

IN THE SUPREME COURT OF THE STATE OF NEVADA

JOSEPH DWAIN DOWNING, JR.,
Petitioner,
vs.
BRIAN WILLIAMS, WARDEN; JOSHUA
WIKOFF, CORRECTIONAL OFFICER;
JULIE WILLIAMS, WARDEN; JAMES
SCALLY, WARDEN; AND NEVADA
PAROLE COMMISSIONERS,
Respondents,
and
THE STATE OF NEVADA; N.D.O.C.;
AND OFFENDER MANAGEMENT
DIVISION,
Real Parties in Interest.

No. 87355

FILED

OCT 30 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

This is an original pro se petition for a writ of mandamus or prohibition asking this court to order the Parole Board to conduct an immediate parole hearing in light of petitioner's newly amended judgment of conviction. Alternatively, petitioner asks this court to order his release.


Having considered the petition and supporting documents, we are not convinced that our extraordinary and discretionary intervention is warranted. NRS 34.170; *Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) (observing that the party seeking writ relief bears the burden of showing that such relief is warranted); *Smith v. Eighth Judicial Dist. Court*, 107 Nev. 674, 677, 818 P.2d 849, 851 (1991) (recognizing that writ relief is an extraordinary remedy and that this court has sole discretion in determining whether to entertain a writ petition). Thus, as petitioner has failed to demonstrate that our intervention by

extraordinary writ is warranted, we decline to exercise our original jurisdiction in this matter. See NRAP 21(b). Accordingly, we

ORDER the petition DENIED.


_____, C.J.
Stiglich


_____, J.
Cadish


_____, J.
Herndon

cc: Joseph Dwaine Downing, Jr.
Attorney General/Carson City
Clark County District Attorney
Eighth District Court Clerk