

IN THE SUPREME COURT OF THE STATE OF NEVADA

DONALD JACKSON ALFORD, JR.,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 53344

FILED

SEP 03 2009

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a proper person appeal from an order of the district court denying a motion for an amended judgment of conviction to include presentence credit. Eighth Judicial District Court, Clark County; Valorie Vega, Judge.

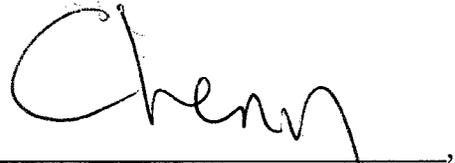
On March 10, 2008, the district court convicted appellant, pursuant to a guilty plea, of one count of attempted theft. The district court sentenced appellant to serve a term of 12 to 34 months in the Nevada State Prison. The district court provided appellant with 40 days of credit for time served. No direct appeal was taken.

On January 15, 2009, appellant filed a proper person motion for an amended judgment of conviction to include presentence credit; appellant sought an additional 58 days of credit for time served. The State opposed the motion. On February 11, 2009, the district court denied the motion. This appeal followed.

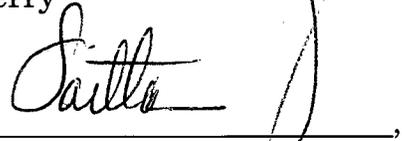
In attempting to send appellant documents at prison, this court has received information that he has discharged his sentence. Appellant's discharge of his sentence, subsequent to the filing of the motion, renders his claim for additional credits moot. See Johnson v.

Director, Dep't Prisons, 105 Nev. 314, 316, 774 P.2d 1047, 1049 (1989) (stating that expiration of a defendant's sentence rendered any question concerning computation of the sentence moot). Accordingly, we

ORDER this appeal DISMISSED.<sup>1</sup>

 J.

Cherry

 J.

Saitta

 J.

Gibbons

cc: Hon. Valorie Vega, District Judge  
Donald J. Alford, Jr.  
Attorney General Catherine Cortez Masto/Carson City  
Clark County District Attorney David J. Roger  
Eighth District Court Clerk

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<sup>1</sup>This appeal was submitted for consideration upon receipt of the record on appeal. Luckett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).