

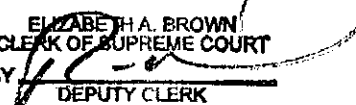
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOE SUGGS,  
Appellant,  
vs.  
JO GENTRY, WARDEN; DWAYNE  
DEAL, OMD; JAMES DZURENDA,  
DIRECTOR; AND THE STATE OF  
NEVADA DEPARTMENT OF  
CORRECTIONS,  
Respondents.

No. 74200

**FILED**

AUG 24 2018

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Joe Suggs appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on March 30, 2017.<sup>1</sup> Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

Suggs claimed the Nevada Department of Corrections was not properly applying the statutory credits he earned to his minimum sentence as required by NRS 209.4465(7)(b) and was improperly applying NRS 209.4465(8), which was enacted after he committed his crime. However, the district court found that Suggs had appeared before the Nevada Board of Parole Commissioners, he had been denied parole, and consequently his claims were moot.

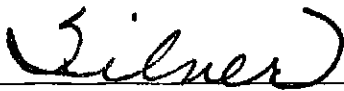
Because the record supports the district court's factual findings, and because a parole hearing would be the only relief available and no statutory authority or case law permits a retroactive grant of parole, *see*


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

*Niergarth v. Warden*, 105 Nev. 26, 29, 768 P.2d 882, 884 (1989), we conclude the district court did not err by determining Suggs claims were moot, see *Johnson v. Dir., 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. Linda Marie Bell, Chief Judge  
Joe Suggs  
Attorney General/Carson City  
Attorney General/Las Vegas  
Eighth District Court Clerk