



Electronically Filed
Nov 30 2023 03:00 PM
Elizabeth A. Brown
Clerk of Supreme Court

1 NOTC

2 Plaintiff, In Proper Person
3 P.O. Box 650 H.D.S.P.
4 Indian Springs, Nevada 89018
5 REV. MATTHEW TRAVIS HOUSTON, CHTD
6 ABA ID No. 04662784

7 8th JUDICIAL DISTRICT COURT

8 CLARK COUNTY NEVADA

9 MATTHEW TRAVIS HOUSTON,

10 Plaintiff,

11 -v-

12 DANIEL L. SCHWARTZ,

13 Defendant,

Case No. A-22-858580-C

Dept. No. 4

14 NOTICE OF APPEAL

15 Notice is hereby given that the Plaintiff, Matthew
16 Travis Houston, by and through himself in proper person, does now appeal
17 to the Supreme Court of the State of Nevada, the decision of the District
18 Court entered on the 31st day of October, 2023,
19 and this is also a continued and renewed opposition
20 TO ANY SORT OF VEXATIOUS LITIGANT ORDER.

21 Dated this date, November 20, 2023.

22
23 Respectfully Submitted,

24
25 

26 REV. MATTHEW TRAVIS HOUSTON
27 In Proper Person

28 RECEIVED

NOV 27 2023

CLERK OF THE COURT

MATTHEW HOUSTON
1210 652
HDSP

Po Box 650
Indian Springs, NV
89070-0650

BS# 2416238

3762

COURT ADMINISTRATION
200 LEWIS AVE
Las Vegas, NV
89155
4

LEGAL MAIL

OF THE
AMERICAN Bar Association
ABA ID No. 04662784

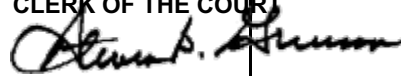


US POSTAGE PAID FITNEY BOWES
ZIP 89101 \$002.07
02 4W
0000391000 NOV 22 2023

RECEIVED

NOV 27 2023

CLERK OF THE COURT



1 ASTA

2

3

4

5

6

7 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
8 **STATE OF NEVADA IN AND FOR**
9 **THE COUNTY OF CLARK**

10

MATTHEW TRAVIS HOUSTON,

Case No: A-22-858580-C

11

Plaintiff(s),

Dept No: IV

12

vs.

13

DANIEL SCHWARTZ, ESQ.,

14

Defendant(s),

15

16

17

CASE APPEAL STATEMENT

18

1. Appellant(s): Matthew Travis Houston

19

2. Judge: Nadia Krall

20

3. Appellant(s): Matthew Travis Houston

21

Counsel:

22

Matthew Travis Houston #1210652
P.O. Box 650
Indian Springs, NV 89070

23

24

25

4. Respondent (s): Daniel Schwartz, Esq.

26

Counsel:

27

Daniel Schwartz, Esq.
2300 W. Sahara Ave., Ste. 900, Box 28
Las Vegas, NV 89102

28

- 1
2 5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A
3 Respondent(s)'s Attorney Licensed in Nevada: Yes
4 Permission Granted: N/A
5 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No
6 7. Appellant Represented by Appointed Counsel On Appeal: N/A
7 8. Appellant Granted Leave to Proceed in Forma Pauperis**: Yes, January 24, 2023
8 **Expires 1 year from date filed
Appellant Filed Application to Proceed in Forma Pauperis: N/A
9 Date Application(s) filed: N/A
10 9. Date Commenced in District Court: September 19, 2022
11 10. Brief Description of the Nature of the Action: NEGLIGENCE - Other
12 Type of Judgment or Order Being Appealed: Misc. Order
13 11. Previous Appeal: Yes
14 Supreme Court Docket Number(s): 86600, 87003
15 12. Child Custody or Visitation: N/A
16 13. Possibility of Settlement: Unknown

17 Dated This 28 day of November 2023.

18 Steven D. Grierson, Clerk of the Court
19

20
21 /s/ Cierra Borum

22 Cierra Borum, Deputy Clerk
23 200 Lewis Ave
24 PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

25 cc: Matthew Travis Houston
26
27
28

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-22-858580-C

Matthew Houston, Plaintiff(s)
vs.
Daniel Schwartz, Defendant(s)

§
§
§
§
§
§
§
§

Location: **Department 4**
 Judicial Officer: **Krall, Nadia**
 Filed on: **09/19/2022**
 Cross-Reference Case Number: **A858580**
 Defendant's Scope ID #: **7035801**
 Supreme Court No.: **86600**
87003

CASE INFORMATION

Statistical Closures

07/13/2023 Motion to Dismiss by the Defendant(s)

Case Type: **Legal Malpractice**

Case Status: **07/13/2023 Dismissed**

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	A-22-858580-C
Court	Department 4
Date Assigned	09/19/2022
Judicial Officer	Krall, Nadia

PARTY INFORMATION

Plaintiff

Houston, Matthew

Lead Attorneys

Pro Se

Defendant

Schwartz, Daniel

Schwartz, Daniel L
Retained
 702-893-3383(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX

EVENTS

09/19/2022



Complaint

Filed By: Plaintiff Houston, Matthew
[1] Complaint "Jury Trial Demanded" "De Novo Hearing(s) Requested"

09/19/2022



Application to Proceed in Forma Pauperis

Filed By: Plaintiff Houston, Matthew
[2] Application to Proceed in Forma Pauperis (Confidential)

10/10/2022



Motion

Filed By: Plaintiff Houston, Matthew
[3] Emergency Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative for Appearance by Telephone or Video Conference "De Novo Requested" "Jury Trials Demanded"

10/17/2022



Motion to Dismiss

Filed By: Defendant Schwartz, Daniel
[4] Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint; Hearing Not Requested

11/07/2022





Clerk's Notice of Nonconforming Document

CASE SUMMARY


CASE NO. A-22-858580-C


[5] Clerk's Notice of Nonconforming Document

11/22/2022  Clerk's Notice of Nonconforming Document and Curative Action
[6] Clerk's Notice of Curative Action


