

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MARKUS WEATHERSPOON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 64739

FILED

APR 14 2015

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

ORDER OF AFFIRMANCE

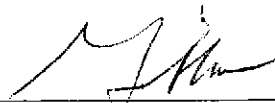
This is an appeal from a district court order denying a petition for a writ of mandamus. Eighth Judicial District Court, Clark County; Kathleen E. Delaney, Judge.

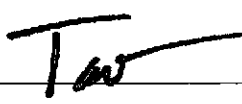
Appellant Markus Weatherspoon filed a petition for a writ of mandamus in the district court, apparently seeking an order compelling the application of the ameliorative amendments to NRS 193.165 to his judgment of conviction. The State responded that the district court lacked jurisdiction to issue a writ of mandamus against itself. And the district court summarily denied the petition.

Because the district court's jurisdiction to issue writs is limited to inferior tribunals, corporations, boards, or persons, NRS 34.160, and the proper penalty for the use of a deadly weapon is the penalty that was in effect when the offense was committed, *State v. Second Judicial Dist. Court (Pullin)*, 124 Nev. 564, 572, 188 P.3d 1079, 1084 (2008), Weatherspoon has not demonstrated that the district court abused its

discretion by denying the writ petition, *see City of Reno v. Reno Gazette-Journal*, 119 Nev. 55, 58, 63 P.3d 1147, 1148 (2003). Accordingly, we

ORDER the judgment of the district court AFFIRMED.


_____, C.J.
Gibbons


_____, J.
Tao


_____, J.
Silver

cc: Hon. Kathleen E. Delaney, District Judge
George E. Cromer
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk