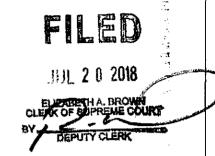
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROBERT LLOYD MELLO,
Petitioner,
vs.
NEVADA PAROLE BOARD; AND THE
STATE OF NEVADA DEPARTMENT
OF CORRECTIONS,
Respondents.

No. 75373



ORDER DENYING PETITION

This is an original petition for a writ of mandamus and/or prohibition. Relying on *Douglas v. State*, 124 Nev. 379, 184 P.3d 1037 (2008), Robert Lloyd Mello asserts the Board of Parole Commissioners improperly applied NRS 213.1214 to him by requiring a psychological review panel certification because, although he was convicted of open or gross lewdness, he was seeking parole for a non-sexual offense. Mello seeks an order directing the Board to reconsider him for parole without requiring him to undergo a psychological assessment.

We have considered the petition, and we are not satisfied this court's intervention by way of extraordinary writ is warranted. See NRS 34.160; NRS 34.170; Pan v. Eighth Judicial Dist. Court, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioner[] carr[ies] the burden of demonstrating that extraordinary relief is warranted."). We note, since Douglas was issued, the language in NRS 213.1214 has changed and now requires the Department of Corrections to "assess each prisoner who has been convicted of a sexual offense to determine the prisoner's risk to reoffend in a sexual manner." NRS 213.1214(1). Further, a sex offender includes a person who

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has been convicted of a sexual offense after July 1, 1956. NRS 213.1214(6)(c)(1). Accordingly, we

ORDER the petition DENIED.

Silver, C.J.

Tao J.

Gibbons J.

cc: Robert Lloyd Mello Attorney General/Carson City