11/28/2022  Notice of Intent
[7] Notice of Intention to Enter Default

11/29/2022  Clerk's Notice of Hearing
[8] Notice of Hearing

12/28/2022  Objection
Filed By: Plaintiff Houston, Matthew
[10] Ex Parte Response to Def. Dan Schwartz's Motion to Dismiss Complaint


12/28/2022  Ex Parte Motion
Filed By: Plaintiff Houston, Matthew
[11] Emergency Ex Parte Motion for Leave to File an Amended Complaint "Hearing Requested" "Jury Trials Demanded"


12/28/2022  Clerk's Notice of Hearing
[12] Notice of Hearing

12/28/2022  Opposition
Filed By: Plaintiff Houston, Matthew
[13] Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois Bisgaard & Smith, et al "Hearing Requested"


12/28/2022  Clerk's Notice of Hearing
[14] Notice of Hearing

12/29/2022  Ex Parte Motion
Filed By: Plaintiff Houston, Matthew
[15] Emergency Ex Parte Motion for Leave to Add Defendant(s) Tierra Danielle Jones and Christopher D. Burk, Esq "Hearing Requested"

12/29/2022  Motion
Filed By: Plaintiff Houston, Matthew
[16] Emergency Motion to Add Defendant(s) Kristina A. Rhodes "Jury Trial Demanded" "De Novo Hearing(s) Requested"


12/29/2022  Motion
Filed By: Plaintiff Houston, Matthew
[17] Emergency Motion to Add Defendants' Not Limited to Office to the Public Defender Benard H. Little "Jury Trial Demanded" "De Novo Hearing(s) Requested"


12/29/2022  Clerk's Notice of Hearing
[18] Notice of Hearing


12/29/2022  Ex Parte Motion
Filed By: Plaintiff Houston, Matthew
[19] Emergency Ex Parte Motion for an Extension of Time to Prepare and File an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C


CASE SUMMARY


CASE NO. A-22-858580-C


- 01/24/2023  Application to Proceed in Forma Pauperis
[20] Application to Proceed Informa Pauperis (Confidential)


- 01/24/2023  Order to Proceed In Forma Pauperis
[21] Order to Proceed in Forma Pauperis (Confidential)


- 02/10/2023  Motion
Filed By: Plaintiff Houston, Matthew
*[22] Emergency Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone Video Conference**


- 02/14/2023  Summons
Filed by: Plaintiff Houston, Matthew
Party served: Defendant Schwartz, Daniel
[23] Summons - Civil


- 02/15/2023  Opposition to Motion
Filed By: Plaintiff Houston, Matthew
[24] Opposition to Defendant Daniel L. Schwartz's Motion to Dismiss. Part One, Emergency Interpleading of Fact, and Meritorious Intervention as Joinder of Appeal "Hearing Requested" "De Novo Hearings Requested" -Jury Trial Demanded - (This Pleading was Originally Efiled in District Court EJDC on 11/23/2022


- 02/16/2023  Motion
Filed By: Plaintiff Houston, Matthew
[25] Emergency Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference Under NRAP 78e "Hearing Requested" (Unfiled)


- 02/16/2023  Clerk's Notice of Hearing
[26] Notice of Hearing

- 02/16/2023  Ex Parte Motion
Filed By: Plaintiff Houston, Matthew
[27] Emergency Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27e "Hearing Requested"

- 02/16/2023  Clerk's Notice of Hearing
[28] Notice of Hearing

- 02/24/2023  Order Denying
[29] Order Denying Plaintiff Matthew Travis Houston's Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois Bisgaard & Smith, and Plaintiff's Motion for Leave to File an Amended Complaint, and Denying Defendant Daniel Schwartz's Opposition to Plaintiff's Motion to Amend Complaint.

- 02/24/2023  Order Denying
[30] Order Denying Plaintiff Matthew Travis Houston's Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois Bisgaard & Smith, and Plaintiff's Motion for Leave to File an Amended Complaint, and Denying Defendant Daniel Schwartz's Opposition to Plaintiff's Motion to Amend Complaint.

- 03/08/2023  Notice of Intent to Take Default
Party: Plaintiff Houston, Matthew
[31] Renewed Notice of Intention to Enter Default(s)














CASE SUMMARY

CASE NO. A-22-858580-C

- 03/09/2023  Affidavit of Service
Filed By: Plaintiff Houston, Matthew
Party Served: Defendant Schwartz, Daniel
[32] Emergency Declaration of Matthew Travis Houston and Affidavit of Service
- 03/09/2023  Notice of Intent to Take Default
Party: Plaintiff Houston, Matthew
[33] Notice of Intention to Enter Default
- 03/29/2023  Notice of Intent to Take Default
Party: Plaintiff Houston, Matthew
[34] Notice of Intention to Enter Default
- 04/05/2023  Summons Issued
[35] Summons - Civil (Issued Only)
- 04/11/2023  Opposition
Filed By: Defendant Schwartz, Daniel
[36] Defendant Daniel Schwartz's Opposition to Plaintiff Matthew Houston's Notice of Intention to Enter Default
- 04/21/2023  Motion to Compel
Filed By: Plaintiff Houston, Matthew
[37] Emergency Motion to Compel an Answer from Aaron D. Ford, Affidavit of Service as a "Notice of Motion", and Statement of Facts "Hearing Requested"
- 04/21/2023  Clerk's Notice of Hearing
[38] Notice of Hearing
- 05/11/2023  Motion
Filed By: Plaintiff Houston, Matthew
[39] Motion Title: Objection to Defendant Daniel L. Schwartz 's Opposition to Plaintiff Matthew Travis Houston's Notice of Intention to Enter Default and Continued Opposition to Defendants Motion to Dismiss "Hearing Requested"
- 05/11/2023  Clerk's Notice of Hearing
[40] Notice of Hearing
- 05/12/2023  Order Denying Motion
[41] Order Denying Plaintiff/Inmate's Emergency Motion to Compel an Answer from Aaron D. Ford, Affidavit of Service as a Notice of Motion and Statement of Facts
- 05/16/2023  Notice of Appeal (Criminal)
[42] Emergency Declaration See "Renewed Notice of Appeal; Emergency Statement of Facts Under NRAP 3C, 27E/9th.Cir.2735 and Response to Order to Show Cause Why Mr. Houston is Not a Vexatious Litigant"
- 05/17/2023  Case Appeal Statement
[43] Case Appeal Statement
- 05/18/2023  Affidavit of Service
[44] Affidavit of Service







