

IN THE SUPREME COURT OF THE STATE OF NEVADA

ORAGE E. HINTON,  
Appellant,

vs.

THE STATE OF NEVADA, BOARD OF  
PAROLE COMMISSIONERS, DORLA  
M. SALLING, JAMES D. ALLEN, T.  
GOODSON, AND J. MORROW,  
Respondents.

No. 39919

**FILED**

DEC 04 2003

JANETTE M. BLOOM  
CLERK OF SUPREME COURT  
BY *J. Ribard*  
CHIEF DEPUTY CLERK

ORDER OF AFFIRMANCE

This is a proper person appeal from a district court order denying appellant's petition for a writ of mandamus.<sup>1</sup>

Appellant, who is currently incarcerated in the Nevada Department of Prisons, was denied parole on March 7, 2002. NRS 213.10705 provides the parole board with virtually unlimited discretion in determining whether or not parole should be granted. Parole is an act of grace of the state; a prisoner has no constitutional right to parole.<sup>2</sup> The parole board is not required to grant parole in any case. Here, the parole board acted well within its discretion in denying appellant parole.<sup>3</sup> Consequently, the district court did not abuse its discretion in denying

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<sup>1</sup>We grant appellant's request to file proper person documents for the limited purpose of filing briefs, and direct the clerk of this court to file appellant's opening brief received on September 11, 2002, respondent's answering brief received on October 9, 2002, and appellant's reply brief received on October 17, 2002.

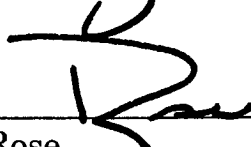
<sup>2</sup>NRS 213.10705; Niergarth v. Warden, 105 Nev. 26, 768 P.2d 882 (1989).


<sup>3</sup>NRS 193.165.

appellant's petition for a writ of mandamus.<sup>4</sup> Accordingly, we affirm the district court's order.

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Agosti

  
\_\_\_\_\_, J.  
Rose

  
\_\_\_\_\_, J.  
Maupin

cc: Hon. Michael R. Griffin, District Judge  
Attorney General Brian Sandoval/Carson City  
Orage E. Hinton  
Carson City Clerk

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<sup>4</sup>DR Partners v. Bd. of County Comm'rs, 116 Nev. 616, 621, 6 P.3d 465, 468 (2000); County of Clark v. Doumani, 114 Nev. 46, 53, 952 P.2d 13, 17 (1998).