
08/01/2013	08/31/2013	WORK	0	No Comment	7426
09/01/2013	09/30/2013	FLAT	30	No Comment	7396
09/01/2013	09/30/2013	STAT	20	No Comment	7376
09/01/2013	09/30/2013	WORK	0	No Comment	7376
10/01/2013	10/31/2013	FLAT	31	No Comment	7345
10/01/2013	10/31/2013	STAT	20	No Comment	7325
10/01/2013	10/31/2013	WORK	0	No Comment	7325
11/01/2013	11/30/2013	FLAT	30	No Comment	7295
11/01/2013	11/30/2013	STAT	20	No Comment	7275
11/01/2013	11/30/2013	WORK	0	No Comment	7275
12/01/2013	12/31/2013	FLAT	31	No Comment	7244
12/01/2013	12/31/2013	STAT	20	No Comment	7224
12/01/2013	12/31/2013	WORK	0	No Comment	7224
01/01/2014	01/31/2014	FLAT	31	No Comment	7193
01/01/2014	01/31/2014	STAT	20	No Comment	7173
01/01/2014	01/31/2014	WORK	0	No Comment	7173
02/01/2014	02/28/2014	FLAT	28	No Comment	7145
02/01/2014	02/28/2014	STAT	20	No Comment	7125
02/01/2014	02/28/2014	WORK	0	No Comment	7125
03/01/2014	03/31/2014	FLAT	31	No Comment	7094
03/01/2014	03/31/2014	STAT	20	No Comment	7074
03/01/2014	03/31/2014	WORK	0	No Comment	7074

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Sentence: 1

Count: 1

Current Earned Expiration Date: 03/17/2026

Case	Sentence Dt	JC	Retro Dt	MAX Term	Days Owed	PED	PEXD	Status
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	11/14/2023	A

From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
04/01/2014	04/30/2014	FLAT	30	No Comment	7044
04/01/2014	04/30/2014	STAT	20	No Comment	7024
04/01/2014	04/30/2014	WORK	0	No Comment	7024
05/01/2014	05/31/2014	FLAT	31	No Comment	6993
05/01/2014	05/31/2014	STAT	20	No Comment	6973
05/01/2014	05/31/2014	WORK	0	No Comment	6973
06/01/2014	06/30/2014	FLAT	30	No Comment	6943
06/01/2014	06/30/2014	STAT	20	No Comment	6923
06/01/2014	06/30/2014	WORK	0	No Comment	6923
07/01/2014	07/31/2014	FLAT	31	No Comment	6892
07/01/2014	07/31/2014	STAT	20	No Comment	6872
07/01/2014	07/31/2014	WORK	0	No Comment	6872
08/01/2014	08/31/2014	FLAT	31	No Comment	6841
08/01/2014	08/31/2014	STAT	20	No Comment	6821
08/01/2014	08/31/2014	WORK	0	No Comment	6821
09/01/2014	09/30/2014	FLAT	30	No Comment	6791
09/01/2014	09/30/2014	STAT	20	No Comment	6771
09/01/2014	09/30/2014	WORK	0	No Comment	6771
10/01/2014	10/31/2014	FLAT	31	No Comment	6740
10/01/2014	10/31/2014	STAT	20	No Comment	6720
10/01/2014	10/31/2014	WORK	0	No Comment	6720
11/01/2014	11/30/2014	FLAT	30	No Comment	6690
11/01/2014	11/30/2014	STAT	20	No Comment	6670
11/01/2014	11/30/2014	WORK	0	No Comment	6670
12/01/2014	12/31/2014	FLAT	31	No Comment	6639
12/01/2014	12/31/2014	STAT	20	No Comment	6619
12/01/2014	12/31/2014	WORK	0	No Comment	6619
01/01/2015	01/31/2015	FLAT	31	No Comment	6588
01/01/2015	01/31/2015	STAT	20	No Comment	6568
01/01/2015	01/31/2015	WORK	0	No Comment	6568
02/01/2015	02/28/2015	FLAT	28	No Comment	6540
02/01/2015	02/28/2015	STAT	20	No Comment	6520
02/01/2015	02/28/2015	WORK	0	No Comment	6520
03/01/2015	03/31/2015	FLAT	31	No Comment	6489
03/01/2015	03/31/2015	STAT	20	No Comment	6469
03/01/2015	03/31/2015	WORK	0	No Comment	6469
04/01/2015	04/30/2015	FLAT	30	No Comment	6439
04/01/2015	04/30/2015	STAT	20	No Comment	6419
04/01/2015	04/30/2015	WORK	0	No Comment	6419
05/01/2015	05/31/2015	FLAT	31	No Comment	6388
05/01/2015	05/31/2015	STAT	20	No Comment	6368
05/01/2015	05/31/2015	WORK	0	No Comment	6368
06/01/2015	06/30/2015	FLAT	30	No Comment	6338

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From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
06/01/2015	06/30/2015	STAT	20	No Comment	6318
06/01/2015	06/30/2015	WORK	0	No Comment	6318
07/01/2015	07/31/2015	FLAT	31	No Comment	6287
07/01/2015	07/31/2015	STAT	20	No Comment	6267
07/01/2015	07/31/2015	WORK	0	No Comment	6267
08/01/2015	08/31/2015	FLAT	31	No Comment	6236
08/01/2015	08/31/2015	STAT	20	No Comment	6216
08/01/2015	08/31/2015	WORK	0	No Comment	6216
09/01/2015	09/30/2015	FLAT	30	No Comment	6186
09/01/2015	09/30/2015	STAT	20	No Comment	6166
09/01/2015	09/30/2015	WORK	0	No Comment	6166
10/01/2015	10/31/2015	FLAT	31	No Comment	6135
10/01/2015	10/31/2015	STAT	20	No Comment	6115
10/01/2015	10/31/2015	WORK	0	No Comment	6115
11/01/2015	11/30/2015	FLAT	30	No Comment	6085
11/01/2015	11/30/2015	STAT	20	No Comment	6065
11/01/2015	11/30/2015	WORK	0	No Comment	6065
12/01/2015	12/31/2015	FLAT	31	No Comment	6034
12/01/2015	12/31/2015	STAT	20	No Comment	6014
12/01/2015	12/31/2015	WORK	0	No Comment	6014
01/01/2016	01/31/2016	FLAT	31	No Comment	5983
01/01/2016	01/31/2016	STAT	20	No Comment	5963
01/01/2016	01/31/2016	WORK	0	No Comment	5963
02/01/2016	02/29/2016	FLAT	29	No Comment	5934
02/01/2016	02/29/2016	STAT	20	No Comment	5914
02/01/2016	02/29/2016	WORK	0	No Comment	5914
03/01/2016	03/31/2016	FLAT	31	No Comment	5883
03/01/2016	03/31/2016	STAT	20	No Comment	5863
03/01/2016	03/31/2016	WORK	0	No Comment	5863
04/01/2016	04/30/2016	FLAT	30	No Comment	5833
04/01/2016	04/30/2016	STAT	20	No Comment	5813
04/01/2016	04/30/2016	WORK	0	No Comment	5813
05/01/2016	05/31/2016	FLAT	31	No Comment	5782
05/01/2016	05/31/2016	STAT	20	No Comment	5762
05/01/2016	05/31/2016	WORK	0	No Comment	5762
06/01/2016	06/30/2016	FLAT	30	No Comment	5732
06/01/2016	06/30/2016	STAT	20	No Comment	5712
06/01/2016	06/30/2016	WORK	0	No Comment	5712
07/01/2016	07/31/2016	FLAT	31	No Comment	5681
07/01/2016	07/31/2016	STAT	20	No Comment	5661
07/01/2016	07/31/2016	WORK	0	No Comment	5661
08/01/2016	08/31/2016	FLAT	31	No Comment	5630
08/01/2016	08/31/2016	STAT	20	No Comment	5610

