

IN THE SUPREME COURT OF THE STATE OF NEVADA

BYRON ELROY CRUTCHER,
Petitioner,

vs.

NEVADA BOARD OF PAROLE
COMMISSIONERS, AND THE STATE
OF NEVADA,
Respondents.

No. 52408

FILED

OCT 03 2008

TRAGIE K. LINDEMAN
CLERK OF SUPREME COURT
BY A. Ingham
DEPUTY CLERK

ORDER DENYING PETITION

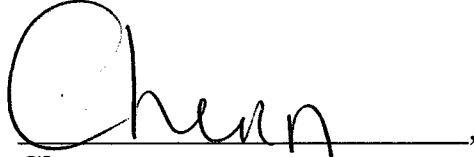
This is a proper person petition for a writ of certiorari. Petitioner challenges newly enacted parole board guidelines, the parole board's classification of his crime, and the denial of parole. Petitioner seeks immediate release or reassessment by the parole board using the pre-1998 parole board guidelines.

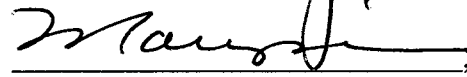
"A writ of certiorari is an extraordinary remedy and the decision to entertain a petition for a writ of certiorari lies within the discretion of this court."¹ We have considered the petition on file herein, and we are not satisfied that this court's intervention by way of extraordinary relief is warranted. Petitioner's claims regarding parole

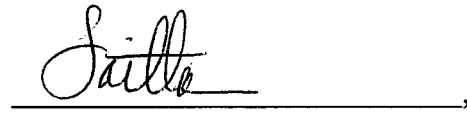
¹Zamarripa v. District Court, 103 Nev. 638, 640, 747 P.2d 1386, 1387 (1987).

should be raised 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.

 J.
Cherry

 J.
Maupin

 J.
Saitta

cc: Byron Elroy Crutcher
Attorney General Catherine Cortez Masto/Carson City

²We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.