CASE SUMMARY

CASE NO. A-22-858580-C

- 05/24/2023  Motion
Filed By: Plaintiff Houston, Matthew
[51] Emergency Motion and Order for Transportation (In All Cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under NRAP 3C/27E or, in the Alternative, for Appearance by Telephone or Video Conference "Hearing Requested"
- 05/24/2023  Clerk's Notice of Hearing
[52] Notice of Hearing
- 06/12/2023  Order for Production of Inmate
[53] Order for Production of an Inmate Matthew Houston, BAC #1210652
- 06/29/2023  Motion
Filed By: Plaintiff Houston, Matthew
[54] Emergency Motion to Add Defendant Elham Roohani as Expedited Notice of Intention to Enter Default "Hearing Requested"
- 06/29/2023  Clerk's Notice of Hearing
[55] Notice of Hearing
- 06/29/2023  Motion
Filed By: Plaintiff Houston, Matthew
[56] Emergency Motion Under NRAP 27(e) to Add Defendant(s) Not Limited to Linda Sakalauskas and Nevada Attorney for Injured Workers and Renewed Application to Proceed in Forma Pauperis; (NAIW Hereinafter) "Hearing Requested" (Confidential)
- 06/29/2023  Clerk's Notice of Hearing
[57] Notice of Hearing
- 06/30/2023  Demand for Jury Trial
Filed By: Plaintiff Houston, Matthew
[58] Demand for Jury Trial and Statement of Facts "Hearing Requested"
- 07/01/2023  Supplemental
Filed by: Plaintiff Houston, Matthew
[59] Supplemental Civil Rights Complaint Pursuant to 42 U.S.C. 1983, Joinder to A-22-856372-C / A-22-853203-W, Motion to Add Defendant Kelsey Bernstein, and Notice of Motion "Hearing Requested" "Jury Trial Demanded"
- 07/05/2023  NV Supreme Court Clerks Certificate/Judgment - Dismissed
[60] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed
- 07/06/2023  Motion
Filed By: Plaintiff Houston, Matthew
[61] Emergency Motion for an Order to Determine the Relationship, if any, Between the Hon. Jennifer Schwartz, Daniel L. Schwartz, and Karen Schwartz aka Benex as a Notice of Motion "Hearing Requested"
- 07/06/2023  Clerk's Notice of Hearing
[62] Notice of Hearing
- 07/07/2023  Audiovisual Transmission Equipment Appearance Consent
[63] Defendant's Notice of Intent to Appear by Simultaneous Audiovisual Transmission Equipment














CASE SUMMARY

CASE NO. A-22-858580-C

- 07/13/2023  Order Granting Motion
[64] Order Granting Defendant Daniel Schwartz's Motion to Dismiss Matthew Houston's Complaint
- 07/13/2023  Notice of Entry of Order
Filed By: Defendant Schwartz, Daniel
[65] Notice of Entry of Order
- 07/17/2023  Notice of Appeal
[66] Notice of Appeal
- 07/18/2023  Case Appeal Statement
[67] Case Appeal Statement
- 08/14/2023  Audiovisual Transmission Equipment Appearance Request
Party: Defendant Schwartz, Daniel
[68] Defendant's Notice Of Intent To Appear By Simultaneous Audiovisual Transmission Equipment
- 08/16/2023  Affidavit of Service
[69] Affidavit of Service
- 08/23/2023  Motion
Filed By: Plaintiff Houston, Matthew
[70] Reoccurring Emergency Motion and Order to Transportation (in all cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under NRAP 3 C/27E or in the Alternative, for Appearance by Telephone or Video Conference
- 08/23/2023  Clerk's Notice of Hearing
[71] Notice of Hearing
- 08/24/2023  Affidavit of Service
[72] Affidavit of Service
- 08/28/2023  Order
[73] Order Denying Plaintiff's Emergency Re-Occurring Motion And Order To Transport (In All Cases Of Mr. Matthew Houston) Of Inmate For Court Appearance Under NRAP 3c/27e, Or In The Alternative, For Appearance By Telephone Or Video Conference
- 08/29/2023  Notice of Entry of Order
Filed By: Defendant Schwartz, Daniel
[74] Notice Of Entry Of Order
- 08/29/2023  Motion to Vacate
Filed By: Plaintiff Houston, Matthew
[75] Emergency Motion to Vacate Dismissal from July 11, 2023 (Order Entered July 13, 2023) Motion for Reconsideration Rehearing de Novo and Notice of Motion
- 08/29/2023  Motion
Filed By: Plaintiff Houston, Matthew
[76] Emergency Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative for Appearance by Telephone or Video Conference Under NRAP 3C/NRAP 27E and 9th Cir. 27-3