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08/01/2016	08/31/2016	WORK	0	No Comment	5610
09/01/2016	09/30/2016	FLAT	30	No Comment	5580
09/01/2016	09/30/2016	STAT	20	No Comment	5560
09/01/2016	09/30/2016	WORK	0	No Comment	5560
10/01/2016	10/31/2016	FLAT	31	No Comment	5529
10/01/2016	10/31/2016	STAT	20	No Comment	5509
10/01/2016	10/31/2016	WORK	0	No Comment	5509
11/01/2016	11/30/2016	FLAT	30	No Comment	5479
11/01/2016	11/30/2016	STAT	20	No Comment	5459
11/01/2016	11/30/2016	WORK	0	No Comment	5459
12/01/2016	12/28/2016	FLAT	28	No Comment	5431
12/01/2016	12/28/2016	STAT	19	No Comment	5412
12/01/2016	12/31/2016	WORK	0	Reduction for not working	5412
12/29/2016	12/31/2016	FLAT	3	No Comment	5409
12/29/2016	12/31/2016	STAT	1	No Comment	5408
01/01/2017	01/31/2017	FLAT	31	No Comment	5377
01/01/2017	01/31/2017	STAT	20	No Comment	5357
01/01/2017	01/31/2017	WORK	0	Reduction for not working	5357
02/01/2017	02/28/2017	FLAT	28	No Comment	5329
02/01/2017	02/28/2017	STAT	20	No Comment	5309
02/01/2017	02/28/2017	WORK	0	Reduction for not working	5309
03/01/2017	03/31/2017	FLAT	31	No Comment	5278
03/01/2017	03/31/2017	STAT	20	No Comment	5258
03/01/2017	03/31/2017	WORK	0	Reduction for not working	5258
04/01/2017	04/30/2017	FLAT	30	No Comment	5228
04/01/2017	04/30/2017	STAT	20	No Comment	5208
04/01/2017	04/30/2017	WORK	0	Reduction for not working	5208
05/01/2017	05/31/2017	FLAT	31	No Comment	5177
05/01/2017	05/31/2017	STAT	20	No Comment	5157
05/01/2017	05/31/2017	WORK	0	Reduction for not working	5157
06/01/2017	06/30/2017	FLAT	30	No Comment	5127
06/01/2017	06/30/2017	STAT	20	No Comment	5107
06/01/2017	06/30/2017	WORK	0	Reduction for not working	5107
07/01/2017	07/31/2017	FLAT	31	No Comment	5076
07/01/2017	07/31/2017	STAT	20	No Comment	5056
07/01/2017	07/31/2017	WORK	0	Reduction for not working	5056
08/01/2017	08/31/2017	FLAT	31	No Comment	5025
08/01/2017	08/31/2017	STAT	20	No Comment	5005
08/01/2017	08/31/2017	WORK	8	No Comment	4997
09/01/2017	09/30/2017	FLAT	30	No Comment	4967
09/01/2017	09/30/2017	STAT	20	No Comment	4947
09/01/2017	09/30/2017	WORK	10	No Comment	4937
09/18/2017	12/18/2017	MR_VC_AT	60	Automotive Technology	4877

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09/18/2017	04/23/2018	MR_VC_CUL	60	Culinary	4817
10/01/2017	10/31/2017	FLAT	31	No Comment	4786
10/01/2017	10/31/2017	STAT	20	No Comment	4766
10/01/2017	10/31/2017	WORK	10	No Comment	4756
10/16/2017	01/11/2018	MR_VC_AM	60	Auto Mechanics/Auto Shop	4696
11/01/2017	11/30/2017	FLAT	30	No Comment	4666
11/01/2017	11/30/2017	STAT	20	No Comment	4646
11/01/2017	11/30/2017	WORK	10	No Comment	4636
12/01/2017	12/31/2017	FLAT	31	No Comment	4605
12/01/2017	12/31/2017	STAT	20	No Comment	4585
12/01/2017	12/31/2017	WORK	10	No Comment	4575
01/01/2018	01/31/2018	FLAT	31	No Comment	4544
01/01/2018	01/31/2018	STAT	20	No Comment	4524
01/01/2018	01/31/2018	WORK	10	Reduction for not working	4514
02/01/2018	02/28/2018	FLAT	28	No Comment	4486
02/01/2018	02/28/2018	STAT	20	No Comment	4466
02/01/2018	02/28/2018	WORK	10	No Comment	4456
02/07/2018	04/26/2018	MR_VC_HEO	60	Heavy Equipment Operator	4396
03/01/2018	03/31/2018	FLAT	31	No Comment	4365
03/01/2018	03/31/2018	STAT	20	No Comment	4345
03/01/2018	03/31/2018	WORK	10	Reduction for not working	4335
04/01/2018	04/30/2018	FLAT	30	No Comment	4305
04/01/2018	04/30/2018	STAT	20	No Comment	4285
04/01/2018	04/30/2018	WORK	10	No Comment	4275
05/01/2018	05/31/2018	FLAT	31	No Comment	4244
05/01/2018	05/31/2018	STAT	20	No Comment	4224
05/01/2018	05/31/2018	WORK	10	No Comment	4214
06/01/2018	06/30/2018	FLAT	30	No Comment	4184
06/01/2018	06/30/2018	STAT	20	No Comment	4164
06/01/2018	06/30/2018	WORK	10	No Comment	4154
07/01/2018	07/31/2018	FLAT	31	No Comment	4123
07/01/2018	07/31/2018	STAT	20	No Comment	4103
07/01/2018	07/31/2018	WORK	10	Reduction for not working	4093
08/01/2018	08/31/2018	FLAT	31	No Comment	4062
08/01/2018	08/31/2018	STAT	20	No Comment	4042
08/01/2018	08/31/2018	WORK	10	No Comment	4032
08/22/2018	05/01/2019	MR_JS_SRS	30	ServSafe	4002
09/01/2018	09/30/2018	FLAT	30	No Comment	3972
09/01/2018	09/30/2018	STAT	20	No Comment	3952
09/01/2018	09/30/2018	WORK	10	No Comment	3942
09/21/2018	10/25/2018	MR_CP_CTC	15	Commitment to Change, Phase I	3927
10/01/2018	10/31/2018	FLAT	31	No Comment	3896
10/01/2018	10/31/2018	STAT	20	No Comment	3876

