

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ARMANDO ANDRES RODRIGUEZ,  
A/K/A ARMANDO ANDRES  
RODRIGUEZ-PACHECO,  
Appellant,  
vs.  
THE STATE OF NEVADA  
DEPARTMENT OF CORRECTIONS;  
AND JAMES DZURENDA, DIRECTOR,  
Respondents.

No. 75636-COA

**FILED**

JAN 31 2019

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

*ORDER OF AFFIRMANCE*

Armando Andres Rodriguez appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus.<sup>1</sup> Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

In his November 7, 2017, petition, Rodriguez claimed the Nevada Department of Corrections (NDOC) improperly declined to apply his statutory credits toward his minimum terms. The district court concluded Rodriguez was not entitled to relief because he was convicted of category B felonies, committed after the effective date of NRS 209.4465(8), and for those reasons, NDOC had properly applied Rodriguez' credits only toward his maximum terms.<sup>2</sup> Given these circumstances, we conclude the


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<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).

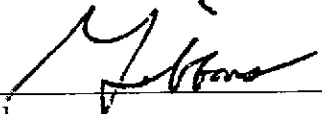
<sup>2</sup>The record demonstrated Rodriguez is currently serving a sentence for burglary, a category B felony, and he committed the crime in 2011. See

district court did not err by denying this claim. Accordingly, we conclude the district court did not err by denying the petition, and we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, A.C.J.  
Douglas

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

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

cc: Hon. Linda Marie Bell, Chief Judge  
Armando Andres Rodriguez  
Attorney General/Las Vegas  
Eighth District Court Clerk

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NRS 205.060(2). The record also demonstrated Rodriguez has a pending sentence for discharge of a firearm within a structure, which is also a category B felony. See NRS 202.287(1)(b).