

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

FRANK J. MATYLINSKY, JR.,  
Petitioner,  
vs.  
THE SECOND JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
WASHOE; AND THE HONORABLE  
EGAN K. WALKER, DISTRICT JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 80186-COA

**FILED**

JAN 24 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
DEPUTY CLERK

*ORDER DENYING PETITION*

In this original petition for a writ of mandamus, Frank J. Matylinsky, Jr., seeks an order directing the district court to enter an amended judgment of conviction that complies with NRS 176.105(1)(c) and states the statutory basis for Matylinsky's convictions and punishment. Matylinsky asserts the lack of a citation in the judgment of conviction to the statutes under which he was convicted and punished constitute "a denial of due process of law as provided pursuant to NRS 176.105(1)(c) and Article 1, § 8 of the Nevada Constitution" and a denial of due process and equal protection under the Fourteenth Amendment of the United States Constitution.


Matylinsky's judgment of conviction was entered on September 25, 1984. In 1984, NRS 176.105 did not require the judgment of conviction to include citation to the statutes under which a person was convicted and punished. *See* 1979 Nev. Stat., ch. 571, § 2, at 1124. Because Matylinsky's

20-03426

judgment of conviction complies with the statutory requirements of NRS 176.105 that were in effect at the time his judgment was entered, we conclude Matylinsky has failed to demonstrate this court's intervention by way of extraordinary writ is warranted. Accordingly, we

ORDER the petition DENIED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Egan K. Walker, District Judge  
Frank J. Matylinsky, Jr.  
Attorney General/Carson City  
Washoe County District Attorney  
Washoe District Court Clerk