

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

EDUARDO ROBLES VALADEZ,
Appellant,
vs.
ISIDRO BACA, WARDEN NNCC; SEC
JAMES DZURENDA NDOC; AND THE
STATE OF NEVADA,
Respondents.

No. 77103-COA

FILED

APR 05 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Eduardo Robles Valadez appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on March 20, 2018.¹ First Judicial District Court, Carson City; James Todd Russell, Judge.


Valadez claims the Nevada Department of Corrections is not applying the statutory credits he earned pursuant to NRS 209.4465 to the minimum term of the sentence he is currently serving. However, the district court found that Valadez had appeared before the Nevada Board of Parole Commissioners, he had been denied parole on his current sentence, and, consequently, his claim was 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 *Williams v. State Dep't of Corr.*, 133 Nev. ___, ___ n.7, 402 P.3d 1260, 1265


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

n.7 (2017), we conclude the district court did not err by determining Valadez' claim was 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.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. James Todd Russell, District Judge
Eduardo Robles Valadez
Attorney General/Carson City
Carson City Clerk