

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RONALD RAY HUDNALL,
Appellant,
vs.
ISIDRO BACA, WARDEN,
Respondent.

No. 73850

FILED

MAY 15 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY / DEPUTY CLERK

ORDER OF AFFIRMANCE

Ronald Ray Hudnall appeals from a district court order dismissing the postconviction petition for a writ of habeas corpus filed on April 27, 2017.¹ First Judicial District Court, Carson City; James Todd Russell, Judge.

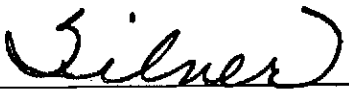
In his petition, Hudnall claimed the Nevada Department of Corrections was not properly applying the statutory credits he earned to his minimum sentences as required by NRS 209.4465(7)(b) and was improperly applying NRS 209.4465(8), which was enacted after he committed his offenses. The district court found Hudnall "was denied parole on his final sentence on March 20, 2017," and dismissed his petition because his claims were moot.

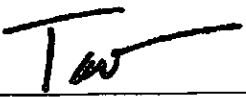
Because the record supports the district court's factual findings, and because a parole hearing would be the only relief available and no statutory authority or case law permits a retroactive grant of parole, *see Niergarth v. Warden*, 105 Nev. 26, 29, 768 P.2d 882, 884 (1989), we conclude

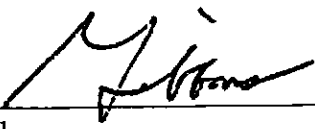
¹This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

the district court did not err in determining Hudnall's claims were moot, see *Johnson v. Director, Nev. Dep't of Prisons*, 105 Nev. 314, 316, 774 P.2d 1047, 1049 (1989). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. James Todd Russell, District Judge
Ronald Ray Hudnall
Attorney General/Carson City
Carson City Clerk