

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JODY WILLIAM BRAZ,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 81179-COA

**FILED**

**DEC 18 2020**

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

*ORDER OF AFFIRMANCE*

Jody William Braz appeals from an order of the district court denying a postconviction petition for a writ of habeas corpus filed on April 30, 2019. Eighth Judicial District Court, Clark County; Joseph Hardy, Jr., Judge.

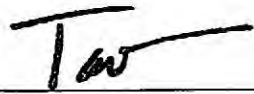
Braz claimed he is entitled to the application of statutory credits to his minimum sentence pursuant to NRS 209.4465(7)(b). The district court found Braz's sentence was the result of a conviction for possession of a trafficking quantity of a controlled substance committed after the effective date of NRS 209.4465(8). These findings are supported by the record. Because Braz was convicted of a category B felony, see 2015 Nev. Stat., ch. 506, § 6, at 3088, committed after the effective date of NRS 209.4465(8)(d), see 2007 Nev. Stat., ch. 525, § 22, at 3196, 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.

Braz also 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 Braz 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 Braz is not entitled to relief, we  
ORDER the judgment of the district court AFFIRMED.

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

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

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

cc: Hon. Joseph Hardy, Jr., District Judge  
Jody William Braz  
Attorney General/Carson City  
Attorney General/Las Vegas  
Eighth District Court Clerk