

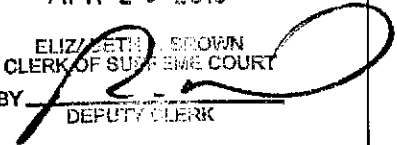
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

CARLOS ENRIQUE CASTILLO,  
Appellant,  
vs.  
N.D.O.C.; AND BRIAN WILLIAMS,  
WARDEN,  
Respondents.

No. 76893-COA

FILED

APR 29 2019

ELIZABETH SROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Carlos Enrique Castillo appeals from a district court order denying a postconviction petition for a writ of habeas corpus filed on February 5, 2018.<sup>1</sup> Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

In his petition, Castillo claimed the Nevada Department of Corrections was not applying the statutory credits he earned to his minimum sentence as required by NRS 209.4465(7)(b). The district court determined Castillo was not entitled to have good time credits applied to his parole eligibility date because he is serving a sentence for a category B felony he committed after NRS 209.4465 was amended in 2007.<sup>2</sup>

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

<sup>2</sup>Castillo was convicted of felon in possession of a firearm and trafficking in a controlled substance for crimes he committed in 2014. He has discharged his sentence for felon in possession of a firearm and is currently serving the remainder of his sentence for trafficking in a controlled substance. See NRS 453.3385(2).

On appeal, Castillo claims the district court erred by interpreting NRS 209.4465(7)(b) and NRS 209.4465(8) as prohibiting the application of statutory credits to his minimum sentence because these statutes are ambiguous. Where a statute is clear and unambiguous on its face, we will look no further for its meaning. *Williams v. State Dep't of Corr.*, 133 Nev. 594, 596, 402 P.3d 1260, 1262 (2017). A statute is ambiguous if the language "lends itself to two or more reasonable interpretations." *State v. Lucero*, 127 Nev. 92, 95, 249 P.3d 1226, 1228 (2011). The language used in NRS 209.4465 is clear and does not lend itself to more than one reasonable interpretation.<sup>3</sup> Consequently, Castillo has not demonstrated he is entitled to relief, and we

ORDER the judgment of the district court AFFIRMED.

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

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

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

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<sup>3</sup>The statutory language of NRS 209.4465(7) begins with "[e]xcept as otherwise provided in subsection[ ] 8," and NRS 209.4465(8)(d) specifically excludes offenders convicted of category A or B felonies from having credit applied to their minimum sentence.

cc: Linda Marie Bell, Chief Judge  
Carlos Enrique Castillo  
Attorney General/Carson City  
Eighth District Court Clerk