CASE SUMMARY


CASE NO. A-22-858580-C


- 08/29/2023  Motion
Filed By: Plaintiff Houston, Matthew
[77] Emergency Motion and Order for Transportation (in All Cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under NRAP 3C/27E or, in the Alternative, for Appearance by Telephone or Video
- 10/05/2023  Motion to Vacate
Filed By: Plaintiff Houston, Matthew
[78] Emergency Motion to Vacate Dismissal from July 11,2023 (Order Entered July 13, 2023) , Motion for Reconsideration, Rehearing De Novo August 28., 2023) and Notice of Motion Under NRAP 27-E NRCP 59 and NRCP 60
- 10/05/2023  Clerk's Notice of Hearing
[79] Notice of Hearing
- 10/12/2023  Affidavit of Service
[80] Affidavit of Service
- 10/17/2023  Supplemental
Filed by: Plaintiff Houston, Matthew
[81] Supplemental Civil Rights Complaint by an Inmate as a "Brandies Brief," Meritorious Intervention and Joinder of Appeal Pursuant to NRCP 59 and NRCP 60
- 10/17/2023  Affidavit
[84] Affidavit of Service
- 10/18/2023  Motion
Filed By: Plaintiff Houston, Matthew
[82] Motion for New Trials Under NRCP 60 Emergency Opposition and Emergency Motion and Order for Transportation (in All Cases for Mr. Matthew Travis Houston) of Inmate for Court Appearance NRCP 24, NRAP 3 C/NRAP 27(e)/ 9TH CIR. 27.3, or in the Alternative for Appearance by Telephone or Video Conference
- 10/18/2023  Clerk's Notice of Hearing
[83] Notice of Hearing
- 10/31/2023  Order
[85] Order Denying Plaintiff's Emergency Motion to Vacate Dismissal from July 11, 2023 (Order Entered July 13, 2023), Motion for Reconsideration, Rehearing De Novo August 28, 2023 and Notice of Motion Under NRAP 27-E NRCP 59 And NRCP 60
- 10/31/2023  Order
[86] Order Denying Plaintiff's Motion for New Trial Under NRCP 60 Emergency Opposition and Emergency Motion and Order for Transportation (in All Cases for Mr. Matthew Travis Houston) of Inmate for Court Appearance NRCP 24, NRAP 3 C/NRAP 27(E)/9th Cir.27.3, or in the Alternative, for Appearance By Telephone of Video Conference
- 10/31/2023  Notice of Entry of Order
[87] Notice of Entry of Order
- 11/01/2023  Notice of Entry of Order
[88] Notice of Entry of Order
- 11/11/2023  Motion
Filed By: Plaintiff Houston, Matthew

CASE SUMMARY

CASE NO. A-22-858580-C

[89] Emergency Motion and Ex Parte Demand for Appointment of Discovery Commissioner s in all Case of the Plaintiff Matthew Travis Houston

- 11/11/2023  Clerk's Notice of Hearing
[90] Notice of Hearing

- 11/13/2023  Affidavit of Service
[91] Affidavit of Service


- 11/18/2023  Opposition
[92] Opposition to the Perjury and Conspiracy of Rosemarie McMorris -Alexander et al as a Response to the Attached Exhibit "One"

- 11/18/2023  Clerk's Notice of Hearing
[93] Notice of Hearing


- 11/18/2023  Motion to Stay
Filed By: Plaintiff Houston, Matthew
[94] Emergency Motion for Stay and Abeyance Pursuant to Law + Opposition to and Response to the False Claims and Threats Made on the Record by the Office of The District Attorney et al on October 25 th, 2023

- 11/18/2023  Clerk's Notice of Hearing
[95] Notice of Hearing


- 11/21/2023  Notice of Appeal
[96] Notice of Appeal

- 11/21/2023  Notice of Appeal
[97] Notice of Appeal


- 11/22/2023  Case Appeal Statement
[98] Case Appeal Statement

- 11/22/2023  Case Appeal Statement
[99] Case Appeal Statement

- 11/27/2023  Notice of Appeal
[100] Notice of Appeal

- 11/28/2023  Case Appeal Statement
Case Appeal Statement

HEARINGS

- 01/10/2023  **Minute Order** (3:00 AM) (Judicial Officer: Krall, Nadia)
Minute Order - No Hearing Held;
Journal Entry Details:
NRCP 1 and NRCP 1.10 state that the procedures in district court shall be administered to secure efficient, just and inexpensive determinations in every action and proceeding. Pursuant to EDCR 2.23(c), the judge may consider the motion on its merits at any time with or without oral argument, and grant or deny it. Defendant Daniel Schwartz's Motion to Dismiss Pro Se Plaintiff Matthew Travis Houston's Complaint filed on 10/17/2022 and Pro Se Plaintiff Matthew Travis Houston's Emergency Ex Parte Motion for an Extension of Time to Prepare and File an Opposition to Defendant's Motion(s) to Dismiss in Case No A-22-858580-C- and

CASE SUMMARY

CASE NO. A-22-858580-C

Case No. A-22-856372-C Filed on 12/29/2022. The Court reviewed all of the pleadings and attached exhibits regarding the pleadings on file. COURT ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint filed on 10/17/2022 is CONTINUED for 90 days to 4/12/2023 at 9:00 A.M. to allow Pro Se Plaintiff Matthew Travis Houston additional time to file an Opposition to Defendant Daniel Schwartz's Motion to Dismiss. COURT FURTHER ORDERED, Pro Se Plaintiff Matthew Travis Houston deadline to file an opposition is 3/29/2023 by 5:00 P.M. COURT FURTHER ORDERED, Defendant Daniel Schwartz to file his Reply no later than 4/5/2023 by 5:00 P.M. COURT FURTHER ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Pro Se Plaintiff Matthew Travis Houston's Complaint filed on 10/17/2022 currently scheduled for hearing on 1/11/2023 at 9:00 A.M. is CONTINUED to 4/12/2023 at 9:00 A.M. 04/12/2023 09:00 AM MOTION TO DISMISS CLERK'S NOTE: This minute order was electronically served and mailed to Pro Se Plaintiff at the address on file by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve./pb/1/10/23.;

- 01/31/2023 **Motion to Amend Complaint** (9:00 AM) (Judicial Officer: Krall, Nadia)
Plaintiff's Emergency Ex Parte Motion for Leave to File an Amended Complaint
Denied;

- 01/31/2023 **Opposition** (9:00 AM) (Judicial Officer: Krall, Nadia)
Plaintiff's Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois Bisgaard & Smith
Moot;

