

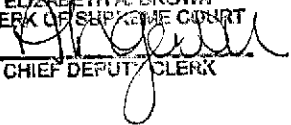
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WILLIAM LEON KERR,  
Appellant,  
vs.  
TIMOTHY FILSON, WARDEN,  
Respondent.

No. 74331

**FILED**

JUN 13 2018

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

*ORDER OF AFFIRMANCE*

William Leon Kerr appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus challenging the computation of served, filed on May 19, 2017.<sup>1</sup> Seventh Judicial District Court, White Pine County; Gary Fairman, Judge.


Kerr claimed the Nevada Department of Corrections erroneously failed to apply statutory credits to his parole eligibility for sentences he was serving as a result of his conviction in district court case number CR-FP-05-1342. Kerr has expired his sentences in this case. 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 P.2d 882, 884 (1989), Kerr's claim is moot, *see Johnson v. Dir., Nev. Dep't. of Prisons*, 105 Nev. 314, 316, 774


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

P.2d 1047, 1049 (1989). We therefore conclude the district court did not err by denying Kerr's claim, and we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Silver

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Gary Fairman, District Judge  
William Leon Kerr  
Attorney General/Carson City  
Attorney General/Ely  
White Pine County Clerk