

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MICHAEL DESHAWN TELLIS,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN,
Respondent.

No. 75930-COA

FILED

APR 29 2019

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

ORDER OF AFFIRMANCE

Michael Deshawn Tellis appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.


In his November 29, 2017, petition, Tellis first claimed the Nevada Department of Corrections (NDOC) improperly declined to apply his statutory credits toward his parole eligibility date. The district court concluded Tellis was serving a term for a violent category B felony committed after the effective date of NRS 209.4465(8).² For those reasons, the district court found NDOC had properly only applied Tellis' credits toward his maximum term. Given these circumstances, we conclude the district court did not err by denying this claim.

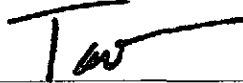
¹This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

²The record demonstrated Tellis was serving a sentence for a conviction of attempted murder. See NRS 193.330(1)(a); NRS 200.010; NRS 200.030(4).

Second, Tellis claimed the application of NRS 209.4465(8) violates the Ex Post Facto Clause. However, because Tellis committed his crime after NRS 209.4465(8) became effective in 2007, his claim was without merit. See *Weaver v. Graham*, 450 U.S. 24, 28-29 (1981). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Linda Marie Bell, Chief Judge
Michael Deshawn Tellis
Attorney General/Carson City
Eighth District Court Clerk