- 01/31/2023  **All Pending Motions** (9:00 AM) (Judicial Officer: Krall, Nadia)
Matter Heard;
Journal Entry Details:
PLAINTIFF'S EMERGENCY EX PARTE OPPOSITION TO THE FALSE CLAIMS OF LEWIS BRISBOIS BISGAARD & SMITH . . . PLAINTIFF'S EMERGENCY EX PARTE MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT COURT NOTED Opposition not being a proper pleading and the Court cannot make a ruling. Therefore, COURT ORDERED, Plaintiff's Emergency Ex Parte Opposition To The False Claims Of Lewis Brisbois Bisgaard & Smith DENIED AS MOOT. COURT FURTHER NOTED Motion for Leave to File Amended Complaint was filed without an attached proposed Amended Complaint. COURT FURTHER ORDERED, Plaintiff's Emergency Ex Parte Motion For Leave To File An Amended Complaint DENIED; and Mr. Schwartz to prepare the Order.;

- 02/07/2023 **Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Plaintiff's - Emergency Ex Parte Motion for Leave to add Defendant(s) Tierra Danielle Jones and Christopher D Burk Esq
Denied;

- 02/07/2023 **Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Plaintiff's - Emergency Motion to Add Defendant(s) Kristina A. Rhodes
Denied;

- 02/07/2023 **Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Plaintiff's - Emergency Motion to Add Defendant(s) not Limited to Office to the Public Defender Benard H. Little
Denied;

- 02/07/2023  **All Pending Motions** (9:00 AM) (Judicial Officer: Krall, Nadia)
Matter Heard;
Journal Entry Details:
PLAINTIFF'S - EMERGENCY EX PARTE MOTION FOR LEAVE TO ADD DEFENDANT(S) TIERRA DANIELLE JONES AND CHRISTOPHER D BURK ESQ. . . PLAINTIFF'S - EMERGENCY MOTION TO ADD DEFENDANT(S) KRISTINA A. RHODES . . . PLAINTIFF'S - EMERGENCY MOTION TO ADD DEFENDANT(S) NOT LIMITED TO OFFICE TO THE PUBLIC DEFENDER BENARD H. LITTLE COURT NOTED that there being no attached proposed Amended Complaint to the Motions. COURT stated its FINDINGS and ORDERED, Plaintiff's Emergency Ex Parte Motion for Leave to Add Defendants Tierra Danielle Jones and Christopher D Burk Esq. DENIED; Plaintiff's Emergency Motion to Add Defendant Kristina A. Rhodes DENIED; Plaintiff's Emergency Motion to Add Defendants Not Limited to Office to the

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-22-858580-C

Public Defender Benard H. Little DENIED; and Mr. Schwartz to prepare the Order ;

03/28/2023

Motion (9:00 AM) (Judicial Officer: Krall, Nadia)

Plaintiff / Inmate's - Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference Under NRAP 78(e)

Granted; Plaintiff / Inmate's - Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference Under NRAP 78(e)

03/28/2023

Motion (9:00 AM) (Judicial Officer: Krall, Nadia)

Plaintiff / Inmate's Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27(e)

Granted; Plaintiff / Inmate's Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27(e)

03/28/2023



All Pending Motions (9:00 AM) (Judicial Officer: Krall, Nadia)

Matter Heard;

Journal Entry Details:

PLAINTIFF / INMATE'S - EMERGENCY MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR IN THE ALTERNATIVE FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE UNDER NRAP 78(E) . . . PLAINTIFF / INMATE'S EX PARTE MOTION FOR AN EXTENSION OF TIME TO PREPARE AND FILED AN OPPOSITION TO DEFENDANT'S MOTION(S) TO DISMISS IN CASE NO. A-22-858580-C AND CASE NO. A-22-856372-C UNDER NRAP 27(E) Mr. Schwartz confirmed Plaintiff has not yet received anything in response to his Motion to Dismiss. COURT ORDERED, Plaintiff / Inmate's - Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference Under NRAP 78(e) GRANTED; Plaintiff / Inmate's Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27(e) GRANTED; the 4/12/23 hearing on Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint CONTINUED; and the Court will prepare an Order with the Opposition date, Reply date, and new hearing date. COURT FURTHER ORDERED, Defendant's appearance via IN-PERSON with Transport Order or appearance via telephone or video conference. CLERK'S NOTE: This minute order was electronically served by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve; this minute order was also served by First Class U.S. Mail postage full prepaid to Plaintiff at High Desert State Prison./pb/3/29/23.;

05/12/2023



Minute Order (3:00 AM) (Judicial Officer: Krall, Nadia)

Minute Order - No Hearing Held;

Journal Entry Details:

The Court reviewed all of the pleadings and attached exhibits regarding the pleadings on file. COURT ORDERED, Plaintiff/Inmate's Emergency Motion to Compel an Answer from Aaron D. Ford, Affidavit of Service as a Notice of Motion and Statement of Facts shall be DENIED as MOOT; pursuant to the Nevada Rules of Civil Procedure Defendant's Motion to Dismiss is an appropriate responsive pleading; and the hearing date of May 24, 2023 shall be VACATED. CLERK'S NOTE: This minute order was electronically served by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve; this minute order was also served by First Class U.S. Mail postage full prepaid to Plaintiff Matthew Houston at High Desert State Prison./pb/5/12/23.;

05/24/2023

CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Krall, Nadia)

Vacated

Plaintiff/Inmate's Emergency Motion to Compel an Answer from Aaron D. Ford, Affidavit of Service as a "Notice of Motion" and Statement of Facts

07/11/2023

Motion to Dismiss (9:00 AM) (Judicial Officer: Krall, Nadia)

Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint per 1/10/23 minute order

Granted With Prejudice; Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-22-858580-C

