

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ENOMA UYG IGBINOVIA,
Appellant,
vs.
JERRY HOWELL, WARDEN,
Respondent.

No. 81001-COA

FILED

NOV 23 2020

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

ORDER OF AFFIRMANCE

Enoma Uyg Igbinovia appeals from an order of the district court denying his August 21, 2019, postconviction petition for a writ of habeas corpus. Eighth Judicial District Court, Clark County; Tierra Danielle Jones, Judge.

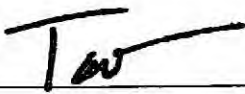
First, Igbinovia argued that the Nevada Department of Corrections (NDOC) improperly failed to apply statutory credits toward his maximum terms. Igbinovia contended NDOC only applied 10 credits each month when he should have earned 20 credits and all of the credits he had been deprived of should have been applied to his remaining sentences. The NDOC submitted a supplement to the district court explaining that it had examined Igbinovia's sentences and adjusted his statutory credits in accordance with NRS 209.4465. The district court reviewed the documents provided by the NDOC concerning Igbinovia's credits and concluded the NDOC had properly calculated Igbinovia's sentences. The record before this

court supports the district court's decision. Therefore, we conclude the district court did not err by denying this claim.¹

Second, Igbinovia argued the NDOC improperly calculated his parole eligibility dates. However, Igbinovia has received parole hearings for all of his sentences. The parole hearings rendered Igbinovia's claims concerning the calculation of his parole eligibility dates moot. See *Williams v. State Dep't of Corr.*, 133 Nev. 594, 600 n.7, 402 P.3d 1260, 1265 n.7 (2017) (“[N]o relief can be afforded where the offender has already expired the sentence or appeared before the parole board on the sentence.” (internal citation omitted)). Therefore, we conclude Igbinovia is not entitled to relief, and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Bulla

¹Igbinovia argues on appeal that the district court should have appointed an independent agent to conduct an audit of the computation of his time served because he believes the records provided by the NDOC are not accurate. However, Igbinovia did not demonstrate that appointment of an independent expert witness to review the computation of his sentences was necessary in this matter. See *Widdis v. Second Judicial Dist. Court*, 114 Nev. 1224, 1229, 968 P.2d 1165, 1168 (1998) (explaining that a criminal defendant must make a “showing of indigency and need for the services” in order to obtain the appointment of expert witnesses at State expense).

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