

MICHAEL ADRISSON #81280  
P.O. BOX 7000 N.N.C.C.  
CARSON CITY NV 89702

MAY 20, 2020

Office of the Attorney General  
Carson City, Nevada

Kathleen Brady, Deputy A.G.  
555 Wright Way  
Carson City NV 89711

MAY 26 2020

Bureau of Litigation  
DMV/DPS Division

Re: Brief in support of upcoming HEARING regarding PETITION  
for Adoption, or REPEAL of Regulation : John Quintero vs  
State of NEVADA, Board of Parole Commissioners per N.R.S. 233B100  
Greetings!

I am currently working on Issues related to the SUBJECTIVE  
application of Crime Severity resulting in violations of law, implicating  
N.A.C. 213.512 and the system established by the Director (N.D.O.C.)  
For Classification of OFFENDERS pursuant to N.R.S. 209.341  
and subsequently Relied upon by the Board of Parole Commissioners  
when Considering Parole.

Regarding Quintero's letter to you dated May 14 2020 Paragraph 5

- 1.) The Subjective nature of The crime severity table and the  
SYSTEM OF CLASSIFICATION of OFFENDERS utilized for CRIMES  
AND PAROLE fails to distinguish a Misdemeanor Conviction  
FROM A Felony. Please Review Grievance # 2006-30-98442  
by Charles Skaggs # 1117743 located on N.D.O.C. NOTIS  
System. In a subsequent Court Filing 2<sup>nd</sup> JP D&CT SKAGGS v. STATE  
Case No. 1 CR-15-2148 filed May 8 2020 Motion to Correct.,,  
The STATE ACKNOWLEDGES SKAGGS Conviction is STATED AS A  
MISDEMEANOR - HOWEVER Due to the Subjective nature  
of Both the CRIME Severity TABLE AND OFFENDER  
CLASSIFICATION - N.D.O.C. Considers the Misdemeanor to

Michael Atkinson #34480

be treated as a Category C Felony Conviction. Skaggs was presented to the Board of Parole Commissioners with the representation that the Board also consider the Misdemeanor Conviction as a Felony. Despite the clear problems related to Skaggs case, the reality is that there can be no objective criteria actually utilized, when a Misdemeanor CAN somewhere become represented as a valid Felony Conviction For Both Custody, AND Crime Severity, Affecting Parole, implicating NAC 213.512

- 2.) THE FAILURE of the Board of Parole Commissioners to Create their own Crime Severity effectively renders ANY Parole Hearing that results in Denial to become illegal. In Skaggs case and in every inmates case there is NO WAY to Verify the Rightful determination of Crime Severity Because it is applied Subjectively AND Does Not exist in the Record in a Published Form.
- 3.) N.D.O.C. Continues to apply a subjective application of Crime Severity for Both Custody and Parole Purpose where there is No crime under Consideration. SEE Grevior # 20063059385 EDMUND WADE GREEN. Initially N.D.O.C. Conceded that Greens Sentence for USE of a Deadly weapon is NO OFFENSE AND NO Conviction CAN be present, But despite the clear understanding that N.D.O.C. LACKS STATUTORY AUTHORITY needed to Confine Green to PRISON, THE N.D.O.C. APPLIED a subjective Crime Severity and Fraudulently made the claim, (Despite the defective J.O.C.) that a Felony conviction amounting to a Category F is in fact present and a Crime Severity of HIGHEST

This Matter was Presented to the First JD Ct. as a time Computation issue, Describing the Subjective

Michael Adkisson #84280

Classification of N.R.S. 193.165 where no conviction or Crime is currently under review see GREEN v. Baca case no. CR-18-0863 although initially transferred to the Second JD.DC.C. case no. 1CR-97-0605 as a mixed petition, and subsequently procedurally barred, on appeal to the Nevada Court of Appeals Case No. 77908-COA The High Court did reverse and remand stating in part effectively that NO challenge to the J.O.C. was presented, Rather the Classification of OFFENDER for purpose of (Custody) and Parole is properly under attack. Currently the case is back in front of the First JD.DC.C. case no. 19EW000411B where Deputy Attorney General GERRI LYNN HARDCastle Filed a MOTION TO DISMISS IN PART Conceding that the classification by N.D.O.C. for purpose of Custody and Parole Consideration when Considering N.R.S. 193.165 as an actual Conviction amounting to a Felony, a category F felony is in fact NOT COLORABLE on HABEAS Review BECAUSE This Amounts to a Condition of Confinement issue! To BE CLEAR Any Representation that N.R.S. 193.165 results in ANY Felony Conviction is a Condition of Confinement issue. A status hearing was scheduled for 5-19-2020 (Yesterday)

The N.D.O.C. Then switched their posture, and now claims Greens J.O.C. Contains a FELONY CONVICTION for N.R.S 193.165 AS A Category A Felony this further implicates the Subjective Nature of the Crime Sev. AND Classification of OFFENDER'S

- 4.) The Continuing and VARRED Subjective Application Continues in Grievance # 20063053285 ADKISSON #84280 The N.D.O.C. Claims N.R.S. 193.165 IS TO BE TREATED AS A Continuation of the discharged underlying Felony. see RTRN INF utilizing the Discharged Felony Conviction A Second time

for purposes of punishment within the Classification of OFFENDERS and Crime Severity implicating the challenged N.A.C. 213.512  
ADKISSON'S BRIEF IS CURRENTLY Submitted to PANEL  
Nevada Supreme Court No.: 77933