Houston's Complaint

- 07/11/2023 **Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Plaintiff's- Motion Title: Objection to Defendant Daniel L. Schwartz 's Opposition to Plaintiff Matthew Travis Houston's Notice of Intention to Enter Default and Continued Opposition to Defendants Motion to Dismiss
Off Calendar; Plaintiff's- Motion Title: Objection to Defendant Daniel L. Schwartz 's Opposition to Plaintiff Matthew Travis Houston's Notice of Intention to Enter Default and Continued Opposition to Defendants Motion to Dismiss
- 07/11/2023  **All Pending Motions** (9:00 AM) (Judicial Officer: Krall, Nadia)
Matter Heard;
Journal Entry Details:
DEFENDANT DANIEL SCHWARTZ'S MOTION TO DISMISS PLAINTIFF MATTHEW HOUSTON'S COMPLAINT . . . PLAINTIFF'S- MOTION TITLE: OBJECTION TO DEFENDANT DANIEL L. SCHWARTZ 'S OPPOSITION TO PLAINTIFF MATTHEW TRAVIS HOUSTON'S NOTICE OF INTENTION TO ENTER DEFAULT AND CONTINUED OPPOSITION TO DEFENDANTS MOTION TO DISMISS MATTER TRAILED due to audio difficulties. MATTER RECALLED. All parties present as before. MATTER TRAILED as Mr. Houston seems to be muted. MATTER RECALLED. All parties present as before. Arguments made by Mr. Aicklen regarding Motion to Dismiss, noting that Defendant Mr. Schwartz represented the Worker's Compensation company. Mr. Houston explained there being newly discovered evidence and requested leave to amend the Complaint. Mr. Aicklen added that the Complaint does not allege Defendant Mr. Schwartz had anything to do with Mr. Houston's incarceration. COURT stated its FINDINGS and ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint GRANTED WITH PREJUDICE; COURT FINDS amendment to be futile; all future hearings VACATED; and Mr. Aicklen to prepare the Order.;
- 07/18/2023 **CANCELED Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Vacated - per Judge
Plaintiff/Inmate's Emergency Motion and Order for Transportation (In All Cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under NRAP 3C/27E or, in the Alternative, for Appearance by Telephone or Video Conference
- 08/15/2023 **CANCELED Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Vacated - per Judge
Plaintiff/Inmate's- Emergency Motion For An Order To Determine the Relationship, if any, between the Hon. Jennifer Schwartz, Daniel L. Schwartz, and Karen Schwartz aka Genex as a Notice of Motion
- 08/16/2023 **CANCELED Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Vacated - per Judge
Plaintiff/ Inmate's - Emergency Motion to Add Defendant Elham Roohani as an Expedited Notice of Intention to Enter Default
- 08/16/2023 **CANCELED Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Vacated - per Judge
Plaintiff/ Inmate's - Emergency Motion Under NRAP 27(e) to Add Defendant(s) Not Limited to Linda Sakalauskas and Nevada Attorney for Injured Workers and Renewed Application to Proceed in Forma Pauperis ; NAIW Hearing after
- 09/27/2023 **CANCELED Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Vacated
Reoccurring Emergency Motion and Order to Transportation (in all cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under NRAP 3 C/27E or in the Alternative, for Appearance by Telephone or Video Conference
- 11/07/2023 **CANCELED Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Vacated
Emergency Motion to Vacate Dismissal from July 11,2023 (Order Entered July 13, 2023) , Motion for Reconsideration, Rehearing De Novo August 28., 2023) and Notice of Motion Under NRAP 27-E NRCP 59 and NRCP 60

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-22-858580-C

11/29/2023	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated</i> <i>Motion for New Trials Under NRC 60 Emergency Opposition and Emergency Motion and Order for Transportation (in All Cases for Mr. Matthew Travis Houston) of Inmate for Court Appearance NRC 24, NRAP 3 C/NRAP 27(e)/ 9TH CIR. 27.3, or in the Alternative for Appearance by Telephone or Video Conference</i></p>
12/05/2023	<p>Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Emergency Motion and Ex Parte Demand for Appointment of Discovery Commissioner s in all Case of the Plaintiff Matthew Travis Houston</i></p>
01/09/2024	<p>Opposition (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Opposition to the Perjury and Conspiracy of Rosemarie McMorris -Alexander et al as a Response to the Attached Exhibit "One"</i></p>
01/09/2024	<p>Motion to Stay (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Emergency Motion for Stay and Abeyance Pursuant to Law + Opposition to and Response to the False Claims and Threats Made on the Record by the Office of The District Attorney et al on October 25 th, 2023</i></p>

DATE

FINANCIAL INFORMATION

Plaintiff Houston, Matthew	24.00
Total Charges	24.00
Total Payments and Credits	0.00
Balance Due as of 11/28/2023	0.00

DISTRICT COURT CIVIL COVER SHEET

Clark

County, Nevada

A-22-858580-C

Case No. _____

Dept. 4

(Assigned by Clerk's Office)

I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone): Matthew Travis Houston No. 13 No. 1210652 H.D.S.P. P.O. Box 650 Indian Springs, NV 89070-0650	Defendant(s) (name/address/phone): P: 702-382-2200 Lina Sakalauskas, Dan Schwartz Nevada Attorney For Injured No. 5 2200 Rancho L.B.B.S. Workers Las Vegas, NV aka "N.A.I.W."
Attorney (name/address/phone): pro se No. 16 Louis (L.) (714) 916-7431 No. 17 No(s). 18 + 19 (No. 5) Daniel Schwartz @	Attorney (name/address/phone): unknown, refer to: State Bar of Nevada 3100 W. Charleston Blvd. Suite No. 100 Las Vegas, NV 89102 P: (702) 382-0504

II. Nature of Controversy *(please select the one most applicable filing type below)*

Civil Case Filing Types

Real Property <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <input type="checkbox"/> Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <input type="checkbox"/> Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	Negligence <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Torts Other Torts <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
Probate Probate <i>(select case type and estate value)</i> <input type="checkbox"/> Summary Administration <input checked="" type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate Estate Value <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input checked="" type="checkbox"/> Under \$2,500	Construction Defect & Contract Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	Judicial Review/Appeal Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ <input checked="" type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrantum <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ	Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters	

Business Court filings should be filed using the Business Court civil coversheet.

