

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

KENNETH PATTON,
Petitioner,

vs.

THE STATE OF NEVADA BOARD OF
PAROLE COMMISSIONERS;
CHRISTOPHER DERICCO,
COMMISSIONER; SUSAN JACKSON,
COMMISSIONER; ADAM ENDEL,
COMMISSIONER; AND TONY CORDA,
COMMISSIONER,
Respondents.

No. 77032-COA

FILED

FEB 13 2019

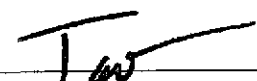
ELIZABETH L. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK


ORDER DENYING PETITION

This original petition for a writ of mandamus challenges the Nevada Board of Parole Commissioners' denial of parole for Kenneth Patton. Patton alleges the Board applied inapplicable aggravating factors when considering him for parole. Patton seeks an order directing the Board to reverse and vacate its order denying him parole and directing the Board to conduct a new parole hearing. We are not satisfied this court's intervention by way of extraordinary relief is warranted at this time. Because Patton's claim involves issues of fact, he should seek relief in the district court in the first instance. *See Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981). Accordingly, we

ORDER the petition DENIED.


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

19-06783

cc: Kenneth Patton
Attorney General/Carson City