

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOSE RAMON TERRAZAS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 88780

FILED

MAR 11 2025

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: 
DEPUTY CLERK

ORDER OF AFFIRMANCE

Jose Ramon Terrazas appeals from a district court order denying a postconviction petition for a writ of habeas corpus challenging the computation of time served filed on October 17, 2022. Eighth Judicial District Court, Clark County; Erika D. Ballou, Judge.

In his petition below, Terrazas claimed statutory credits should be applied to his minimum sentence. He asserted the Nevada Department of Corrections misapplied NRS 209.4465(8), which prohibits certain felons from receiving statutory credit toward their sentences. He asserted that NRS 209.4465(8) does not apply to him because it was codified after his conviction. The district court denied the petition on the merits.

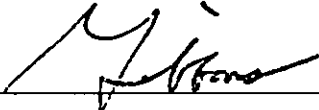
Terrazas previously filed a postconviction petition for a writ of habeas corpus challenging the computation of time served on a similar basis that was decided on the merits.¹ Terrazas' petition was successive to the extent it alleged grounds for relief that had previously been decided on the merits, and it constituted an abuse of the writ to the extent it raised new

¹*Terrazas v. Nev., Dep't of Corr.*, No. 76674-COA, 2019 WL 2339451 (Nev. Ct. App. May 31, 2019) (Order of Affirmance).

and different grounds for relief. See NRS 34.810(3). Therefore, Terrazas' petition was procedurally barred absent a demonstration of good cause and actual prejudice. See NRS 34.810(4). Terrazas did not allege good cause to overcome the procedural bars. Accordingly, we conclude the district court did not err by denying the petition,² and we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Bulla


_____, J.
Gibbons


_____, J.
Westbrook

cc: Hon. Erika D. Ballou, District Judge
Jose Ramon Terrazas
Attorney General/Carson City
Clark County District Attorney
Attorney General/Las Vegas
Eighth District Court Clerk

²Although the district court erred in addressing the merits of the petition, *see State v. Eighth Jud. Dist. Court (Riker)*, 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005) (recognizing that the procedural bars are mandatory), we affirm the district court's order because it reached the correct result, *see Wyatt v. State*, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970) (holding a correct result will not be reversed because it is based on incorrect reasoning).