May 5th 2022
Date

[Signature]
Signature of initiating party or representative

See other side for family-related case filings.

2:22-cv-00693-JAD-NJK
2:21-cv-00499-JAD-DJA
2:22-cv-01285-MMD-VCF

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

DISTRICT COURT

CLARK COUNTY, NEVADA

MATTHEW HOUSTON,

Plaintiff,

v.

DANIEL SCHWARTZ,

Defendant.

CASE NO.: A-22-858580-C

DEPT NO.: IV

**ORDER DENYING PLAINTIFF'S
EMERGENCY MOTION TO VACATE
DISMISSAL FROM JULY 11, 2023
(ORDER ENTERED JULY 13, 2023),
MOTION FOR RECONSIDERATION,
REHEARING DE NOVO AUGUST 28,
2023 AND NOTICE OF MOTION
UNDER NRAP 27-E NRCP 59 AND
NRCP 60**

Plaintiff's Emergency Motion to Vacate Dismissal from July 11, 2023 (Order Entered July 13, 2023) , Motion for Reconsideration, Rehearing De Novo August 28., 2023) and Notice of Motion Under NRAP 27-E NRCP 59 and NRCP 60 and the Court having examined and reviewed all documents, Orders as follows:

IT IS HEREBY ORDERED that Plaintiff's Emergency Motion to Vacate Dismissal from July 11, 2023 (Order Entered July 13, 2023) , Motion for Reconsideration, Rehearing De Novo August 28., 2023) and Notice of Motion Under NRAP 27-E NRCP 59 and NRCP 60 shall be DENIED pursuant to EDCR 2.24 ; **(a)** No motions once heard and disposed of may be renewed in the same cause, nor may the same matters therein embraced be reheard, unless by leave of the court granted upon motion therefor, after notice of such motion to the adverse parties. **(b)** A

1 party seeking reconsideration of a ruling of the court, other than any order that may be
2 addressed by motion pursuant to NRCP 50(b), 52(b), 59 or 60, must file a motion for such
3 relief within 14 days after service of written notice of the order or judgment unless the time
4 is shortened or enlarged by order. A motion for rehearing or reconsideration must be served,
5 noticed, filed and heard as is any other motion. A motion for reconsideration does not toll the
6 30 period for filing a notice of appeal from a final order or judgment.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS HEREBY ORDERED the hearing date of November 7, 2023 shall be VACATED.

Dated this 31st day of October, 2023



**3E2 CC6 E0FD 3247
Nadia Krall
District Court Judge**

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4		
5		
6	Matthew Houston, Plaintiff(s)	CASE NO: A-22-858580-C
7	vs.	DEPT. NO. Department 4
8	Daniel Schwartz, Defendant(s)	
9		

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

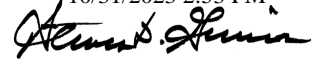
14 Service Date: 10/31/2023

15	Daniel Schwartz	daniel.schwartz@lewisbrisbois.com
16	Josh Aicklen	josh.aicklen@lewisbrisbois.com
17	Misty Pettiford	misty.pettiford@lewisbrisbois.com
18	Nancy Alarcon	nancy.alarcon@lewisbrisbois.com

19

20 If indicated below, a copy of the above mentioned filings were also served by mail
21 via United States Postal Service, postage prepaid, to the parties listed below at their last
known addresses on 11/1/2023

22	Matthew Houston	#1210652
23		HDSP
24		P.O. Box 650
25		Indian Springs, NV, 89070
26		
27		
28		



CLERK OF THE COURT

1 **NEOJ**

2

3

4

DISTRICT COURT,

5

CLARK COUNTY, NEVADA

6

7 MATTHEW HOUSTON,

CASE NO: A-22-858580-C

8

Plaintiff(s)

DEPT NO: IV

9

vs.

10

DANIEL SCHWARTZ,

NOTICE OF ENTRY OF ORDER

11

Defendant(s)

12

TO ALL PARTIES AND THEIR ATTORNEY OF RECORD:

13

14

15

PLEASE TAKE NOTICE that an Order has been entered on the 31ST day of October, 2023,

16

in the above-captioned matter. A copy of said Order is attached hereto as Exhibit A.

17

18

19

Dated this 31st day of October, 2023

20



21

22

576 F69 8317 6741
Nadia Krall
District Court Judge

23

24

25

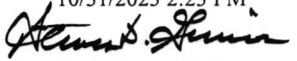
26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT "A"


CLERK OF THE COURT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDR

DISTRICT COURT

CLARK COUNTY, NEVADA

MATTHEW HOUSTON,

Plaintiff,

v.

DANIEL SCHWARTZ,

Defendant.

CASE NO.: A-22-858580-C

DEPT NO.: IV

**ORDER DENYING PLAINTIFF'S
EMERGENCY MOTION TO VACATE
DISMISSAL FROM JULY 11, 2023
(ORDER ENTERED JULY 13, 2023),
MOTION FOR RECONSIDERATION,
REHEARING DE NOVO AUGUST 28,
2023 AND NOTICE OF MOTION
UNDER NRAP 27-E NRCP 59 AND
NRCP 60**

Plaintiff's Emergency Motion to Vacate Dismissal from July 11, 2023 (Order Entered July 13, 2023) , Motion for Reconsideration, Rehearing De Novo August 28., 2023) and Notice of Motion Under NRAP 27-E NRCP 59 and NRCP 60 and the Court having examined and reviewed all documents, Orders as follows:

IT IS HEREBY ORDERED that Plaintiff's Emergency Motion to Vacate Dismissal from July 11, 2023 (Order Entered July 13, 2023) , Motion for Reconsideration, Rehearing De Novo August 28., 2023) and Notice of Motion Under NRAP 27-E NRCP 59 and NRCP 60 shall be DENIED pursuant to EDCR 2.24 ; **(a)** No motions once heard and disposed of may be renewed in the same cause, nor may the same matters therein embraced be reheard, unless by leave of the court granted upon motion therefor, after notice of such motion to the adverse parties. **(b)** A

1 party seeking reconsideration of a ruling of the court, other than any order that may be
2 addressed by motion pursuant to NRCP 50(b), 52(b), 59 or 60, must file a motion for such
3 relief within 14 days after service of written notice of the order or judgment unless the time
4 is shortened or enlarged by order. A motion for rehearing or reconsideration must be served,
5 noticed, filed and heard as is any other motion. A motion for reconsideration does not toll the
6 30 period for filing a notice of appeal from a final order or judgment.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS HEREBY ORDERED the hearing date of November 7, 2023 shall be VACATED.