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10/01/2018	10/31/2018	WORK	8	Reduction for not working	3868
10/31/2018	11/21/2018	MR_CP_CTC	15	Commitment to Change, Phase II	3853
11/01/2018	11/30/2018	FLAT	30	No Comment	3823
11/01/2018	11/30/2018	STAT	20	No Comment	3803
11/01/2018	11/30/2018	WORK	10	No Comment	3793
12/01/2018	12/31/2018	FLAT	31	No Comment	3762
12/01/2018	12/31/2018	STAT	20	No Comment	3742
12/01/2018	12/31/2018	WORK	10	Reduction for not working	3732
12/05/2018	01/11/2019	MR_CP_CTC	15	Commitment to Change, Phase III	3717
01/01/2019	01/31/2019	FLAT	31	No Comment	3686
01/01/2019	01/31/2019	STAT	20	No Comment	3666
01/01/2019	01/31/2019	WORK	9	Reduction for not working	3657
01/07/2019	05/16/2019	MR_VC_CN	60	Construction	3597
02/01/2019	02/28/2019	FLAT	28	No Comment	3569
02/01/2019	02/28/2019	STAT	20	No Comment	3549
02/01/2019	02/28/2019	WORK	10	No Comment	3539
03/01/2019	03/31/2019	FLAT	31	No Comment	3508
03/01/2019	03/31/2019	STAT	20	No Comment	3488
03/01/2019	03/31/2019	WORK	10	No Comment	3478
04/01/2019	04/30/2019	FLAT	30	No Comment	3448
04/01/2019	04/30/2019	STAT	20	No Comment	3428
04/01/2019	04/30/2019	WORK	10	No Comment	3418
05/01/2019	05/31/2019	FLAT	31	No Comment	3387
05/01/2019	05/31/2019	STAT	20	No Comment	3367
05/01/2019	05/31/2019	WORK	10	No Comment	3357
06/01/2019	06/30/2019	FLAT	30	No Comment	3327
06/01/2019	06/30/2019	STAT	20	No Comment	3307
06/01/2019	06/30/2019	WORK	10	No Comment	3297
07/01/2019	07/31/2019	FLAT	31	No Comment	3266
07/01/2019	07/31/2019	STAT	20	No Comment	3246
07/01/2019	07/31/2019	WORK	10	No Comment	3236
08/01/2019	08/31/2019	FLAT	31	No Comment	3205
08/01/2019	08/31/2019	STAT	20	No Comment	3185
08/01/2019	08/31/2019	WORK	10	No Comment	3175
08/14/2019	01/16/2020	MR_VC_WEL	60	Welding - Re-Entry	3115
09/01/2019	09/30/2019	FLAT	30	No Comment	3085
09/01/2019	09/30/2019	STAT	20	No Comment	3065
09/01/2019	09/30/2019	WORK	10	No Comment	3055
10/01/2019	10/31/2019	FLAT	31	No Comment	3024
10/01/2019	10/31/2019	STAT	20	No Comment	3004
10/01/2019	10/31/2019	WORK	10	No Comment	2994
11/01/2019	11/30/2019	FLAT	30	No Comment	2964
11/01/2019	11/30/2019	STAT	20	No Comment	2944

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11/01/2019	11/30/2019	WORK	10	No Comment	2934
12/01/2019	12/31/2019	FLAT	31	No Comment	2903
12/01/2019	12/31/2019	STAT	20	No Comment	2883
12/01/2019	12/31/2019	WORK	10	No Comment	2873
01/01/2020	01/31/2020	FLAT	31	No Comment	2842
01/01/2020	01/31/2020	STAT	20	No Comment	2822
01/01/2020	01/31/2020	WORK	10	No Comment	2812
02/01/2020	02/29/2020	FLAT	29	No Comment	2783
02/01/2020	02/29/2020	STAT	20	No Comment	2763
02/01/2020	02/29/2020	WORK	10	No Comment	2753
03/01/2020	03/31/2020	FLAT	31	No Comment	2722
03/01/2020	03/31/2020	MR_SV_AB2	5	AB241 Credit: ARTF4954:	2717
03/01/2020	03/31/2020	STAT	20	No Comment	2697
03/01/2020	03/31/2020	WORK	10	No Comment	2687
04/01/2020	04/30/2020	FLAT	30	No Comment	2657
04/01/2020	04/30/2020	MR_SV_AB2	5	AB241 Credit: ARTF4954:	2652
04/01/2020	04/30/2020	STAT	20	No Comment	2632
04/01/2020	04/30/2020	WORK	10	No Comment	2622
05/01/2020	05/31/2020	FLAT	31	No Comment	2591
05/01/2020	05/31/2020	MR_SV_AB2	5	AB241 Credit: ARTF4954:	2586
05/01/2020	05/31/2020	STAT	20	No Comment	2566
05/01/2020	05/31/2020	WORK	0	Reduction for not working	2566
05/12/2020	07/23/2020	MR_CP_AM	15	Anger Management for Substance Abuse and Mental	2551
06/01/2020	06/30/2020	FLAT	30	No Comment	2521
06/01/2020	06/30/2020	MR_SV_AB2	5	AB241 Credit: ARTF4954:	2516
06/01/2020	06/30/2020	STAT	20	No Comment	2496
06/01/2020	06/30/2020	WORK	10	No Comment	2486
07/01/2020	07/31/2020	FLAT	31	No Comment	2455
07/01/2020	07/31/2020	MR_SV_AB2	5	AB241 Credit: ARTF4954:	2450
07/01/2020	07/31/2020	STAT	20	No Comment	2430
07/01/2020	07/31/2020	WORK	10	No Comment	2420
08/01/2020	08/31/2020	FLAT	31	No Comment	2389
08/01/2020	08/31/2020	MR_SV_AB2	5	AB241 Credit: ARTF4954:	2384
08/01/2020	08/31/2020	STAT	20	No Comment	2364
08/01/2020	08/31/2020	WORK	10	No Comment	2354
09/01/2020	09/30/2020	FLAT	30	No Comment	2324
09/01/2020	09/30/2020	MR_SV_AB2	5	AB241 Credit: ARTF4954:	2319
09/01/2020	09/30/2020	STAT	20	No Comment	2299
09/01/2020	09/30/2020	WORK	10	No Comment	2289
10/01/2020	10/31/2020	FLAT	31	No Comment	2258
10/01/2020	10/31/2020	MR_SV_AB2	5	AB241 Credit: ARTF4954:	2253
10/01/2020	10/31/2020	STAT	20	No Comment	2233
10/01/2020	10/31/2020	WORK	10	No Comment	2223

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: BIGGS, CLYDE - 0001170985

Sentence: 1

Count: 1

Current Earned Expiration Date: 03/17/2026

Case	Sentence Dt	JC	Retro Dt	MAX Term	Days Owed	PED	PEXD	Status
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	11/14/2023	A

