

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

GEORGE L. GREENE,  
Appellant,  
vs.  
HAROLD WICKHAM, WARDEN,  
Respondent.

No. 70983

**FILED**

MAY 16 2017

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

*ORDER OF AFFIRMANCE*

George Greene appeals from a district court order granting the State's motion to dismiss his April 18, 2016, postconviction petition for a writ of habeas corpus.<sup>1</sup> First Judicial District Court, Carson City; James E. Wilson, Judge.

Greene claims the district court erred in finding his claim was moot because it is still a live controversy. Even if Greene was entitled to credit toward his minimum sentence under NRS 209.4465, his only remedy is the application of that credit toward a parole-eligibility determination. As Greene has already appeared before the Nevada Board of Parole Commissioners, the district court did not err in concluding his petition was moot. See NRS 213.10705; *Niergarth v. Warden*, 105 Nev. 26,

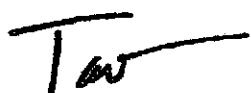
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<sup>1</sup>This appeal has been submitted for decision without oral argument. NRAP 34(f)(3).

28-29, 768 P.2d 882, 883-84 (1989) (holding no statutory authority or case law permits a retroactive grant of parole). Accordingly, we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Silver

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

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

cc: Hon. James E. Wilson, District Judge  
George L. Greene  
Attorney General/Carson City  
Carson City District Attorney  
Carson City Clerk