

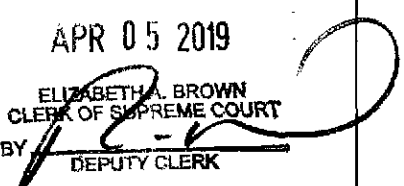
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SHAWN THOMSON,
Appellant,
vs.
RENEE BAKER, WARDEN,
Respondent.

No. 76109-COA

FILED

APR 05 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Shawn Thomson appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on March 16, 2018.¹ Eleventh Judicial District Court, Pershing County; Jim C. Shirley, Judge.


Thomson claimed the Nevada Department of Corrections was not applying the statutory credits he earned pursuant to NRS 209.4465 to the minimum term of the sentence he is currently serving. However the district court found that Thomson had appeared before the Nevada Board of Parole Commissioners, he had been denied parole on his current sentence, and, consequently, his claim was moot.

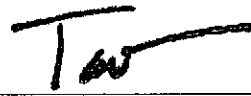
Because the record supports the district court's factual findings, and because a parole hearing would be the only relief available and no statutory authority or case law permits a retroactive grant of parole, *see Williams v. State Dep't of Corr.*, 133 Nev. ___, ___ n.7, 402 P.3d 1260, 1265 n.7 (2017), we conclude the district court did not err by determining


¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

Thomson's claim was moot, *see Johnson v. Dir., Nev. Dep't of Prisons*, 105 Nev. 314, 316, 774 P.2d 1047, 1049 (1989). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Jim C. Shirley, District Judge
Shawn Thomson
Attorney General/Carson City
Pershing County Clerk