From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
11/01/2020	11/30/2020	FLAT	30	No Comment	2193
11/01/2020	11/30/2020	MR_SV_AB2	5	AB241 Credit: ARTF4954:	2188
11/01/2020	11/30/2020	STAT	20	No Comment	2168
11/01/2020	11/30/2020	WORK	10	No Comment	2158
12/01/2020	12/31/2020	FLAT	31	No Comment	2127
12/01/2020	12/31/2020	MR_SV_AB2	5	AB241 Credit: ARTF4954:	2122
12/01/2020	12/31/2020	STAT	20	No Comment	2102
12/01/2020	12/31/2020	WORK	10	No Comment	2092
01/01/2021	01/31/2021	FLAT	31	No Comment	2061
01/01/2021	01/31/2021	MR_SV_AB2	5	AB241 Credit: ARTF4954:	2056
01/01/2021	01/31/2021	STAT	20	No Comment	2036
01/01/2021	01/31/2021	WORK	10	No Comment	2026
02/01/2021	02/28/2021	FLAT	28	No Comment	1998
02/01/2021	02/28/2021	MR_SV_AB2	5	AB241 Credit: ARTF4954:	1993
02/01/2021	02/28/2021	STAT	20	No Comment	1973
02/01/2021	02/28/2021	WORK	10	No Comment	1963
03/01/2021	03/31/2021	FLAT	31	No Comment	1932
03/01/2021	03/31/2021	STAT	20	No Comment	1912
03/01/2021	03/31/2021	WORK	10	No Comment	1902
04/01/2021	04/30/2021	FLAT	30	No Comment	1872
04/01/2021	04/30/2021	STAT	20	No Comment	1852
04/01/2021	04/30/2021	WORK	10	No Comment	1842
05/01/2021	05/31/2021	FLAT	31	No Comment	1811
05/01/2021	05/31/2021	STAT	20	No Comment	1791
05/01/2021	05/31/2021	WORK	10	Reduction for not working	1781
06/01/2021	06/30/2021	FLAT	30	No Comment	1751
06/01/2021	06/30/2021	STAT	20	No Comment	1731
06/01/2021	06/30/2021	WORK	10	No Comment	1721
07/01/2021	07/31/2021	FLAT	31	No Comment	1690
07/01/2021	07/31/2021	STAT	20	No Comment	1670
07/01/2021	07/31/2021	WORK	10	No Comment	1660
08/01/2021	08/31/2021	FLAT	31	No Comment	1629
08/01/2021	08/31/2021	STAT	20	No Comment	1609
08/01/2021	08/31/2021	WORK	10	No Comment	1599
09/01/2021	09/30/2021	FLAT	30	No Comment	1569
09/01/2021	09/30/2021	STAT	20	No Comment	1549
09/01/2021	09/30/2021	WORK	10	No Comment	1539
10/01/2021	10/31/2021	FLAT	31	No Comment	1508
10/01/2021	10/31/2021	STAT	20	No Comment	1488
10/01/2021	10/31/2021	WORK	10	No Comment	1478
11/01/2021	11/30/2021	FLAT	30	No Comment	1448
11/01/2021	11/30/2021	STAT	20	No Comment	1428
11/01/2021	11/30/2021	WORK	10	No Comment	1418

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Offender: BIGGS, CLYDE - 0001170985

Sentence: 1

Count: 1

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Case	Sentence Dt	JC	Retro Dt	MAX Term	Days Owed	PED	PEXD	Status
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	11/14/2023	A

From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
12/01/2021	12/31/2021	FLAT	31	No Comment	1387
12/01/2021	12/31/2021	STAT	20	No Comment	1367
12/01/2021	12/31/2021	WORK	10	No Comment	1357
01/01/2022	01/31/2022	FLAT	31	No Comment	1326
01/01/2022	01/31/2022	STAT	20	No Comment	1306
01/01/2022	01/31/2022	WORK	10	No Comment	1296
02/01/2022	02/28/2022	FLAT	28	No Comment	1268
02/01/2022	02/28/2022	STAT	20	No Comment	1248
02/01/2022	02/28/2022	WORK	10	No Comment	1238
03/01/2022	03/31/2022	FLAT	31	No Comment	1207
03/01/2022	03/31/2022	STAT	20	No Comment	1187
03/01/2022	03/31/2022	WORK	10	No Comment	1177
04/01/2022	04/30/2022	FLAT	30	No Comment	1147
04/01/2022	04/30/2022	STAT	20	No Comment	1127
04/01/2022	04/30/2022	WORK	10	No Comment	1117
05/01/2022	05/31/2022	FLAT	31	No Comment	1086
05/01/2022	05/31/2022	STAT	20	No Comment	1066
05/01/2022	05/31/2022	WORK	10	No Comment	1056
06/01/2022	06/30/2022	FLAT	30	No Comment	1026
06/01/2022	06/30/2022	STAT	20	No Comment	1006
06/01/2022	06/30/2022	WORK	10	No Comment	996
07/01/2022	07/31/2022	FLAT	31	No Comment	965
07/01/2022	07/31/2022	STAT	20	No Comment	945
07/01/2022	07/31/2022	WORK	10	No Comment	935
08/01/2022	08/31/2022	FLAT	31	No Comment	904
08/01/2022	08/31/2022	STAT	20	No Comment	884
08/01/2022	08/31/2022	WORK	10	No Comment	874
09/01/2022	09/30/2022	FLAT	30	No Comment	844
09/01/2022	09/30/2022	STAT	20	No Comment	824
09/01/2022	09/30/2022	WORK	10	No Comment	814
10/01/2022	10/31/2022	FLAT	31	No Comment	783
10/01/2022	10/31/2022	STAT	20	No Comment	763
10/01/2022	10/31/2022	WORK	10	No Comment	753
11/01/2022	11/30/2022	FLAT	30	No Comment	723
11/01/2022	11/30/2022	STAT	20	No Comment	703
11/01/2022	11/30/2022	WORK	10	No Comment	693
12/01/2022	12/31/2022	FLAT	31	No Comment	662
12/01/2022	12/31/2022	STAT	20	No Comment	642
12/01/2022	12/31/2022	WORK	10	No Comment	632
01/01/2023	01/31/2023	FLAT	31	No Comment	601
01/01/2023	01/31/2023	STAT	20	No Comment	581
01/01/2023	01/31/2023	WORK	10	No Comment	571
02/01/2023	02/28/2023	FLAT	28	No Comment	543

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: BIGGS, CLYDE - 0001170985

Sentence: 1

Count: 1

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Case	Sentence Dt	JC	Retro Dt	MAX Term	Days Owed	PED	PEXD	Status
C270005-2	12/29/2016	2244	11/07/2010	25y 0m 0d	9131	11/06/2020	11/14/2023	A

From Date	To Date	Adjust Code	Adjust Days	Comments	Days Remaining
02/01/2023	02/28/2023	STAT	20	No Comment	523
02/01/2023	02/28/2023	WORK	10	No Comment	513
03/01/2023	03/31/2023	FLAT	31	No Comment	482
03/01/2023	03/31/2023	STAT	20	No Comment	462
03/01/2023	03/31/2023	WORK	10	No Comment	452
04/01/2023	04/30/2023	FLAT	30	No Comment	422
04/01/2023	04/30/2023	STAT	20	No Comment	402
04/01/2023	04/30/2023	WORK	10	No Comment	392
05/01/2023	05/31/2023	FLAT	31	No Comment	361
05/01/2023	05/31/2023	STAT	20	No Comment	341
05/01/2023	05/31/2023	WORK	10	No Comment	331
06/01/2023	06/30/2023	FLAT	30	No Comment	301
06/01/2023	06/30/2023	STAT	20	No Comment	281
06/01/2023	06/30/2023	WORK	10	No Comment	271
07/01/2023	07/31/2023	FLAT	31	No Comment	240
07/01/2023	07/31/2023	STAT	20	No Comment	220
07/01/2023	07/31/2023	WORK	10	No Comment	210
08/01/2023	08/31/2023	FLAT	31	No Comment	179
08/01/2023	08/31/2023	STAT	20	No Comment	159
08/01/2023	08/31/2023	WORK	10	No Comment	149
09/01/2023	09/30/2023	FLAT	30	No Comment	119
09/01/2023	09/30/2023	STAT	20	No Comment	99
09/01/2023	09/30/2023	WORK	10	No Comment	89
10/01/2023	10/31/2023	FLAT	31	No Comment	58
10/01/2023	10/31/2023	STAT	20	No Comment	38
10/01/2023	10/31/2023	WORK	10	No Comment	28
11/01/2023	11/14/2023	FLAT	14	No Comment	14
11/01/2023	11/14/2023	STAT	10	No Comment	4
11/01/2023	11/14/2023	WORK	4	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.

