

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

JOEL BURKETT,

Petitioner,

vs.

THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF

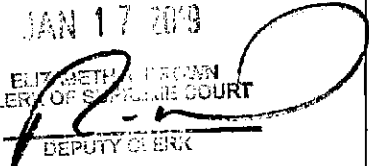
CLARK,

Respondent.

No. 76647-COA

FILED

JAN 17 2019

ELIZABETH BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER DENYING PETITION*

This original petition for a writ of mandamus seeks an order directing Judge Michelle Leavitt to enter an order clarifying Joel Burkett's judgment of conviction so the Seventh Judicial District Court can resolve a petition that is pending in that court. Burkett further states the order is necessary for the Nevada Department of Corrections to accurately calculate his sentence and for him to receive a fair parole hearing before the Nevada Board of Parole Commissioners. Burkett states Judge Leavitt conducted a hearing on the matter in February 2018, but he asserts the district court has not yet entered an order that clarifies how his sentences are to be served.

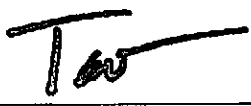
We have considered the petition, and we are not satisfied this court's intervention by way of extraordinary writ is warranted at this time. See NRS 34.160; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioner[ ] carr[ies] the burden of demonstrating that extraordinary relief is warranted."). We note, it appears an amended judgment of conviction was entered in district court case number

19-02673

81C052190 on March 2, 2018. If this is not correct, Burkett can refile his petition. Accordingly, without deciding upon the merits of any claims raised, we

ORDER the petition DENIED.

  
\_\_\_\_\_, A.C.J.  
Douglas

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Gibbons

cc: Hon. Michelle Leavitt, District Judge  
Joel Burkett  
Attorney General/Carson City  
Eighth District Court Clerk