

IN THE SUPREME COURT OF THE STATE OF NEVADA

CODY C. LEAVITT,
Appellant,
vs.
WARDEN OF LCC,
Respondent.

No. 71869

FILED

JUN 15 2017

ELIZABETH S. BROWN
CLERK OF SUPREME COURT
BY *E. Wilcox*
DEPUTY CLERK

ORDER DISMISSING APPEAL

This is a pro se appeal from an order of the district court dismissing appellant Cody Leavitt's August 17, 2016, postconviction petition for a writ of habeas corpus (credits).¹ Eleventh Judicial District Court, Pershing County; Jim C. Shirley, Judge.

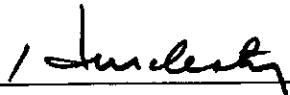
Leavitt challenges the computation of time served with respect to his parole eligibility. Leavitt has had three parole hearings and has discharged his sentence. Because a parole hearing was the only relief available to him and no statutory authority or case law permits a retroactive grant of parole, see *Niergarth v. Warden*, 105 Nev. 26, 29, 768


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).


P.2d 882, 884 (1989), Leavitt's claim is moot. *See Johnson v. Dir., Nev. Dep't. of Prisons*, 105 Nev. 314, 316; 774 P.2d 1047, 1049 (1989).

Accordingly, we

ORDER this appeal DISMISSED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Stiglich

cc: Hon. Jim C. Shirley, District Judge
Cody C. Leavitt
Attorney General/Carson City
Pershing County Clerk