

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHN D. SIMS,
Appellant,

vs.

THE STATE OF NEVADA, IN
RELATION TO THE NEVADA
DEPARTMENT OF CORRECTIONS;
AND JAMES G. COX, INDIVIDUALLY
AND OFFICIALLY AS THE DIRECTOR
OF THAT DEPARTMENT,
Respondents.

No. 65303

FILED

APR 16 2015

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

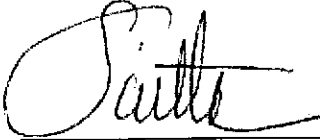
ORDER OF AFFIRMANCE

This is a pro se appeal from a district court order denying a petition for a writ of mandamus. Sixth Judicial District Court, Pershing County; Richard Wagner, Judge.

Having considered appellant's brief and the record, we conclude that the district court acted within its discretion in denying appellant's mandamus petition, as appellant failed to meet his burden of demonstrating that the law required respondents to use an assessment method other than the one used in evaluating his risk of reoffending for purposes of parole. NRS 34.160 (explaining that a writ of mandamus may be issued to compel the performance of an act that the law requires); *Kay v. Nunez*, 122 Nev. 1100, 1105, 146 P.3d 801, 805 (2006) (reviewing a district court order denying mandamus relief for an abuse of discretion); see NRS 213.1214 (requiring use of a "currently accepted standard of

assessment" in evaluating risk of reoffending for certain offenses).
Accordingly, we

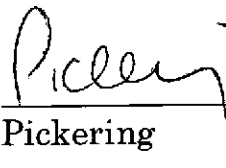
ORDER the judgment of the district court AFFIRMED.


_____, J.

Saitta


_____, J.

Gibbons


_____, J.

Pickering

cc: Hon. Jim C. Shirley, District Judge
John Douglas Sims
Attorney General/Carson City
Pershing County Clerk