

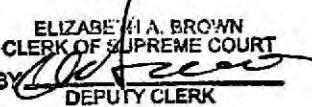
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MATTHEW JAMES KING,  
Appellant,  
vs.  
THE STATE OF NEVADA; NEVADA  
PAROLE COMMISSION, A  
SUBDIVISION OF THE NEVADA  
DEPT. OF PUBLIC SAFETY; CONNIE  
S. BISBEE; ED GRAY; CHRISTOPHER  
DENICCO; MICHAEL KEETER; TONY  
CORDA; ADAM ENDEL; AND SUSAN  
JACKSON,  
Respondents.

No. 80813-COA

FILED

NOV 23 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY  DEPUTY CLERK

*ORDER OF AFFIRMANCE*

Matthew James King appeals from an order of the district court denying a petition for a writ of mandamus filed on May 16, 2019.<sup>1</sup> Eighth Judicial District Court, Clark County; Linda Marie Bell, Chief Judge.

In his petition, King challenged the Board of Parole Commissioners' decision to deny him parole. He argued that the use of gender to increase his parole score violated his due process and equal protection rights. He also argued that the parole guidelines constituted an ex post facto violation because they were adopted after he was convicted.

We review a district court's order denying a petition for a writ of mandamus for an abuse of discretion. *See City of Reno v. Reno Gazette-Journal*, 119 Nev. 55, 58, 63 P.3d 1147, 1148 (2003). The district court


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<sup>1</sup>King filed his claims in a postconviction petition for a writ of habeas corpus. Based on the nature of the claims raised in his petition, the district court construed the petition as a petition for a writ of mandamus. We conclude the district court did not err by so construing the petition.

concluded that because parole is an act of grace, King had no constitutional right to parole, and therefore, no cause of action to challenge the denial of his parole. We agree. See NRS 213.10705; see also *Severance v. Armstrong*, 96 Nev. 836, 839, 620 P.2d 369, 370 (1980) (because a Nevada inmate has no legitimate expectation of parole release, he has no “constitutionally cognizable liberty interest sufficient to invoke due process”). Therefore, we conclude the district court did not abuse its discretion by denying the petition, and we

ORDER the judgment of the district court AFFIRMED.

  
\_\_\_\_\_, C.J.  
Gibbons

  
\_\_\_\_\_, J.  
Tao

  
\_\_\_\_\_, J.  
Bulla

cc: Hon. Linda Marie Bell, Chief Judge  
Matthew James King  
Attorney General/Carson City  
Attorney General/Las Vegas  
Eighth District Court Clerk