



## State v. District Court

104 Nev. 91 (1988) | Cited 0 times | Nevada Supreme Court | December 31, 1988

Per Curiam:

This petition for a writ of certiorari challenges an order of the district court ruling that individuals charged with violating NRS 484.379 are entitled to a jury trial, reversing the conviction of the real party in interest herein, and remanding the matter to the justice's court for a jury trial. In *Blanton v. North Las Vegas Mun. Ct.* 103 Nev. 623, 748 P.2d 494 (1987), this court concluded that driving under the influence of alcohol, when charged as a misdemeanor, is a "petty" offense for which trial by jury is not constitutionally mandated. See also *Baldwin v. New York*, 399 U.S. 66 (1970); *State v. Smith*, 99 Nev. 806, 672 P.2d 631 (1983). Our holding in *Blanton* applies whether the individual is charged in municipal court or justice's court. Respondent has presented no authorities or arguments not considered by this court in reaching its decision in *Blanton*. Accordingly, we grant this petition. 1

