

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RAFAEL VAZQUEZ, A/K/A RAFAEL
VAZQUEZ-GONZALEZ,
Appellant,
vs.
BRIAN E. WILLIAMS, WARDEN;
NEVADA DEPARTMENT OF
CORRECTIONS; AND THE STATE OF
NEVADA,
Respondents.

No. 70974

FILED

DEC 28 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER OF AFFIRMANCE

Appellant Rafael Vazquez appeals from a district court order denying the petition for writ of habeas corpus he filed on April 19, 2016.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Judge.


Vazquez claims the district court erred by denying his petition. In his petition, Vazquez claimed he was entitled to have 20 days of credit deducted from his parole eligibility each month. He asserted he had earned 640 days that should be applied to his minimum sentence. The district court denied Vazquez' petition, finding that Vazquez is not entitled to have the credit he sought deducted from his parole eligibility date. Specifically, the court found that NRS 209.4465(8) exempts application of credit earned pursuant to NRS 209.4465(1) from applying towards eligibility for parole or reducing his minimum term because the conduct giving rise to his conviction occurred on or about August 14, 2013, Vazquez was convicted of a category B felony, and he was sentenced on


¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).


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November 9, 2015. We conclude the district court did not err by concluding Vazquez is not entitled to have the credit applied toward his eligibility for parole or deducted from his minimum sentence. See NRS 209.4465(8). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

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