

IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN TYRONE RUFFIN,
Appellant,
vs.
NEVADA DEPARTMENT OF
CORRECTIONS,
Respondent.

No. 57595

FILED

JUN 08 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Anderson*
DEPUTY CLERK

ORDER AFFIRMING IN PART AND DISMISSING IN PART

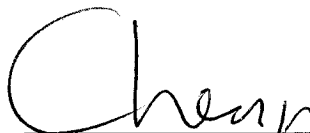
This is a proper person appeal from an order of the district court denying a petition for a writ of mandamus.¹ Eighth Judicial District Court, Clark County; James M. Bixler, Judge.


Having reviewed the documents submitted in this matter, we conclude that the district court did not abuse its discretion in denying appellant's June 7, 2010, petition for a writ of mandamus. See City of Las Vegas v. Walsh, 121 Nev. 899, 902, 124 P.3d 203, 205 (2005). Despite appellant's contentions, NRS 209.481 provides a prisoner no right to be assigned to a minimum security facility; it only specifies which prisoners may not be assigned to such an institution. Accordingly, the Nevada Department of Corrections had no duty to assign appellant to a minimum

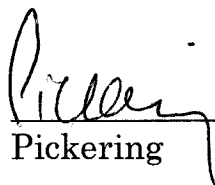
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. See Lockett v. Warden, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

security facility, indicating that the district court properly denied appellant's petition. See NRS 34.160. Therefore, we

ORDER the judgment of the district court AFFIRMED.²


_____, J.
Cherry


_____, J.
Gibbons


_____, J.
Pickering

cc: Hon. James M. Bixler, District Judge
Kevin Tyrone Ruffin
Attorney General/Carson City
Attorney General/Las Vegas
Clark County District Attorney
Eighth District Court Clerk

²To the extent appellant also filed a notice of appeal from the district court's denial of his motion for reconsideration filed on July 19, 2010, we lack jurisdiction, as no statute or court rule permits an appeal from a motion for reconsideration. Castillo v. State, 106 Nev. 349, 352, 792 P.2d 1133, 1135 (1990). Accordingly, we dismiss this portion of appellant's appeal.