

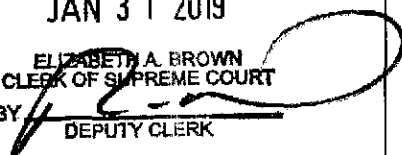
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

SALVADOR MIRANDA-CRUZ,
Petitioner,
vs.
THE EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF
CLARK; AND THE HONORABLE
TIERRA DANIELLE JONES, DISTRICT
JUDGE,
Respondents,
and
THE STATE OF NEVADA,
Real Party in Interest.

No. 77634-COA

FILED

JAN 31 2019

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING PETITION

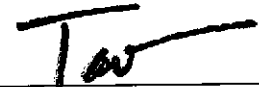
In this original petition for a writ of certiorari or review, Salvador Miranda-Cruz challenges the judgment of conviction and the validity of his guilty plea, alleging he received ineffective assistance of counsel.


We decline to exercise our discretion to entertain the petition for two reasons. *See Zamarripa v. First Judicial Dist. Court*, 103 Nev. 638, 640, 747 P.2d 1386, 1387 (1987) (recognizing that the issuance of a writ of certiorari is discretionary). First, the issues raised in the petition fall outside the scope of a writ of certiorari, which is limited to instances where the lower court has exceeded its jurisdiction or the district court has addressed the constitutionality of a statute or ordinance on appeal from a final judgment in a justice or municipal court. *See* NRS 34.020(2), (3). Second, Miranda-Cruz has a plain, speedy, and adequate remedy at law

that precludes writ relief—he can raise the issues asserted in the petition in a postconviction petition for a writ of habeas corpus that is filed in the district court in the first instance.¹ See NRS 34.020(2); NRS 34.724(1), (2)(b); NRS 34.738(1); NRS 34.810(1)(a). Accordingly, we

ORDER the petition DENIED.


_____, A.C.J.
Douglas


_____, J.
Tao


_____, J.
Gibbons

cc: Hon. Tierra Danielle Jones, District Judge
Salvador Miranda-Cruz
Clark County District Attorney
Eighth District Court Clerk

¹We express no opinion as to whether Miranda-Cruz could meet the procedural requirements of NRS chapter 34.