

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MALCOLM GRAY,

Petitioner,

vs.

THE STATE OF NEVADA

DEPARTMENT OF CORRECTIONS;

AND THE STATE OF NEVADA,

Respondents.

No. 77194-COA

**FILED**

FEB 13 2019

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT

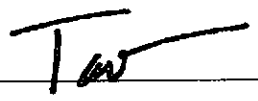
BY  DEPUTY CLERK


*ORDER DENYING PETITION*

This original petition for a writ of mandamus and/or prohibition and supplement to the petition seek an order compelling respondents to set Malcolm Gray's next parole hearing date in accordance with his arrest date. Gray asserts his parole hearing date has been moved from May to October, thereby extending his sentence and subjecting him to potential excessive confinement. We are not satisfied this court's intervention by way of extraordinary relief is warranted at this time. Because Gray'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

cc: Malcolm Gray  
Attorney General/Carson City  
Eighth District Court Clerk