


IN THE SUPREME COURT OF THE STATE OF NEVADA

JOHNNY BROCK,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 81909

FILED

OCT 23 2020

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DENYING PETITION

This original pro se petition seeks a writ of mandamus to compel a determination that he is eligible for parole. Having considered the petition, we are not persuaded that our extraordinary intervention is warranted. *See* NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 224, 88 P.3d 840, 841 (2004) (noting that a writ of mandamus is proper only when there is no plain, speedy, and adequate remedy at law and explaining that petitioner bears the burden of demonstrating that writ relief is warranted). Petitioner has not provided this court with a copy of a district court order denying him writ relief in the first instance. *See* NRAP 21(a)(4) (providing the petitioner shall submit an appendix containing all documents “essential to understand the matters set forth in the petition”).

Even assuming that the relief sought here could be properly obtained through a petition for writ relief, any application for such relief should be made to the district court in the first instance so that factual and legal issues are fully developed, giving this court an adequate record to review. *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”); *State v. Cty. of Douglas*, 90 Nev. 272, 276-77, 524 P.2d 1271, 1274 (1974) (noting that “this court prefers that such an application [for writ relief] be addressed to the discretion of the appropriate district court” in the first instance), *abrogated on other grounds by Attorney Gen. v. Gypsum Res.*, 129 Nev. 23, 33-34, 294 P.3d 404, 410-11 (2013). Accordingly, we

ORDER the petition DENIED.

 Pickering , C.J.
Pickering

 Hardesty , J.
Hardesty

 Silver , J.
Silver

cc: Johnny Brock
Attorney General/Carson City