

IN THE SUPREME COURT OF THE STATE OF NEVADA

JUSTIN RODRIGUEZ,  
Petitioner,  
vs.  
THE EIGHTH JUDICIAL DISTRICT  
COURT OF THE STATE OF NEVADA,  
IN AND FOR THE COUNTY OF  
CLARK; AND CYNTHIA S. LEUNG,  
MUNICIPAL COURT JUDGE,  
Respondents,  
and  
THE STATE OF NEVADA,  
Real Party in Interest.

No. 64856

**FILED**

APR 10 2014

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

*ORDER DENYING PETITION*

In this original petition for a writ of mandamus or habeas corpus; petitioner Justin Rodriguez challenges an order of the district court affirming the municipal court's denial of his request for a jury trial on a pending charge. Rodriguez claims that the district court erred in denying his motion because he is entitled to a jury trial on the offense of misdemeanor battery constituting domestic violence. We disagree. See *Amezcuca v. Eighth Judicial Dist. Court*, 130 Nev. \_\_\_, \_\_\_ P.3d \_\_\_ (Adv. Op. No. 7, February 13, 2014) ("first-offense domestic battery is a 'petty' offense to which the right to a jury trial does not attach"). Accordingly, we

ORDER the petition DENIED.

Pickering, J.  
Pickering

Parraguirre, J.  
Parraguirre

Saitta, J.  
Saitta

cc: Hon. Rob Bare, District Judge  
Hon. Cynthia S. Leung, Municipal Court Judge  
The Pariente Law Firm, P.C.  
Attorney General/Carson City  
Clark County District Attorney  
Eighth District Court Clerk