

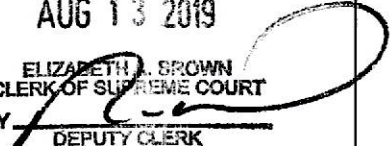
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CHRISTOPHER KIRK ROBINSON,
Appellant,
vs.
RENEE BAKER, WARDEN,
Respondent.

No. 77080-COA

FILED

AUG 13 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Christopher Kirk Robinson appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on November 30, 2016.¹ Eleventh Judicial District Court, Pershing County; Jim C. Shirley, Judge.

Robinson claims the district court erred by denying his claim that the Nevada Department of Corrections improperly deprived him of having credit applied to his second and third sentences in violation of NRS 209.4465 and the Due Process, Ex Post Facto, and Equal Protection Clauses. Robinson acknowledges that he has already expired his second and third sentences, but asks this court reverse the grant of parole and expiration of those sentences so he can aggregate them with his current and future sentences and have the credit he was denied applied to all of his sentences. However, as the district court determined, because Robinson has already expired his second and third sentences, no relief can be afforded with regard to those sentences. *See Williams v. State Dep't of Corr.*, 133

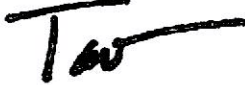
¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).


Nev. 594, 600 n.7, 402 P.3d 1260, 1265 n.7 (2017). Further, the district court found, and Robinson appears to acknowledge, that credit is now being properly applied to his current sentence and his projected parole eligibility date for that sentence has been recalculated. Therefore, we conclude the district court did not err by denying Robinson's petition.

Robinson also argues the district court abused its discretion by denying his motion for the appointment of counsel. Although recognizing that the issues presented by Robinson were reasonably difficult and the consequences he faced were moderately severe, the district court found the appointment of counsel was not warranted because Robinson clearly and intelligibly expressed his case in his petition and the following documents, he demonstrated he understood the issues and arguments involved in the matter, and lengthy and demanding discovery was unlikely. The record supports the district court's findings, and we conclude the district court did not abuse its discretion by declining to appoint counsel. *See Renteria-Novoa v. State*, 133 Nev. 75, 76, 391 P.3d 760, 760-61 (2017).

Having concluded Robinson is not entitled to relief, we
ORDER the judgment of the district court AFFIRMED.²


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

²To the extent Robinson requests the appointment of appellate counsel, we deny the request.

cc: Hon. Jim C. Shirley, District Judge
Christopher Kirk Robinson
Attorney General/Carson City
Pershing County Clerk