

IN THE SUPREME COURT OF THE STATE OF NEVADA

TIA DIANE DIRCIO,
Petitioner,

vs.

THE FIFTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF NYE;
AND THE HONORABLE ROBERT W.
LANE, DISTRICT JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 69059

FILED

DEC 17 2015


TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
DEPUTY CLERK

ORDER DENYING PETITION


This is a petition for a writ of mandamus and/or prohibition. Petitioner asks this court to reverse the district court's affirmance of her appeal from her justice court convictions. Petitioner contends that, by holding a bench trial on her misdemeanor charges while a related felony charge was pending in district court, the justice court violated her rights to remain silent, to testify in her own defense, to have a fair trial, and to receive effective assistance of counsel because she was forced to take her counsel's advice and not testify in the misdemeanor case since that testimony could then be used against her in the felony trial. She also asks this court to enjoin the State from proceeding with another bench trial on the misdemeanor matter in justice court before the related felony matter is tried and resolved in district court. Without deciding upon the merits of

any claims raised in the documents submitted in this matter, we decline to exercise our original jurisdiction. See NRS 34.160; NRS 34.170; NRS 34.320; NRS 34.330. Accordingly, we


ORDER the petition DENIED.

 _____, J.

Saitta

 _____, J.

Gibbons

 _____, J.

Pickering

cc: Hon. Robert W. Lane, District Judge
Nye County District Attorney
The Law Firm of Nathan L. Gent, PLLC
Attorney General/Carson City
Nye County Clerk