

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRENDAN R. COENEN,
Petitioner,
vs.
THE STATE OF NEVADA; THE
HONORABLE STEVE SISOLAK,
GOVERNOR; JAMES DZURENDA,
DIRECTOR; PERRY RUSSELL,
WARDEN; AND NEVADA STATE
BOARD OF PAROLE
COMMISSIONERS,
Respondents.

No. 81691

FILED

OCT 02 2020

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

ORDER DENYING PETITION FOR EXTRAORDINARY RELIEF

This original pro se petition for extraordinary relief seeks petitioner's immediate release from prison as well as the appointment of a special counselor/master with the authority to appropriately reduce the prison population so that the Nevada Department of Corrections may comply with recommendations for sanitation and social distancing. Petitioner argues that the Nevada Department of Corrections has failed to address unsanitary conditions in the prison and, as a result, the increased risk of Covid-19 infection presents a serious threat to both his health, due to his preexisting health conditions, and that of other prisoners.

For many of the same reasons addressed in *Kerkorian v. State*, Docket No. 80917 (Order Denying Petition, April 30, 2020)—including the presence of fact questions this court is ill-suited to resolve—we deny the petition. See *Round Hill Gen. Imp. Dist. v. Newman*, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981) (recognizing that “an appellate court is not an appropriate forum in which to resolve disputed questions of fact” and

determining that when there are factual issues presented, this court will not exercise its discretion to entertain a petition for extraordinary relief even though "important public interests are involved"). Accordingly, we

ORDER the petition DENIED.¹

 Pickering , C.J.
Pickering

 Hardesty , J.
Hardesty

 Silver , J.
Silver

cc: Brendan R. Coenen
Attorney General/Carson City

¹In light of our decision, we deny petitioner's motion for the appointment of counsel.