

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ERIC ANTHONY LITTLE,
Appellant,
vs.
JAMES G. COX, DIRECTOR OF
NEVADA DEPARTMENT OF
CORRECTIONS; AND THE STATE OF
NEVADA,
Respondents.

No. 68264

FILED

DEC 18 2015

TRACIE K. LINDEMAN
CLERK OF THE SUPREME COURT
BY: *[Signature]*
CHIEF 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.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.

In his September 24, 2014, petition, appellant Eric Anthony Little claimed the Nevada Department of Corrections improperly calculated his sentence, which resulted in him improperly receiving an early parole hearing in 2010. Little asserted he was not actually eligible to be paroled until 2012 and he sought an order granting him another parole hearing.

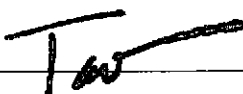
Our review of the record reveals Little is not entitled to relief. The record indicates Little received another parole hearing on October 28, 2013. Because parole is an act of grace of the State, this renders Little's

¹This 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).

petition moot as the only remedy available would be to order the parole board to conduct a hearing. See NRS 213.10705; *Niergarth v. Warden*, 105 Nev. 26, 28-29, 768 P.2d 882, 883-84 (1989) (holding that no statutory authority or case law permits a retroactive grant of parole). As Little was not entitled to relief for this claim, the district court did not err in denying the petition. Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Linda Marie Bell, District Judge
Eric Anthony Little
Attorney General/Carson City
Attorney General/Las Vegas
Clark County District Attorney
Eighth District Court Clerk