

IN THE SUPREME COURT OF THE STATE OF NEVADA

EDWARD L. RUSSELL,
Petitioner,
vs.
NEVADA BOARD OF PAROLE
COMMISSIONERS,
Respondent.

No. 41097

FILED

APR 09 2003

JANET M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER DENYING PETITION

This is a proper person petition for a writ of mandamus. We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted.¹ Petitioner may challenge the continued legality of his confinement in a petition for a writ of habeas corpus filed in the district court in the first instance.² Accordingly, we

ORDER the petition DENIED.

Shearing J.
Shearing

Leavitt J.
Leavitt

Becker J.
Becker

¹See NRS 34.160; NRS 34.170.

²See NRS 34.360 ("Every person unlawfully committed, detained, confined or restrained of his liberty, under any pretense whatever, may prosecute a writ of habeas corpus to inquire into the cause of such imprisonment or restraint."); see also Nev. Const. Art 6, § 6(1) ("The District Courts and the Judges thereof shall also have power to issue writs of Habeas Corpus on petition by, or on behalf of any person who is held in actual custody in their respective districts.").

cc: Edward L. Russell
Attorney General Brian Sandoval/Carson City