

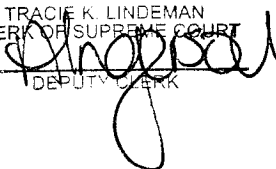
IN THE SUPREME COURT OF THE STATE OF NEVADA

ALEJANDRO JOSE CASTILLO,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 62995

FILED

NOV 14 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
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 habeas corpus, mandamus, and prohibition.¹ Sixth Judicial District Court, Pershing County; Michael Montero, Judge.

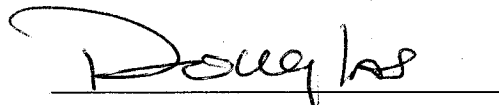
In his petition filed on September 13, 2012, appellant claimed that he was entitled to mandatory parole pursuant to NRS 213.1215(2). Pursuant to NRS 213.1215(2), a prisoner who was less than 16 years of age at the time the prisoner committed the offense and was sentenced to life imprisonment with the possibility of parole for that offense must be paroled if the prisoner meets a number of other conditions. Appellant alleged that he was entitled to be paroled for his battery-with-the-intent-to-commit-sexual-assault conviction, for which he was sentenced to serve a term of ten years. As appellant's sentence for battery with the intent to

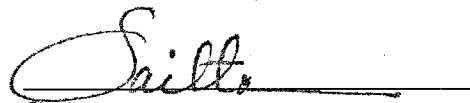
¹This appeal has been submitted for decision without oral argument, NRAP 34(f)(3), and we conclude that the record is sufficient for our review and briefing is unwarranted. *See Lockett v. Warden*, 91 Nev. 681, 682, 541 P.2d 910, 911 (1975).

commit sexual assault was not for a term of life with the possibility of parole, he is not entitled to mandatory parole for that conviction under NRS 213.1215(2). Therefore, the district court did not err in denying relief. See NRS 34.160; NRS 34.320; NRS 34.360. Accordingly, we

ORDER the judgment of the district court AFFIRMED.²


Gibbons, J.


Douglas, J.


Saitta, J.

cc: Hon. Michael Montero, District Judge
Alejandro Jose Castillo
Attorney General/Carson City
Attorney General/Reno
Pershing County Clerk

²From the documents provided by appellant, it appears that appellant was granted institutional parole pursuant to NRS 213.1215(2) for his sexual assault conviction. If appellant has not been granted institutional parole for the sexual assault conviction and he qualifies for parole pursuant to NRS 213.1215(2) on that offense, he must challenge any denial of parole for that conviction in a separate petition for a writ of habeas corpus filed in the district court in the first instance.