

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

HUMBERTO LOAIZA-DIAZ,  
Appellant,  
vs.  
BRIAN WILLIAMS, WARDEN; THE  
STATE OF NEVADA DEPARTMENT  
OF CORRECTIONS; AND THE STATE  
OF NEVADA,  
Respondents.

No. 72198

**FILED**

SEP 13 2017

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

*ORDER OF AFFIRMANCE*

Humberto Loaiza-Diaz appeals from an order of the district court denying his June 24, 2016, postconviction petition for a writ of habeas corpus challenging the computation of time he has served.<sup>1</sup> Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

Loaiza-Diaz argues the Nevada Department of Corrections is not deducting statutory credits from his minimum sentences pursuant to NRS 209.4465(7)(b). Loaiza-Diaz' claim lacks merit. NRS 209.4465(7) begins, "Except as otherwise provided in subsection[ ] 8," and NRS 209.4465(8) specifically excludes offenders convicted of category B felonies from deducting statutory credits from their minimum sentences. Loaiza-Diaz' controlling sentence was for a category B felony, *see* NRS 453.3385(1)(b), for an offense committed after NRS 209.4465(8)'s effective

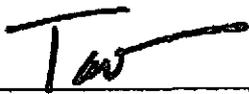
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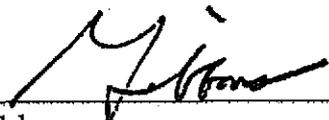
<sup>1</sup>This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

date. Accordingly, Loaiza-Diaz is not entitled to the deduction of credits from his minimum sentences, and we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Silver

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Linda Marie Bell, District Judge  
Humberto Loaiza-Diaz  
Attorney General/Carson City  
Attorney General/Las Vegas  
Eighth District Court Clerk