Heather Shuman
CLERK OF THE COURT

27

1 Clyde Biggs # 1170985
2 High Desert State Prison
3 P.O. Box 650
4 Indian Springs, NV 89070

5 IN PRO-PER

6

7

District Court

8

Clark County, Nevada

9

10 Clyde Biggs

11 Petitioner,

CASE NO: A-21-837467-W

12 vs.

Dept NO: XXIV

13 Calvin Johnson

14 Defendant(s)

15

16 MOTION TO GRANT PETITIONERS "Petition For Writ OF HABEAS
17 CORPUS", Credits for completion OF Vocational Education AND TRAINING OR
18 other Programs (NRS 209.449)(NRS 34.724(2)(c)).

19

20 This matter comes before the Honorable court on Petitioner Clyde
21 Biggs's Petition For Writ OF HABEAS CORPUS.

22

23 On June 23rd, 2021 Petitioner mailed the above-mentioned "Petition For Writ

RECEIVED

24 OF HABEAS CORPUS", to the clerk of the court. The "Petition" was received by the
25 District Court clerk's office on June 29, 2021. The "Petition" For Writ of

CLERK OF THE COURT

26 HABEAS CORPUS" was officially filed with the District Court on July 7, 2021

27 and a scheduled date for hearing the "Petition For Writ OF HABEAS CORPUS"

28

Pg 1

1 was set at that time, for September 7, 2021. It should be noted,
2 and is a part of the court's record (as well as prison mail logs), that at the
3 time the petitioner sent the "Petition For writ OF HABEAS CORPUS," the petitioner
4 also sent a copy of the "Petition For writ OF HABEAS CORPUS" to the office
5 OF THE NEVADA Attorney General. SEE Certificate of Service Attached to
6 the "Petition For writ OF HABEAS CORPUS," (final page of petition).

7
8 Rule 13(3) of the Rules of District Court of the
9 State of Nevada states:

10 ("3) Within 10 days after service of the motion, the opposing
11 party shall serve and file his written opposition thereto, together with a
12 memorandum of points and authorities and supporting affidavits, if any, stating
13 facts showing why the motion should be denied. Failure of the opposing party
14 to serve and file his written opposition may be construed as an admission
15 that the motion is meritorious and a consent to granting the same."

16
17 As of the time of the filing of this motion to Grant
18 Petitioner's "Petition For writ OF HABEAS CORPUS" and "ORDER" granting same,
19 there has been absolutely no opposition served on the petitioner nor filed
20 with the court.

21
22 The Honorable Court, Dept. XXIV, ORDERED the Defendant,
23 Calvin Johnson to file any motion it deems necessary within 30 days of filing
24 of that ORDER which was filed on July 8, 2021.

25
26 The Honorable Court ~~also~~ ORDERED the Defendant, Calvin Johnson
27 that if no motion was filed that they have 45 days after date of that

1 Some ORDER to file an answer or otherwise respond to the petition. It is
2 Now August 23, 2021 and as said above, no opposition or any answer or
3 response was served on the petitioner nor filed with the court.

4
5 Therefore, petitioner request this Honorable Court to Grant
6 the petitioners' "Petition For writ OF HABEAS CORPUS" in accordance with rule
7 13(3) of the Rules of the District Court of the state of Nevada.

8
9 Attached hereto, is a Court ORDER prepared by the
10 petitioner for the Granting of this Motion to Grant Petitioners, "Petition
11 For writ OF HABEAS CORPUS."

12
13 Dated this 23rd day of August, 2021

14
15 Clyde Biggs

16
17 Clyde Biggs #1170985

18 Petitioner in Pro-PER

19 High Desert State Prison

20 P.O. Box 650

21 INDIAN SPRINGS, NV 89070

Affirmation

Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding "Motion to Grant Petitioner's
Petition For writ OF HABEAS CORPUS" filed in District Court, case number A-21-837467-W,
does not contain the Social Security number of any person.

Dated this 23rd day of August, 2021

Clyde Biggs

Clyde Biggs # 1170985

IN PRO-PER

Certificate of Service

I, Clyde Biggs, hereby certify, pursuant to NRCP 5(b), that on this 23rd day
of August, 2021, I mailed a true and correct copy of the foregoing "Motion to Grant Petitioner's
Petition For writ OF HABEAS CORPUS" credits for completion of Vocational Education And TRAINING
or other programs (NRS 209.449 (NRS 34.724 (2)(c))) and "ORDER", placing said documents
into the unit mailbox, postage paid, and addressed as follows:

Steven D. Emerson, clerk of the Court	Office of Nevada Attorney General
200 Lewis Avenue 3rd Floor	555 E. Washington Ave., Ste 3900
Las Vegas, NV 89155	Las Vegas, NV 89101-1068

Dated this 23rd day of August, 2021

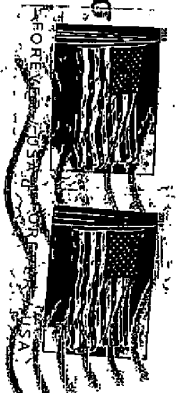
Clyde Biggs

Clyde Biggs # 1170985 in pro-per

P.O. Box 650 Indian Springs, NV 89070

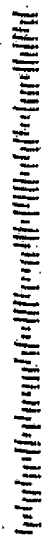
Hyde Briggs # 1170985
FDS #
20. Box 650
Indian Springs, NV 89670

LAS VEGAS NV 890
24 AUG 2021 PM 4



Steven D. Gabrierson Clerk of the Court
200 Lewis Avenue 3rd Floor
Las Vegas, NV 89155

63101-630000



Intercepted mail 1 seen

UNIT 9

AUG 28 2021

HIGH DESERT STATE PRISON

LEFT SIDE
OF FILE PLEASE

1 Clyde Biggs[#] 1170985
2 HIGH Desert State Prison
3 P.O. Box 650
4 INDIAN SPRINGS, NV 89070
5 IN Pro-Per

6
7 District Court
8 Clark County, Nevada
9

10 Clyde Biggs	
11 Petitioner	CASE NO: A-21-837467-W
12 vs.	Dept NO: XXIV
13 Calvin Johnson	
14 Defendant(s)	

15

16

ORDER

17

18 IT IS HEREBY ORDERED that pursuant to Rule 13(3) of the
19 Rules of the District Court of the State of Nevada, that this
20 Honorable Court finds that the opposing party, Calvin Johnson admits that
21 Petitioner's "Petition FOR Writ OF HABEAS CORPUS" is meritorious and consents
22 to granting the same.