- 5.) SEE GRIEVANCE NO.: 2006-30-87085 Re: Adam Garcia #821651  
GARCIA'S CRIMINAL CONVICTIONS ARE EXPIRED, But SOLELY  
AS A RESULT OF N.D.O.C. Subjective application of the  
OFFENDER CLASSIFICATION SYSTEM Garcia's Continued Imprisonment  
Beyond EXPIRATION STEMS FROM N.D.O.C.'S CLAIM that  
N.R.S. 193.165 IS A FELONY Resulting in a Convector, with a  
Crime Severity of HIGHEST - The Board of Parole Comm.  
did Rely on this Subjective Representation to Deny  
Garcia's Parole. Currently Submitted to NV SP.C4 #80183
- 6.) Because the Legislature Conferred ONLY limited Authority to the  
N.D.O.C. pursuant to N.R.S 209.341 To ESTABLISH A SYSTEM  
of CLASSIFICATION of OFFENDERS, THE EXECUTIVE BRANCH  
(N.D.O.C.) CANNOT CREATE A SYSTEM that includes NON-OFFENDER  
or MISDEMEANORS please see Adkisson Grievance no.: 20063098027
- 7.) Because the N.D.O.C. is Proven to apply Subjective CRITERIA  
according to what appears to be individual 'WITIM' AND Because  
NO SYSTEM of CLASSIFICATION that Contemplates a CRIME  
Severity HAS EVER Been Published There Simply IS NO  
SYSTEM That operates lawfully See Adkisson Grievance No.: -  
20063098154
- 8.) THE DEFINITION OF SUBJECTIVE IS CERTAINLY APPLIED where N.D.O.C.  
ESTABLISHES, Custody, Category of "OFFENSE" OR "FELONY"  
AND "CRIME-SEVERITY" without a CODIFIED SYSTEM

Michael ADKisson # 84280

9.) The Board of Parole Commissioners has effectively rendered the ENTIRE process of Consideration for parole unreliable in every application AND Effectively ABROGATED the command to create the system independently see N.R.S. 213.10885, also acknowledged in declaration in the Requested Emergency Reg. (2003) Rendering any Contemplated challenges to the Represented Category of Felony OFFENCE AND CRIME SEVERITY impossible to challenge or to be heard, ABROGATING ENTIRELY CH.213(N.A.C) FIRST for example, Because When Considering a Sentence pursuant to N.R.S. 193.165 There Simply is NO Conviction AND NO Crime under Consideration for Parole, (It is Axiomatic that the Boards authority is limited to the crime under Consideration amounting in a FELONY Conviction) the Boards reliance on representations made by N.D.O.C. cause any such challenge to be directed to N.D.O.C. SECONDLY The BOARD Requires ANY Challenge to the stated crime severity to be FIRST addressed by N.D.O.C. AND BEFORE the Board will Reconsider, A letter from N.D.O.C must be Served stating that the Crime-severity should of been lower. Not only is there No Process in place for these steps, THE N.D.O.C Refused to provide the crime-severity table for Review Declaring that it is "OPERATIONALLY SENSITIVE" See N.D.O.C P.I.O. Scott Kelly Public Records Request ATTACHED to Grievance # 20063098154 (at 7 supra) This EFFECTIVELY ABROGATES ENTIRELY N.A.C CH. 213 and specifically N.A.C 213.512

These Problems Implicate possible Criminal Conduct in some instances However there ARE Solutions that do NOT involve Great Pains. Beginning with Causing the Board to CREATE their own Crime Sev. TABLE and limit it to Consider only CRIMES resulting in Conviction of Felony.

In AN EFFORT to ENSURE That my Concerns are Heard I AM providing a Courtesy Notice that I will Soon be Filing A Petition, Formally Challenging N.A.C ch. 213 and the

Michael ADKISON #89280

N.D.O.C. System of CLASSIFICATION of OFFENDERS pursuant to N.R.S. 209.341 AS THE BOARDS SYSTEM of Consideration for PAROLE IS ENTIRELY Reliant upon the N.D.O.C. determination that a Conviction for a Crime is Present Amounting to A Felony AND Determination of Crime Severity. THE BOARD IS NOW STODDED WITH N.D.O.C. Secret process... AND THE POTENTIAL Consequence

- 10.) I Submitted Public Records Request N.R.S. 289 to the Following Agencies Requesting Crime-severity <sup>TABLE</sup> AS publication is Required pursuant to N.R.S. Ch. 233 B when adopted Either by Reference or otherwise No Such Record Could Be located
- A.) NV. STATE LIBRARY ARCHIVE
  - B.) NV. BD. of PAROLE Comm.
  - C.) N.D.O.C.
  - D.) SECRETARY of STATE

CONSIDER PAROLE of Michael I do declare  
the statements made in this Communication ARE TRUE -  
AND ACCURATE to The Best of My Knowledge

- 11.) Please Consider this a request to Be heard at the hearing Concerning  
Quintero's Challenge

If I Could ASK for A phone Conference or to be of ANY ASSISTANCE  
I would like to offer some Resolutions Thank you in Advance



CC NV. BOARD of PAROLE Commissioners

Victoria Gonzalez Director NV. Sent. Guideline Comm.

Jason F. Clark Ass. Fed Pub. Def

To FILE