

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

WILLIAM CLIFTON HALEY,
Appellant,
vs.
JERRY HOWELL, WARDEN,
Respondent.

No. 79755-COA

FILED

JUN 12 2020

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

ORDER OF AFFIRMANCE

William Clifton Haley appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on May 15, 2019. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

Haley claimed he is entitled to the application of statutory credits to his minimum sentences pursuant to NRS 209.4465(7)(b). The district court found Haley's sentences were the result of convictions for burglary and attempted robbery, category B felonies, committed after the effective date of NRS 209.4465(8)(d), which precludes the application of credits to minimum terms of sentences for such felonies. These findings are supported by the record. See NRS 193.330(1)(a)(2); NRS 200.380(2); NRS 205.060(2). We therefore conclude the district court did not err by denying this claim.

Haley also claimed the application of NRS 209.4465(8) violates the Ex Post Facto Clause. Haley's claim lacked merit. A requirement for an Ex Post Facto Clause violation is that the statute applies to events occurring before it was enacted. *Weaver v. Graham*, 450 U.S. 24, 29 (1981).

Because NRS 209.4465(8) was enacted before Haley committed his crimes, its application does not violate the Ex Post Facto Clause. Accordingly, we ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

cc: Hon. Tierra Danielle Jones, District Judge
William Clifton Haley
Attorney General/Carson City
Attorney General/Las Vegas
Eighth District Court Clerk