23

24 IT IS FURTHER ORDERED that Defendant(s) Calvin Johnson
25 shall credit the 264 days of earned vocational and mental Health class
26 completion days by deducting the 264 days from Petitioner's current but
27 incorrect PEXD which is titled "Projected Expiration Date", which is currently
28

1 11-14-23. This 264 days is the balance of the 480 days earned that
2 petitioner didn't receive or had deducted from her PEXD as it should have.
3 This correction would bring petitioner Clyde Biggs' PEXD to February 26, 2023.
4 Due to a bill that currently pass, AB 241, ORDERING NDOC to give inmates 5 days
5 a month from March 2020 thru June 30th 2021, Petitioner's PEXD moved from 12/15/23
6 to the current incorrect PEXD of 11-14-23 just to be clear of the change of PEXD
7 12/15/23 in "Petition For writ OF HABEAS CORPUS and current incorrect PEXD 11-14-23.

8
9 IT IS FURTHER ORDERED that All future vocational and mental
10 Health or Educational completed class credit days be deducted from petitioner
11 Clyde Biggs' PEXD, "Projected Expiration Date", by full days Allowed under
12 NRS 209.449 and 209.4465 for completed courses.

13
14 IT IS FURTHER ORDERED that the "Petition For writ OF
15 HABEAS CORPUS" is GRANTED.

16 IT IS SO ORDERED.

17
18 Dated this _____ day of _____ 2021

19
20
21
22
23
24
25 District Court Judge

26 Prepared by: Clyde Biggs in Pro-Pec

27
28 Pg 2



OPPM
AARON D. FORD
Attorney General
Trisha Chapman (Bar No. 12716)
Deputy Attorney General
State of Nevada
Office of the Nevada Attorney General
555 E. Washington Avenue, Ste. 3900
Las Vegas, Nevada 89101
Phone: (702) 486-3107
Fax: (702) 486-2377
tchapman@ag.nv.gov
Attorneys for Respondent

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR CLARK COUNTY

CLYDE BIGGS,

Petitioner,

vs.

CALVIN JOHNSON,

Respondent.

Case No. A-21-837467-W

Dept. No. XXIV

**RESPONDENT'S OPPOSITION TO MOTION TO GRANT
PETITION FOR WRIT OF HABEAS CORPUS**

Respondent opposes Petitioner Clyde Biggs' Motion to Grant his Petition for Writ of Habeas Corpus. This opposition is based on the following points and authorities, together with all other pleadings, documents and exhibits on file herein.

MEMORANDUM OF POINTS AND AUTHORITIES

BACKGROUND

Petitioner Clyde Biggs (Biggs) filed his Petition for Writ of Habeas Corpus on July 7, 2021. This Court issued a scheduling order on July 8, 2021, which gave Respondent 45 days after the date of the order to respond to Biggs' petition. Respondent's deadline to respond was August 23, 2021.¹ Respondent filed its response on August 19, 2021.

Biggs' instant motion asks this Court to grant his petition for Respondent's alleged failure to file a response to his petition.

¹ Initial deadline of August 22, 2021 fell on a Sunday so per local rules the deadline was moved to the following business day of August 23, 2021.

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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: September 30, 2021.

AARON D. FORD
Attorney General

By: /s/ Trisha Chapman
Trisha Chapman, Bar No.: 12716
Deputy Attorney General

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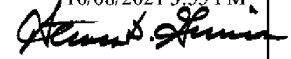
CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing *Opposition to Motion to Grant Petition for Writ of Habeas Corpus* with the Clerk of the Court by using the electronic filing system on September 30, 2021.

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 at his last known address:

Clyde Biggs, #1170985
c/o High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070-0650

/s/ M. Landreth
An employee of the Office of the Attorney General


CLERK OF THE COURT

1 **DAO**

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

9
10 CLYDE BIGGS,

11 Petitioner,

12 vs.

13 CALVIN JOHNSON,

14 Respondent.

Case No. A-21-837467-W

Dept. No. XXIV

DECISION AND ORDER
DENYING PETITION FOR
WRIT OF HABEAS CORPUS

15
16
17 This matter having come before this Court on October 4, 2021, for review of Clyde Biggs' Petition
18 for Writ of Habeas Corpus filed on July 7, 2021 and Respondent's¹ response filed on August 19, 2021.
19 The Court having considered all papers and pleadings on file and having determined that no argument is
20 necessary and good cause appearing,
21

22 THE COURT FINDS that Clyde Biggs is currently incarcerated at High Desert State Prison in
23 Clark County, Nevada giving this Court jurisdiction to adjudicate his time computation challenge
24 pursuant to NRS 34.738.

25 ///

26
27 ¹ Biggs identified Warden, Calvin Johnson, High Desert State Prison (HDSP), Offender
28 Management Division (OMD) and the State of Nevada as respondents in this petition. Under NRS
34.370(2), the proper respondent in a state post-conviction is the "officer or other person by whom the
petition is confined or restrained," which is Warden, Calvin Johnson. Therefore, this Court dismisses
HDSP, OMD and the State of Nevada from this action.

1 THE COURT FURTHER FINDS that the instant petition is Biggs' fourth petition challenging
2 the application of credit to his sentence. Biggs filed time computation petitions in cases, A-17-755397-
3 W (denied for failure to serve petition on Respondent); A-19-794378-W (denied on the merits); and A-
4 20-822591-W (denied for failure to exhaust administrative remedies).

5
6 THE COURT FURTHER FINDS that to the extent that Biggs is challenging the amount of work
7 credit applied to his sentence, his claim is dismissed as a second or successive petition pursuant to NRS
8 34.810(2). Biggs previously raised this claim in A-19-794378-W and the district court denied his petition
9 finding an inmate must perform work to receive credit and he cannot claim a liberty interest in credit for
10 work that was not assigned; even when he was able and willing to work. The state district court's ruling
11 was affirmed by the Nevada Supreme Court in case 79644. Biggs modified his instant argument to include
12 the period of January 2017 through July 2017, 2020 and 2021 but the same arguments that prevented an
13 additional award of credit in his prior petition is still applicable to his instant request.


14
15 THE COURT FURTHER FINDS that to the extent Biggs is challenging work credits due to his
16 restrictive classification at HDSP for the months of January 2017 through August 2017, his claim is not
17 cognizable. Nevada's post-conviction petition for writ of habeas corpus is not a proper means for an
18 inmate to challenge conditions of confinement, including his placement in a more restrictive correctional
19 setting. *Bowen v. Warden*, 100 Nev. 489, 490, 686 P.2d 250, 250 (1984) (in addressing "the specific
20 question raised by this appeal, whether the imposition of a qualitatively more restrictive type of
21 confinement within the prison, such as punitive segregation, may be challenged by a petition for writ of
22 habeas corpus [w]e now hold such a challenge speaks only to the conditions of confinement and therefore
23 may not be raised by a habeas corpus petition."

24
25 THE COURT FURTHER FINDS that the Nevada Department of Corrections properly awarded
26 all meritorious credit against Biggs' sentence for the 11 classes and/or programs completed from 2017 to
27 2020 asserted in his petition in compliance with NRS 209.4465.

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THEREFORE,
IT IS HEREBY ORDERED that Biggs' Petition for Writ of Habeas Corpus is DENIED.
IT IS FURTHER ORDERED that the hearing scheduled for October 5, 2021 is VACATED.
DATED this ____ day of October 2021.

Dated this 8th day of October, 2021

DISTRICT COURT JUDGE
9CB 5F9 4422 7B5E
Erika Ballou
District Court Judge

Respectfully Submitted by:
AARON D. FORD
Attorney General

/s/ Trisha Chapman
Trisha Chapman, Bar No.: 12716
Deputy Attorney General
State of Nevada
Office of the Attorney General
555 E. Washington Avenue, Ste. 3900
Las Vegas, Nevada 89101
Phone: (702) 486-3107
Fax: (702) 486-2377
TChapman@ag.nv.gov
Attorneys for Respondents

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Clyde Biggs, Plaintiff(s)

CASE NO: A-21-837467-W

7 vs.

DEPT. NO. Department 24

8 Calvin Johnson, Defendant(s)

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Decision and Order was served via the court's electronic eFile system
13 to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 10/8/2021

15 Marsha Landreth

mlandreth@ag.nv.gov

16 Rikki Garate

rgarate@ag.nv.gov

17 Trisha Chapman

TChapman@ag.nv.gov

18 Cheryl Martinez

cjmartinez@ag.nv.gov



1 NEOJ

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

4
5 CLYDE BIGGS,

6 Petitioner,

Case No: A-21-837467-W

Dept. No: XXIV

7 vs.

8 CALVIN JOHNSON; ET AL.,

9 Respondent,

10 **NOTICE OF ENTRY OF ORDER**

11 **PLEASE TAKE NOTICE** that on October 8, 2021, 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 mailed
15 to you. This notice was mailed on October 11, 2021.

16 STEVEN D. GRIERSON, CLERK OF THE COURT

17 /s/ Heather Ungermann

18 Heather Ungermann, Deputy Clerk

19 **CERTIFICATE OF E-SERVICE / MAILING**

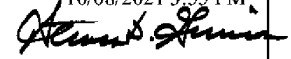
20 I hereby certify that on this 11 day of October 2021, I served a copy of this Notice of Entry on the
21 following:

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 Clyde Biggs # 1170985
26 P.O. Box 650
Indian Springs, NV 89070

27 /s/ Heather Ungermann

28 Heather Ungermann, Deputy Clerk


CLERK OF THE COURT

1 **DAO**

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

9
10 CLYDE BIGGS,

11 Petitioner,

12 vs.

13 CALVIN JOHNSON,

14 Respondent.

Case No. A-21-837467-W

Dept. No. XXIV

DECISION AND ORDER
DENYING PETITION FOR
WRIT OF HABEAS CORPUS

15
16
17 This matter having come before this Court on October 4, 2021, for review of Clyde Biggs' Petition
18 for Writ of Habeas Corpus filed on July 7, 2021 and Respondent's¹ response filed on August 19, 2021.
19 The Court having considered all papers and pleadings on file and having determined that no argument is
20 necessary and good cause appearing,
21

22 THE COURT FINDS that Clyde Biggs is currently incarcerated at High Desert State Prison in
23 Clark County, Nevada giving this Court jurisdiction to adjudicate his time computation challenge
24 pursuant to NRS 34.738.

25 ///

26
27 ¹ Biggs identified Warden, Calvin Johnson, High Desert State Prison (HDSP), Offender
28 Management Division (OMD) and the State of Nevada as respondents in this petition. Under NRS
34.370(2), the proper respondent in a state post-conviction is the "officer or other person by whom the
petition is confined or restrained," which is Warden, Calvin Johnson. Therefore, this Court dismisses
HDSP, OMD and the State of Nevada from this action.

1 THE COURT FURTHER FINDS that the instant petition is Biggs' fourth petition challenging
2 the application of credit to his sentence. Biggs filed time computation petitions in cases, A-17-755397-
3 W (denied for failure to serve petition on Respondent); A-19-794378-W (denied on the merits); and A-
4 20-822591-W (denied for failure to exhaust administrative remedies).

5
6 THE COURT FURTHER FINDS that to the extent that Biggs is challenging the amount of work
7 credit applied to his sentence, his claim is dismissed as a second or successive petition pursuant to NRS
8 34.810(2). Biggs previously raised this claim in A-19-794378-W and the district court denied his petition
9 finding an inmate must perform work to receive credit and he cannot claim a liberty interest in credit for
10 work that was not assigned; even when he was able and willing to work. The state district court's ruling
11 was affirmed by the Nevada Supreme Court in case 79644. Biggs modified his instant argument to include
12 the period of January 2017 through July 2017, 2020 and 2021 but the same arguments that prevented an
13 additional award of credit in his prior petition is still applicable to his instant request.

14
15 THE COURT FURTHER FINDS that to the extent Biggs is challenging work credits due to his
16 restrictive classification at HDSP for the months of January 2017 through August 2017, his claim is not
17 cognizable. Nevada's post-conviction petition for writ of habeas corpus is not a proper means for an
18 inmate to challenge conditions of confinement, including his placement in a more restrictive correctional
19 setting. *Bowen v. Warden*, 100 Nev. 489, 490, 686 P.2d 250, 250 (1984) (in addressing "the specific
20 question raised by this appeal, whether the imposition of a qualitatively more restrictive type of
21 confinement within the prison, such as punitive segregation, may be challenged by a petition for writ of
22 habeas corpus [w]e now hold such a challenge speaks only to the conditions of confinement and therefore
23 may not be raised by a habeas corpus petition."

24
25 THE COURT FURTHER FINDS that the Nevada Department of Corrections properly awarded
26 all meritorious credit against Biggs' sentence for the 11 classes and/or programs completed from 2017 to
27 2020 asserted in his petition in compliance with NRS 209.4465.

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THEREFORE,
IT IS HEREBY ORDERED that Biggs' Petition for Writ of Habeas Corpus is DENIED.
IT IS FURTHER ORDERED that the hearing scheduled for October 5, 2021 is VACATED.
DATED this ____ day of October 2021.

Dated this 8th day of October, 2021



DISTRICT COURT JUDGE

9CB 5F9 4422 7B5E

Erika Ballou
District Court Judge

Respectfully Submitted by:
AARON D. FORD
Attorney General

/s/ Trisha Chapman
Trisha Chapman, Bar No.: 12716
Deputy Attorney General
State of Nevada
Office of the Attorney General
555 E. Washington Avenue, Ste. 3900
Las Vegas, Nevada 89101
Phone: (702) 486-3107
Fax: (702) 486-2377
TChapman@ag.nv.gov
Attorneys for Respondents

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Clyde Biggs, Plaintiff(s)

CASE NO: A-21-837467-W

7 vs.

DEPT. NO. Department 24

8 Calvin Johnson, Defendant(s)

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Decision and Order was served via the court's electronic eFile system
13 to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 10/8/2021

15 Marsha Landreth

mlandreth@ag.nv.gov

16 Rikki Garate

rgarate@ag.nv.gov

17 Trisha Chapman

TChapman@ag.nv.gov

18 Cheryl Martinez

cjmartinez@ag.nv.gov

Steven D. Grierson

- 1 Clyde Biggs #
- 2 High Desert State Prison
- 3 P.O. Box 650
- 4 Indian Springs, NV 89070
- 5 in-Pro-Per

- 6
- 7 District Court
- 8 Clark County, Nevada
- 9

- | | |
|----------------------------|------------------------|
| 10 Clyde Biggs, | |
| 11 Appellant / Petitioner, | Case NO: A-21-837467-W |
| 12 VS. | Dept NO: XXIV |
| 13 Calvin Johnson | |
| 14 _____ | Defendants |

- 15
- 16 Notice Of Appeal
- 17

18 Notice is hereby given that above-named Petitioner/Appellant
19 Clyde Biggs, hereby Appeals to the Supreme Court of Nevada
20 from the final Judgement and Order on the "Petition For writ
21 OF HABEAS CORPUS", credits For completion of Vocational Education and
22 TRAINING OR other Programs (NRS 209.449), which was pronounced at the
23 September 7, 2021 hearing for said matter.

