

IN THE SUPREME COURT OF THE STATE OF NEVADA

MARCO ANTONIO SANCHEZ,
Appellant,
vs.
ISIDRO BACA, WARDEN OF
NORTHERN NEVADA
CORRECTIONAL CENTER,
Respondent.

No. 70895

FILED

MAR 15 2017

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

ORDER OF AFFIRMANCE

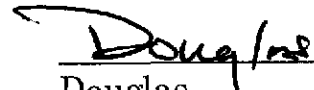
This is a pro se appeal from a district court order denying appellant Marco Sanchez's May 6, 2016, postconviction petition for a writ of habeas corpus (credits).¹ First Judicial District Court, Carson City; James E. Wilson, Judge.


Sanchez claims that the Nevada Department of Corrections (NDOC) is not deducting statutory credits earned pursuant to NRS 209.4465 but is applying NRS 209.4465(8) in violation of the Ex Post Facto Clause. The statutes in effect at the time Sanchez committed his offenses govern. See *Weaver v. Graham*, 450 U.S. 24, 31-33 (1981); *Goldsworthy v. Hannifin*, 86 Nev. 252, 255, 468 P.2d 350, 352 (1970). Sanchez was sentenced for crimes committed in April 1997. Because NRS 209.4465 applies only to sentences for "crime[s] committed on or after July 17, 1997," NRS 209.4465(1), that statute does not apply to Sanchez. Further,

¹Having considered the pro se brief filed by appellant, we conclude that a response is not necessary. NRAP 46A(c). This appeal therefore has been submitted for decision based on the pro se brief and the record. See NRAP 34(f)(3).

he has failed to demonstrate that NDOC is applying NRS 209.4465(8) to his sentence. We therefore conclude that the district court did not err in denying the petition, and we

ORDER the judgment of the district court AFFIRMED.

 _____, J.
Douglas

 _____, J.
Gibbons

 _____, J.
Pickering

cc: Hon. James E. Wilson, District Judge
Marco Antonio Sanchez
Attorney General/Carson City
Carson City Clerk