

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MARSHALL BURGESS, JR.,
Petitioner,
vs.
THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE,
Respondent,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 72996

FILED

JUN 14 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY: S. Young
DEPUTY CLERK

ORDER DENYING PETITION

In this original petition Marshall Burgess, Jr. seeks a writ of mandamus directing the district court to take action on his motion to correct illegal sentence filed on September 28, 2015, and his motion for county jail time filed on October 19, 2015. It appears the district court has resolved the motions and Burgess has appealed from the denial of those motions and the appeal is pending in Docket No. 73088. Therefore, we conclude our intervention by way of extraordinary writ is not warranted, and we

ORDER the petition DENIED.

Silver, C.J.
Silver

Tao, J.
Tao

Gibbons, J.
Gibbons

cc: Marshall Burgess, Jr.
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk