

IN THE SUPREME COURT OF THE STATE OF NEVADA

ADOLFO MARQUEZ PEREZ,
Petitioner,

vs.

THE SECOND JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
WASHOE,

Respondent,

and

THE STATE OF NEVADA,
Real Party in Interest.

No. 70712

FILED

OCT 03 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

This is a pro se petition for a writ of mandamus. Petitioner challenges the district court's denial of his motion to convert fines into community service. We have reviewed the documents submitted in this matter, and without deciding upon the merits of any claims raised therein, we decline to exercise original jurisdiction in this matter where petitioner has failed to support his claim with adequate documentation. *See* NRS 34.160; *see Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228-29, 88 P.3d 840, 844 (2004) (explaining that the petitioner bears the burden to demonstrate that writ relief is warranted and to provide necessary parts of the record). Accordingly, we

ORDER the petition DENIED.

Parraguirre C.J.

Hardesty J.

PICKERING, J., concurring:

Although I agree that the petition should be denied, there are other avenues available for petitioner to seek relief from the significant fine imposed as part of his sentence. If, as petitioner represents, the district court denied relief under NRS 176.085 as premature, then petitioner may seek relief under that provision at a more appropriate time in the future. And another, more immediate avenue of relief also is available. Petitioner may apply to the Pardons Board, which recently granted relief on his prison sentences making him parole eligible in November 2018, and ask the Board to remit the fine. *See Nev. Const. art. 5, § 14(1)* (providing authority to remit fines); NRS 213.020 (explaining application procedure); NRS 213.060 (describing procedure when fine is remitted).

Pickering, J.
Pickering

cc: Adolfo Marquez Perez
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk