

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

RAMIRO J. CAMACHO, JR.,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 75109-COA

FILED

JAN 31 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER OF AFFIRMANCE

Ramiro J. Camacho, Jr., appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus.¹ Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

Camacho argues the district court erred by denying his February 17, 2017, petition. In his petition, Camacho first claimed the Nevada Department of Corrections (NDOC) improperly declined to apply his good-time credits toward his minimum terms. The district court concluded Camacho was not entitled to relief because he was convicted of category B felonies, committed the offenses in 2011, and for those reasons, NDOC properly applied Camacho's credits only toward his maximum terms pursuant to NRS 209.4465(8).² Given these circumstances, we conclude the district court did not err by denying this claim.


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

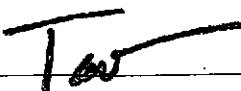
²The record demonstrated Camacho was convicted of child abuse, neglect, or endangerment with substantial bodily harm and child, abuse, neglect, or endangerment, which are category B felonies. See NRS 200.508(1)(a)(2), (b)(1).

Second, Camacho claimed the application of NRS 209.4465(8) violates the Ex Post Facto Clause. However, because Camacho committed his crime after NRS 209.4465(8) became effective in 2007, his claim was without merit. *See Weaver v. Graham*, 450 U.S. 24, 28-29 (1981).

Third, Camacho claimed NDOC's failure to apply statutory credits to his parole eligibility violated the Equal Protection Clause. Camacho asserted his rights were violated because other inmates with similar convictions receive credits toward their minimum terms and it was improper to deny him the same type of sentence structure based upon his offense date. This claim lacked merit because "any disparate treatment resulting from the date a crime was committed does not deny offenders equal protection of law." *Vickers v. Dzurenda*, 134 Nev. Adv. Op. 91 *8, ___ P.3d ___, ___, (Ct. App. 2018). Therefore, we conclude the district court did not err by denying this claim.³

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


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

³Camacho also appeared to claim that the prison officials' refusal to apply statutory credits toward his minimum term amounts to cruel and unusual punishment. We conclude Camacho failed to demonstrate this claim was meritorious. *See Blume v. State*, 112 Nev. 472, 475, 915 P.2d 282, 284 (1996); *see also Farmer v. Brennan*, 511 U.S. 825, 834 (1994) (explaining the test for when prison officials violate the Eighth Amendment prohibition against cruel and unusual punishment).

cc: Hon. Linda Marie Bell, Chief Judge
Ramiro J. Camacho, Jr.
Attorney General/Carson City
Eighth District Court Clerk