24
25 Petitioner/Appellant was not present at the September
26 7, 2021 "Hearing", has not been served any minutes from the Court
27 concerning said "Hearing". ~~DO NOT SIGN THIS ORDER~~

1 Petitioner/Appellant now files this "Notice of
2 Appeal" in order to do everything in his power to not
3 become procedurally barred, despite what seems to be a
4 concerted and coordinated effort on the parts of both the
5 Respondent ~~Ch~~Win Johnson and the Clerk of the Court,
6 to prevent the pursuit of this action, as it could potentially
7 affect thousands of similarly situated inmates.

8
9 Pursuant to Nevada Rules of Appellate Procedure, Rule 3 -
10 (f)(2), as Appellant is not represented by counsel, he is relying on the
11 District Court clerk to complete and sign the case appeal statement
12 for compliance with the District Court's duty to complete case appeal
13 statement.

14
15 Dated this 12th Day of October, 2021

16 Clyde Biggs
17 Clyde Biggs # 1170905
18 HDSP
19 P.O. Box 650
20 INDIAN SPRINGS, NV 89070
21 IN-PRC-PER
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Affirmation

Pursuant to NRS 239 B.030

The undersigned does hereby affirm that the preceding ~~notice~~
"Notice of Appeal", filed in District Court, case number
A-21-837467-W, does not contain the social security number of
any person.

Dated this 12th day of October
2021

Clyde Biggs
Clyde Biggs #1170985
IN PRO-PER

Certificate of Service

I, Clyde Biggs, hereby certify, pursuant to NRCF §(b), that on this
12th day of October, 2021, I mailed a true and correct copy of the
foregoing "Notice of Appeal", placing said documents into the unit
mailbox, postage paid, and addressed as follows:

Steven D. Grierson, clerk of the court
200 Lewis Avenue 3rd floor
Las Vegas, NV 89155

Dated this 12th day of October, 2021

Clyde Biggs
Clyde Biggs #1170985
P.O. Box 650 Indian Springs, NV 89070
IN-PRO-PER

Ulyde Briggs #1170985

HDS#

P.O. Box 650

Indian Springs, NV 89070

3762

Steven D. Gerson, Clerk of the Court
200 Lewis Avenue 3rd Floor
Las Vegas, NV 89155

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Steven D. Grierson

1 Clyde Biggs #1170485
2 High Desert State Prison
3 P.O. Box 650
4 INDIAN SPRINGS, NV 89070
5 In Pro-Per

6 ~~XXXXXXXXXX~~
7 District Court
8 Clark County, Nevada
9

10 Clyde Biggs, 11 Petitioner/Appellant, 12 vs. 13 Calvin Johnson 14 Defendant(s)	CASE NO: A-21-837467-W Dept NO: XXIV
---	---

15
16 Designation of Record on Appeal
17 Comes now, Clyde Biggs, Petitioner/Appellant in the above
18 entitled matter and designates the following as the Record on Appeal:
19 Judgement of conviction filed on _____;
20 NRS 209.449, credits for completion of Vocational Education
21 and training or other programs;
22 The Constitution of the United States of
23 America, and all its incorporated amendments,
24 The Petition For writ of Habeas Corpus, filed on
25 July 7, 2021;
26 The Order Filed by the District Court, now
27 under Appeal;

1 Any and all other papers, pleadings, orders or
2 decisions on file herein, incorporated under the above-
3 captioned Case Number.

4
5 Pursuant to Nevada Rules of Appellate Procedure,
6 Rule 3(f)(2), as Appellant is not represented by counsel, he is
7 relying on the district court clerk to complete and sign the
8 case appeal statement for compliance with the District Courts
9 duty to complete case appeal statement.

10
11 Dated this 12th day of October 2021

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Clyde Biggs
Clyde Biggs #1170995
HDSP
P.O. Box 650
INDIAN SPRINGS, NV 89070
IN PRO PER

Affirmation

Puruant to NRS 239 B 030

The undersigned does hereby affirm that the preceding
"Designation of Record on Appeal", filed in District Court, Case-
Number A-21-837467-W, does not contain the Social Security
Number of any person.

Dated this 12th day of October
2021

Clyde Biggs
Clyde Biggs #1170985
IN-PRO-PCR

Certificate of Service

I, Clyde Biggs, hereby certify, pursuant to NRC P 5(b), that on
this 12th day of October, 2021, I mailed a true and correct
copy of the foregoing "Designation of Record on Appeal", placing said
documents into the unit mailbox, postage paid, and addressed as follows:

Steven D. Grierson, clerk of the Court
200 Lewis Avenue 3rd floor
Las Vegas, NV 89155

Dated this 12th day of October, 2021

Clyde Biggs
Clyde Biggs #1170985
P.O. Box 650 Indian Springs, NV 89070
IN-PRO-PCR



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CLYDE BIGGS,

11

Plaintiff(s),

12

vs.

13

14

CALVIN JOHNSON, WARDEN; HDSP;
OFFENDER MANAGEMENT DIV.; STATE OF
NEVADA,

15

16

Defendant(s),

17

18

CASE APPEAL STATEMENT

19

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1. Appellant(s): Clyde Biggs

2. Judge: Erika Ballou

3. Appellant(s): Clyde Biggs

Counsel:

Clyde Biggs #1170985
P.O. Box 650
Indian Springs, NV 89070

4. Respondent (s): Calvin Johnson, Warden; HDSP; Offender Management Div.; State of
Nevada

Counsel:

Aaron D. Ford, Attorney General
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. Has Appellant Ever Been 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: July 7, 2021

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 27 day of October 2021.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

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

cc: Clyde Biggs

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

October 04, 2021

A-21-837467-W Clyde Biggs, Plaintiff(s)
vs.
Calvin Johnson, Defendant(s)

October 04, 2021 2:30 PM Minute Order

HEARD BY: Ballou, Erika **COURTROOM:** Chambers

COURT CLERK:
Ro'Shell Hurtado

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The Court having considered all papers and pleadings on file and having determined that no argument is necessary hereby DENIES Petitioner s Petition for Habeas Corpus under NRS 34.810(2) as a second or successive petition. Additionally, he has been properly awarded credit against his sentence in compliance with NRS 209.4465 as set forth in the Response prepared by the State. The hearing scheduled for October 5, 2021, is hereby VACATED.

The State is to promptly prepare an order.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Ro'Shell Hurtado, to all registered parties for Odyssey File & Serve; Mailed to: Clyde Biggs, HDSP # 1170985, P.O.Box 650, Indian Springs, NV, 89070.//rh10.04.21

Certification of Copy and Transmittal of Record

State of Nevada }
County of Clark } SS:

Pursuant to the Supreme Court order dated November 10, 2021, I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the complete trial court record for the case referenced below. The record comprises one volume with pages numbered 1 through 130.

CLYDE BIGGS,

Plaintiff(s),

vs.

CALVIN JOHNSON, WARDEN; HDSP;
OFFENDER MANAGEMENT DIV; STATE
OF NEVADA,

Defendant(s),

Case No: A-21-837467-W

Dept. No: XXIV

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 23 day of November 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk