

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

PRESTON CAUDLE,  
Appellant,  
vs.  
BRIAN WILLIAMS, WARDEN,  
Respondent.

No. 79211-COA

**FILED**

**MAY 15 2020**

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

*ORDER OF AFFIRMANCE*

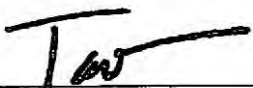
Preston Caudle appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

Caudle argues the district court erred by denying his October 12, 2018, petition. In his petition, Caudle claimed he was entitled to the application of statutory credits to his minimum sentences pursuant to NRS 209.4465(7)(b). The district court found Caudle's sentences were the result of a conviction for category B felonies committed in 2016, after the effective date of NRS 209.4465(8)(d). These findings are supported by the record. Because Caudle was convicted of category B felonies, see NRS 199.480(1); NRS 200.380(2); NRS 202.360(1), committed after the effective date of NRS 209.4465(8)(d), he was precluded from the application of credits to his minimum sentences. We therefore conclude the district court did not err by denying this claim.

Caudle also claimed the application of NRS 209.4465(8) violates the Ex Post Facto Clause. Caudle's claim lacked merit. A requirement for an Ex Post Facto Clause violation is that the statute applies to events occurring before it was enacted. *Weaver v. Graham*, 450 U.S. 24, 29 (1981).

Because NRS 209.4465(8) was enacted before Caudle committed his crime, its application does not violate the Ex Post Facto Clause. Accordingly, we  
ORDER the judgment of the district court AFFIRMED.

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

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

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

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