

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MARK SCOTT MCKINNEY,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 72188

FILED

FEB 22 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING PETITION

This original petition seeks a writ of mandamus ordering petitioner's discharge and release from prison and payment of compensatory and punitive damages. Petitioner asserts that on June 29, 2011, the Pardons Board commuted his original sentence and ordered all sentences to run concurrently. He further asserts the relief granted by the Pardons Board reduced his sentence to a single 15 year term and he expired his sentence on September 1, 2016. Petitioner has not, however, provided an appendix including the relevant parts of the record as required by NRAP 21(a)(4). Accordingly, petitioner has not carried his burden of demonstrating that extraordinary relief is warranted. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228-29, 88 P.3d 840, 844 (2004). Accordingly, without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter, *see* NRS 34.160, and we

ORDER the petition DENIED.

[Signature: Silver], C.J.
Silver

[Signature: Tao], J.
Tao

[Signature: Gibbons], J.
Gibbons

17-900310

cc: Mark Scott McKinney
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk