

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROLANDIS SUMMERS,  
Appellant,  
vs.  
NDOC,  
Respondent.

No. 80241-COA

**FILED**

SEP 11 2020

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

*ORDER OF AFFIRMANCE*

Rolandis Summers appeals from an order of the district court denying a postconviction petition for writ of habeas corpus filed on September 3, 2019. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

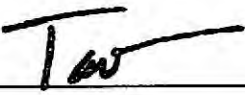
Summers claimed he is entitled to the application of statutory credits to his minimum sentence pursuant to NRS 209.4465(7)(b). The district court found Summers' sentence was the result of a conviction for second-degree murder committed after the effective date of NRS 209.4465(8). These findings are supported by the record. Because Summers was convicted of a category A felony, *see* NRS 200.030(5), committed after the effective date of NRS 209.4465(8)(d), he was precluded from the application of credits to his minimum sentence. We therefore conclude the district court did not err by denying this claim.

Summers also claimed that the application of NRS 209.4465(8) violated the equal protection clause. This court has addressed a similar claim and found it to lack merit. *See Vickers v. Dzurenda*, 134 Nev. 747, 748-51, 433 P.3d 306, 308-10 (Ct. App. 2018). We therefore conclude the district court did not err by denying this claim.

Finally, Summers claimed the application of NRS 209.4465(8) violates the Ex Post Facto Clause. 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 Summers committed his crime, its application does not violate the Ex Post Facto Clause. We therefore conclude the district court did not err by denying this claim.

Having concluded Summers is not entitled to relief, we  
ORDER the judgment of the district court AFFIRMED.

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

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

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

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