

IN THE SUPREME COURT OF THE STATE OF NEVADA

PETER QUINN ELVIK,
Petitioner,
vs.
ADAM P. LAXALT, ATTORNEY
GENERAL,
Respondent.

No. 69369

FILED

JAN 14 2016

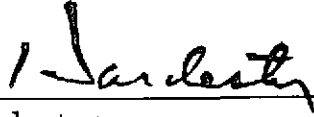
TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK


ORDER DENYING PETITION

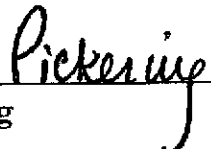
This is a pro se petition for a writ of mandamus. Petitioner seeks an order directing that he be considered for parole pursuant to the legislative changes set forth in A.B. 267. *See* A.B. 267, 78th Leg. (Nev. 2015). We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter. *See* NRS 34.160; NRS 34.170. This issue should be presented to the district court in the first instance where a factual record may be made regarding the computation of time served and where the district court may consider in the first instance the legislative amendments set forth in A.B. 267 and this court's recent decision in *State v. Boston*, 131 Nev., Adv. Op. 98, ___P.3d ___

(2015) determining that the new legislation would apply to aggregate consecutive sentences.¹ Accordingly, we

ORDER the petition DENIED.


_____, J.
Hardesty


_____, J.
Saitta


_____, J.
Pickering

cc: Peter Quinn Elvik
Attorney General/Carson City

¹It appears that the petitioner named the wrong respondent in that the Director of the Department of Corrections determines when a prisoner is eligible to appear before the Parole Board. Petitioner may fix the error in naming the incorrect respondent in any new action filed in the district court.