

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

ROBERT LINZY BELLON,
Petitioner,


vs.

THE STATE OF NEVADA BOARD OF
PAROLE; N.D.O.C.; AND OMD,
Respondents.

No. 77328-COA

FILED


FEB 13 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

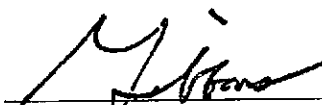
ORDER DENYING PETITION

In this original petition for a writ of mandamus and subsequently filed documents, Robert Linzy Bellon asserts respondents have improperly calculated his parole hearing date. We are not satisfied this court's intervention by way of extraordinary relief is warranted at this time. Bellon's claim should be presented to the district court in the first instance where a factual record may be made regarding the computation of time served and where the district court may consider in the first instance NRS 213.12135(1) and the decision in *State v. Boston*, 131 Nev. 981, 363 P.3d 453 (2015). See *Round Hill Gen. Improvement Dist. v. Newman*, 97 Nev. 601, 604, 637 P.2d 534, 536 (1981). Accordingly, without deciding the merits of the claim raised, we

ORDER the petition DENIED.


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

cc: Robert Linzy Bellon
Attorney General/Carson City