

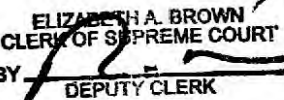
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOEL VALDEZ-SALCIDO,
Appellant,
vs.
BRIAN WILLIAMS, WARDEN,
Respondent.

No. 77794-COA

FILED

AUG 21 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Joel Valdez-Salcido appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on February 21, 2018. Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

In his petition, Valdez-Salcido claimed the Nevada Department of Corrections improperly declined to apply his statutory credits toward the minimum and maximum terms of his robbery conviction. He also claimed the failure to apply these credits was an ex post facto violation. The district court concluded Valdez-Salcido expired his sentence in 2015 and, therefore, his claim was moot. "Because the application of credits under NRS 209.4465(7)(b) only serves to make an offender eligible for parole earlier, no relief can be afforded where the offender has already expired the sentence." *See Williams v. State, Dep't of Corr.*, 133 Nev. 594, 600 n.7, 402 P.3d 1260, 1265 n.7 (2017). Because Valdez-Salcido already expired his sentence, we conclude the district court correctly found that Valdez-Salcido's claim was moot and the district court did not err by denying the petition.

To the extent Valdez-Salcido challenged the district court's failure to rule on his motion for an amended judgment of conviction, this

claim is not properly before the court. It appears from documents provided by Valdez-Salcido that this motion was filed in his criminal case and not in the instant case, and was not considered by the district court when denying his petition. Therefore, we decline to consider it on appeal. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Linda Marie Bell, Chief Judge
Joel Valdez-Salcido
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk