IN THE SUPREME COURT OF THE STATE OF NEVADA

QUINZALE MASON,
Appellant,
vs.
ISIDRO BACA, WARDEN,
Respondent.

No. 71067

FILED

MAY 09 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
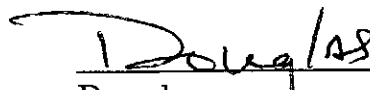DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a pro se appeal from a district court order denying appellant Quinzale Mason's June 20, 2016, postconviction petition for a writ of habeas corpus. First Judicial District Court, Carson City; James Todd Russell, Judge. Mason challenges the computation of time he has served. We affirm.[1]

Mason claimed that the Nevada Department of Corrections (NDOC) is not deducting statutory credits from his minimum sentences pursuant to NRS 209.4465(7)(b). Mason's claim lacks merit. NRS 209.4465(7) begins, "Except as otherwise provided in subsection[ ] 8," and NRS 209.4465(8) specifically excludes offenders convicted of category-B felonies from deducting statutory credits from their minimum sentences. Mason was convicted of category-B felonies. *See* NRS 200.471; NRS 200.481(2)(e); NRS 202.360. Accordingly, Mason was not entitled to the deduction of credits from his minimum sentences pursuant to NRS 209.4465(7)(b).
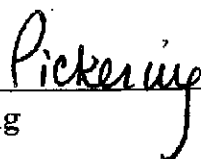
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[1]This appeal has been submitted for decision on the record without briefing or oral argument. NRAP 34(f)(3), (g); *see also* NRAP 31(d)(1); *Luckett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

17-15423

Mason also claimed that the application of NRS 209.4465(8) violates the Ex Post Facto Clause. Mason's claim lacks merit. A requirement for an Ex Post Facto Clause violation is that the statute applies to events occurring before it was enacted. *Weaver v. Graham*, 450 U.S. 24, 29 (1981). NRS 209.4465(8) was enacted in 2007, *see* 2007 Nev. Stat., ch. 525, § 5, at 3177, years before Mason's 2014 crimes, and its application thus does not violate the Ex Post Facto Clause.

Having concluded Mason's claims lack merit, we

ORDER the judgment of the district court AFFIRMED.

_____, J.
Douglas

_____, J.
Gibbons

_____, J.
Pickering

cc: Hon. James Todd Russell, District Judge
        Quinzale Mason
        Attorney General/Carson City
        Carson City Clerk