

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL HAYS,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

No. 56185

**FILED**

**JAN 13 2011**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from an order of the district court denying a petition for a writ of mandamus and a “motion to cease and desist and for recusal.”<sup>1</sup> Eighth Judicial District Court, Clark County; Jackie Glass, Judge.

In his petition filed on August 18, 2009, appellant claimed that he should not be required to be certified by the psychological review panel prior to release because he was not convicted of a sexual offense.


Appellant failed to demonstrate that a writ of mandamus should issue to stop his appearance before the psychological review panel. See NRS 34.160; Round Hill Gen. Imp. Dist. v. Newman, 97 Nev. 601, 603-04, 637 P.2d 534, 536 (1981); Poulos v. District Court, 98 Nev. 453, 455, 652 P.2d 1177, 1178 (1982). Appellant was properly required to be certified by the psychological review panel before his release because he

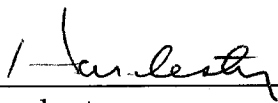
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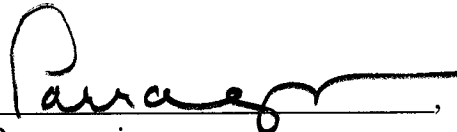
<sup>1</sup>This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

was convicted of child abuse and neglect, a violation of NRS 200.508. NRS 213.1214(5)(d). Therefore, the district court did not err in denying the petition.<sup>2</sup> Accordingly, we

ORDER the judgment of the district court AFFIRMED.<sup>3</sup>

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

cc: Hon. Jackie Glass, District Judge  
Michael Hays  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk

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<sup>2</sup>Appellant failed to demonstrate that he is entitled to relief on his “motion to cease and desist and for recusal.” In addition, it does not appear that appellant followed the procedures set forth under NRS 1.235 to disqualify a district court judge.

<sup>3</sup>We have reviewed all documents that appellant has submitted in proper person to the clerk of this court in this matter, and we conclude that no relief based upon those submissions is warranted. To the extent that appellant has attempted to present claims or facts in those submissions which were not previously presented in the proceedings below, we have declined to consider them in the first instance.