

Michael Adkisson #84280
P.O. Box 7000 N.N.C.C.
Carson City NV. 89702

AUG. 5 2018

The following document: State of Nevada Department of Corrections - offender Legal Orders for KENNETH FERGUSON #92047 is hereby submitted for the purpose of demonstrating that the N.D.O.C. does not calculate enhancement sentence's in a manner consistent with other inmates similarly situated. In FERGUSON's case the N.D.O.C. is calculating the sentence imposed for Victim over 65 Enhancement concurrently with the underlying sentence prescribed by statute for the crime. The enhancement in this instance is pursuant to N.R.S. 193.167.

N.R.S. 193.167 was adopted in 1979 and simply adopted the relevant language under discussion from the earlier enhancement N.R.S. 193.165 use of a deadly weapon (1973) stating "[T]he sentence ... must run consecutively..."
"This does not create any separate offense..."

Because there is this shared language in the statute's the expectation is clear. Each inmate similarly situated must not be treated differently.

Yet as pointed out in the documents submitted to the A.C.A.J. the N.D.O.C. treats Adkisson's enhancement as a continuation of the underlying sentence even though Parole was already granted (adopting the A category)

In Green's case, his enhancement is not treated as a continuation at all, and the N.D.O.C. admits that "No felony category applies so they make-up a fraudulent category 'F' for imprisonment purpose

In FERGUSON's case the N.D.O.C. runs his enhancement concurrently. Despite the plain language to be consecutive. It is clear that this must be done in order to prevent the clear violations of law resulting from the manner that the N.D.O.C. is admittedly perpetrating in Adkisson and Green's case and thousands of other inmates similarly situated

Michael Adkisson



State of Nevada
Department of Corrections
OFFENDER LEGAL ORDERS
FERGUSON, KENNETH B 92047

Next Parole Expiration Date(NPD):

RECOMMENDED RELEASE DATE:

SENTENCE DATE	RETO DATE	OFFENSE	DESCRIPTION	COUNT	SENTENCE SEQ	SENTENCE CONSECUTIVE TO	MINIMUM	MAXIMUM	LIFE	STATUS	STATUS DATE	RED	PEAD	MPPD
C# 196310	06/26/2006	04/07/2016	3460	VICTIM OVER 65 ENHANCEMENT	10	7	3	0Y 24M OD	0Y 120M OD	LWP	A	04/06/2021	05/14/2021	11/11/2020
C# 196310	06/26/2006	04/07/2016	107	KIDNAPPING I	15	8	4	0Y 60M OD	0Y 0M OD		A	04/06/2021		
C# 196310	06/26/2006	04/07/2014	299	BURGLARY	13	5	2	0Y 12M OD	0Y 72M OD		DP	04/06/2016	08/13/2017	
C# 196310	06/26/2006	02/17/2004	299	BURGLARY	1	9		0Y 12M OD	0Y 72M OD	DCS	03/23/2008	02/16/2005	04/06/2008	
C# 196310	06/26/2006	02/17/2004	299	BURGLARY	2	10		0Y 12M OD	0Y 72M OD	DCS	03/23/2008	02/16/2005	04/06/2008	
C# 196310	06/26/2006	03/24/2013	299	BURGLARY	8	2	6	0Y 12M OD	0Y 72M OD	DCS	04/06/2014	04/06/2014	08/19/2016	
C# 196310	06/26/2006	04/07/2014	120	ROBBERY	14	4	2	0Y 24M OD	0Y 120M OD	PTC	04/06/2016	04/06/2016	08/19/2019	
C# 196310	06/26/2006	04/07/2014	120	ROBBERY	10	3	2	0Y 24M OD	0Y 120M OD	PTC	04/06/2016	04/06/2016	08/19/2019	
C# 196310	06/26/2006	03/24/2013	120	ROBBERY	7	1	6	0Y 24M OD	0Y 120M OD	DP	04/06/2014	04/06/2014	09/20/2018	
C# 196310	06/26/2006	03/24/2008	107	KIDNAPPING I	4	6	9	0Y 60M OD	0Y 0M OD	LWP	PTC	03/23/2013	04/06/2013	

Sentence Status	
A	Active
D	Discharged
DCS	Discharge to Consecutive
DP	Paroled
I	Inactive
OT	Overturned
P	Pending
PTC	Parole to Consecutive
REACT	Reactivated
SUSP	Suspended

Report Name: NVROLO
Reference Name: NOTIS-RPT-OR-0068.11
Run Date: OCT-05-16 12:35 PM