

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RICHARD ANTONIO WILLIAMS,
Appellant,
vs.
JO GENTRY, WARDEN; AND THE
STATE OF NEVADA DEPARTMENT
OF CORRECTIONS,
Respondents.

No. 74797

FILED

OCT 12 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

Richard Antonio Williams appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on April 1, 2017.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

In his petition, Williams claimed the Nevada Department of Corrections was not applying the statutory credits he earned to his minimum sentences as required by NRS 209.4465(7)(b). The district court determined Williams was not entitled to have good time credits applied to his parole eligibility date because he was serving sentences for category B felonies he committed after 2007.


On appeal, Williams appears to claim the district court erred in its interpretation of NRS 209.4465. We have reviewed the statute and conclude the district court correctly determined Williams was not entitled


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

to have credits applied to his minimum sentence because he committed his crimes after NRS 209.4465 was amended in 2007 and the 2007 amendments specifically exclude category B felons from receiving credit toward their minimum sentence.² See 2007 Nev. Stat., ch. 525, § 5, at 3177; NRS 209.4465(8)(d); see generally *Robert E. v. Justice Court of Reno Twp.*, 99 Nev. 443, 445, 664 P.2d 957, 959 (1983) (“When presented with a question of statutory interpretation, the intent of the legislature is the controlling factor and, if the statute under consideration is clear on its face, a court cannot go beyond the statute in determining legislative intent.”). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Silver


_____, J.
Tao


_____, J.
Gibbons

²Williams was convicted of two counts of robbery with the use of a deadly weapon, two counts of burglary while in possession of a deadly weapon, coercion with the use of a deadly weapon, assault with a deadly weapon, conspiracy to commit robbery, and burglary for crimes he committed in May 2010. See NRS 193.165(1); NRS 199.480(1); NRS 200.380(2); NRS 200.471(2)(b); NRS 205.060(2), (4); NRS 207.190(2)(a).

cc: Hon. Linda Marie Bell, Chief Judge
Richard Antonio Williams
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk