

IN THE SUPREME COURT OF THE STATE OF NEVADA

JASON GUESS,
Petitioner,
vs.
THE STATE OF NEVADA,
Respondent.

No. 82160

FILED

DEC 11 2020

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

ORDER DENYING PETITION FOR WRIT OF MANDAMUS

This original, pro se petition for a writ of mandamus seeks a compassionate release from custody and/or the appointment of counsel to pursue such a release. Petitioner Jason Guess points to positive COVID-19 cases in the correctional center where he is imprisoned and pandemic-related changes to his medical treatment. He also mentions concerns with obtaining adequate court access due to the pandemic, such as restricted ability to leave his cell and communicate with other inmates.

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

 1 Hardesty , J.
Hardesty

 Silver , J.
Silver

cc: Jason Guess
Attorney General/Carson City

¹Petitioner’s failure to provide proof of the petition’s service constitutes an additional basis for denying this petition. NRAP 21(a)(1).