

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

LAILONI DEANDRE MORRISON,  
Appellant,  
vs.  
JERRY HOWELL, WARDEN; AND THE  
STATE OF NEVADA,  
Respondents.

No. 78715-COA

**FILED**

**FEB 19 2020**

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

*ORDER OF AFFIRMANCE*

Lailoni Deandre Morrison appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on July 5, 2018. Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

Below, Morrison claimed the Nevada Department of Corrections (NDOC) is failing to apply statutory good time credit to his parole eligibility. Morrison argued that his current sentence for his deadly weapon enhancement should not be considered a parole-eligibility sentence because the 2007 amendments to NRS 193.165(1) should apply retroactively.

The district court found Morrison was convicted of second-degree murder with the use of a deadly weapon for criminal acts he committed in 2001, and he was sentenced to serve consecutive prison terms of life with the possibility of parole after 10 years have been served. The district court further found Morrison is currently serving his sentence for the deadly weapon enhancement.

The district court determined that the date on which Morrison committed his offense controls which version of NRS 193.165(1) applies, *see State v. Second Judicial Dist. Ct. (Pullin)*, 124 Nev. 564, 571, 188 P.3d 1079,

1084 (2008), and, at the time Morrison committed his crimes, NRS 193.165(1) required Morrison to be sentenced for the deadly weapon enhancement to a term that is equal and consecutive to the term imposed for the primary offense. *See* 1995 Nev. Stat., ch. 455, § 1, at 1431. Because Morrison's sentence for his primary offense required him to serve a mandatory minimum term of 10 years before being eligible for parole, *see* 1999 Nev. Stat., ch. 319, § 3, at 1335-36 (former version of NRS 200.030), the district court found Morrison must also serve a mandatory minimum term of 10 years on his sentence for the deadly weapon enhancement before he is eligible for parole on that sentence. Therefore, the district court concluded that NRS 209.4465(7)(b) prohibits NDOC from applying statutory good time credit to Morrison's parole eligibility on his sentence for the deadly weapon enhancement.

The record supports the district court's findings. We conclude the district court did not err by finding Morrison is subject to the version of NRS 193.165(1) that was in effect at the time he committed his offense, *see Pullin*, 124 Nev. at 571, 188 P.3d at 1084, and Morrison is not entitled to have statutory good time credit applied to his parole eligibility on his sentence for the deadly weapon enhancement, *see Perez v. Williams*, 135 Nev. 189, 191-92, 444 P.3d 1033, 1034 (2019). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

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