

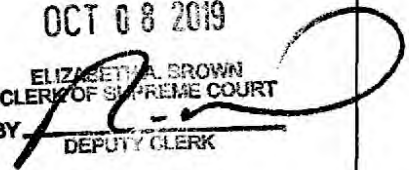
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

FRANCISCO MUNOZ,
Appellant,
vs.
THE STATE OF NEVADA
DEPARTMENT OF CORRECTIONS,
Respondent.

No. 78277-COA

FILED

OCT 08 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Francisco Munoz appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on February 27, 2018. Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

Munoz claims the district court erred by denying his claim that the Nevada Department of Corrections was improperly declining to apply his statutory credits toward his minimum term. A person convicted of an A or B felony for an offense committed after June 30, 2007, is not entitled to have credits applied to his or her minimum term for that offense. See NRS 209.4465(8)(d).

Munoz admitted he was convicted of category B felonies, including robbery with the use of a deadly weapon¹, see NRS 200.380(2); NRS 193.165, and that the current version of NRS 209.4465 applies to him.

¹We note the record on appeal does not contain a copy of the judgment of conviction or charging document but it appears Munoz was also convicted of conspiracy to commit robbery and battery with the intent to commit a crime, both category B felonies. See NRS 199.480(1); NRS 200.400(2).

Because he admitted he was convicted of category B felonies after the effective date of the 2007 amendments to NRS 209.4465, Munoz was not entitled to the application of statutory credits toward the minimum terms of his sentences. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Linda Marie Bell, Chief Judge
Francisco Munoz
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk