

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EDMUNDO ANTONIO ZUNIGA,  
Appellant,  
vs.  
BRIAN WILLIAMS, WARDEN,  
Respondent.

No. 73799

**FILED**

AUG 24 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT

BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Edmundo Antonio Zuniga appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on December 5, 2016.<sup>1</sup> Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

Zuniga challenged the computation of time he has served. He acknowledged he was not entitled to the application of statutory credits to his minimum sentences while he was still serving the minimum terms.<sup>2</sup> Zuniga claimed, however, that he is entitled to the application of credits to

---

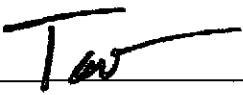
<sup>1</sup>This appeal has been submitted for decision without oral argument and we conclude the record is sufficient for our review and briefing is unwarranted. NRAP 34(f)(3), (g).

<sup>2</sup>Zuniga was convicted of second-degree murder with the use of a deadly weapon and was sentenced pursuant to NRS 200.030(5)(a), which provided for a sentence of "life with the possibility of parole, with eligibility for parole beginning when a minimum of 10 years has been served." Zuniga was thus correct that he was not eligible to have his statutory credits applied to his parole eligibility. See NRS 209.4465(7)(b).

his minimum terms once he has satisfied the minimum sentences.<sup>3</sup> NRS 209.4465(7) governs the application of statutory credits to minimum sentences, and it makes no distinction between applying credits before and after any minimum sentence has been satisfied. Accordingly, we conclude Zuniga is not entitled to the application of credits to his minimum sentence, regardless of how much time he has already served.

Having concluded Zuniga is not entitled to relief, we  
ORDER the judgment of the district court AFFIRMED.

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

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

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

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

---

<sup>3</sup>Zuniga did not allege he was denied a parole hearing when his minimum sentences had been served.