

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOSE HERNANDEZ-RAMIREZ,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 68336

**FILED**

**NOV 19 2015**

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

*ORDER OF AFFIRMANCE*

This is an appeal from an order of the district court denying a postconviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

Appellant Jose Hernandez-Ramirez filed his petition on April 9, 2015. Hernandez-Ramirez was honorably discharged from probation on September 16, 2010, and therefore, expired his sentence and was no longer in custody. A postconviction petition for a writ of habeas corpus is not available to those who have completed the sentence imposed by the judgment of conviction and are no longer in custody. *See Nev. Const. art. 6, § 6(1); NRS 34.724(1); Jackson v. State*, 115 Nev. 21, 23, 973 P.2d 241,

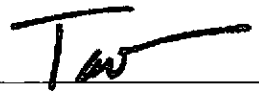
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<sup>1</sup>This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

242 (1999). Accordingly, the district court did not err in denying the petition, and we

ORDER the judgment of the district court AFFIRMED.

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

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

  
\_\_\_\_\_, J.  
Silver

cc: Hon. Kathleen E. Delaney, District Judge  
Jose Hernandez-Ramirez  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk