

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WILFREDO LEDEZMA,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN,
Respondent.

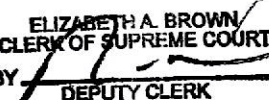
No. 77366-COA

WILFREDO LEDEZMA,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN,
Respondent.

No. 77369-COA

FILED

JUL 30 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Wilfredo Ledezma appeals from an order of the district court denying two identical postconviction petitions for a writ of habeas corpus filed on March 12, 2018, and April 27, 2018.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

Ledezma claimed the Nevada Department of Corrections (NDOC) was improperly declining to apply his statutory credits toward his minimum terms. The district court found Ledezma had been convicted of trafficking in a controlled substance and possession of stolen property, category B felonies, *see* NRS 453.3385(1)(b); NRS 205.275(2)(c), committed in 2013, and therefore, was not entitled to have his statutory credits applied


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).

to his minimum terms. Substantial evidence supports the district court's finding. See NRS 209.4465(8)(d). Further, Ledezma was not entitled to have credits applied to his minimum term for his trafficking conviction because he was sentenced pursuant to a statute that required a minimum term be served before he was eligible for parole. See NRS 209.4465(7)(b); NRS 453.3405(1). Therefore, we conclude the district court did not err by denying this claim.

Ledezma also claimed NDOCs failure to apply credits toward his minimum term was an ex post facto violation. This claim lacked merit because Ledezma committed his crimes after the effective date of the 2007 amendments to NRS 209.4465. See 2007 Nev. Stat., ch. 525, § 22, a 3196; *Weaver v. Graham*, 450 U.S. 24, 28-29 (1981). Therefore, we conclude the district court did not err by denying this claim. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Linda Marie Bell, Chief Judge
Wilfredo Ledezma
Attorney General/Las Vegas
Eighth District Court Clerk