

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CESAR MENDOZA,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 75900-COA

**FILED**

**APR 18 2019**

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

*ORDER OF AFFIRMANCE*

Cesar Mendoza appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on November 29, 2017.<sup>1</sup> Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

Mendoza claimed he is entitled to the application of statutory credits to his minimum sentence pursuant to NRS 209.4465(7)(b). The district court found Mendoza's sentence was the result of a conviction for a violation of NRS 484C.110 and NRS 484C.430, a category B felony, committed after the effective date of NRS 209.4465(8), which precludes the application of credits to minimum terms of sentences for such felonies. See NRS 209.4465(8)(c), (d). These findings are supported by the record. See

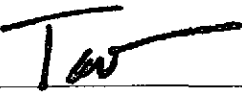
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<sup>1</sup>This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

NRS 484C.430(1). We therefore conclude the district court did not err by denying this claim. Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>2</sup>

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

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

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Linda Marie Bell, Chief Judge  
Cesar Mendoza  
Attorney General/Las Vegas  
Eighth District Court Clerk

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<sup>2</sup>Mendoza raises new arguments on appeal challenging the validity of NRS 209.4465(8). Because these arguments were not raised below, we decline to consider them on appeal in the first instance. *See McNelton v. State*, 115 Nev. 396, 416, 990 P.2d 1263, 1276 (1999).