Dated this 31st day of October, 2023



**3E2 CC6 E0FD 3247
Nadia Krall
District Court Judge**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Matthew Houston, Plaintiff(s)	CASE NO: A-22-858580-C
vs.	DEPT. NO. Department 4
Daniel Schwartz, Defendant(s)	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 10/31/2023

Daniel Schwartz	daniel.schwartz@lewisbrisbois.com
Josh Aicklen	josh.aicklen@lewisbrisbois.com
Misty Pettiford	misty.pettiford@lewisbrisbois.com
Nancy Alarcon	nancy.alarcon@lewisbrisbois.com

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/1/2023

Matthew Houston	#1210652 HDSP P.O. Box 650 Indian Springs, NV, 89070
-----------------	---

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Matthew Houston, Plaintiff(s) | CASE NO: A-22-858580-C
7 vs. | DEPT. NO. Department 4
8 Daniel Schwartz, Defendant(s)

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Notice of Entry of Order was served via the court's electronic eFile
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 10/31/2023

15 Daniel Schwartz daniel.schwartz@lewisbrisbois.com
16 Josh Aicklen josh.aicklen@lewisbrisbois.com
17 Misty Pettiford misty.pettiford@lewisbrisbois.com
18 Nancy Alarcon nancy.alarcon@lewisbrisbois.com

19
20 If indicated below, a copy of the above mentioned filings were also served by mail
21 via United States Postal Service, postage prepaid, to the parties listed below at their last
known addresses on 11/1/2023

22 Matthew Houston #1210652
23 HDSP
24 P.O. Box 650
 Indian Springs, NV, 89070

25
26
27
28

1 27.3, or in the Alternative for Appearance by Telephone or Video Conference shall be DENIED;
2 Plaintiff seeks relief for a new trial under NRCP 60 and has failed to support any of the following;

- 3 (1) mistake, inadvertence, surprise, or excusable neglect;
4 (2) newly discovered evidence that, with reasonable diligence, could not have been
5 discovered in time to move for a new trial under Rule 59(b);
6 (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or
7 misconduct by an opposing party;
8 (4) the judgment is void;
9 (5) the judgment has been satisfied, released, or discharged; it is based on an earlier
10 judgment that has been reversed or vacated; or applying it prospectively is no longer
11 equitable; or
12 (6) Any other reason that justifies relief.

13
14 **IT IS HEREBY ORDERED** Plaintiff's Request for transport and/or appearance via telephone
15 of video conference shall be DENIED as MOOT.

16
17 **IT IS HEREBY ORDERED** the hearing date of November 29, 2023 shall be VACATED.

18 Dated this 31st day of October, 2023

19 

20 _____
21 C21 438 EEB1 2D41
22 Nadia Krall
23 District Court Judge
24
25
26
27
28

1 **CSERV**

2
3 **DISTRICT COURT**
4 **CLARK COUNTY, NEVADA**

5 6 Matthew Houston, Plaintiff(s)	CASE NO: A-22-858580-C
7 vs.	DEPT. NO. Department 4
8 Daniel Schwartz, Defendant(s)	

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

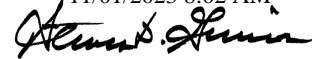
14 **Service Date: 10/31/2023**

15 Daniel Schwartz	daniel.schwartz@lewisbrisbois.com
16 Josh Aicklen	josh.aicklen@lewisbrisbois.com
17 Misty Pettiford	misty.pettiford@lewisbrisbois.com
18 Nancy Alarcon	nancy.alarcon@lewisbrisbois.com

19
20 If indicated below, a copy of the above mentioned filings were also served by mail
21 via United States Postal Service, postage prepaid, to the parties listed below at their last
22 known addresses on 11/1/2023

22 Matthew Houston	#1210652
23	HDSP
24	P.O. Box 650
25	Indian Springs, NV, 89070

26
27
28



CLERK OF THE COURT

1 **NEOJ**

2

3

4

DISTRICT COURT,

5

CLARK COUNTY, NEVADA

6

7

MATTHEW HOUSTON,

CASE NO: A-22-858580-C

8

Plaintiff(s)

DEPT NO: IV

9

vs.

10

DANIEL SCHWARTZ,

NOTICE OF ENTRY OF ORDER

11

Defendant(s)

12

TO ALL PARTIES AND THEIR ATTORNEY OF RECORD:

13

14

15

PLEASE TAKE NOTICE that an Order has been entered on the 31ST day of October, 2023,

16

in the above-captioned matter. A copy of said Order is attached hereto as Exhibit A.

17

18

19

20

Dated this 1st day of November, 2023

21



22

672 11E 6E2D B54A

23

Nadia Krall

24

District Court Judge

25

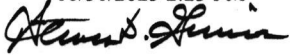
26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT "A"


CLERK OF THE COURT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

DISTRICT COURT

CLARK COUNTY, NEVADA

MATTHEW HOUSTON,

Plaintiff,

v.

DANIEL SCHWARTZ,

Defendant.

CASE NO.: A-22-858580-C

DEPT NO.: IV

**ORDER DENYING PLAINTIFF'S
MOTION FOR NEW TRIAL UNDER
NRCP 60 EMERGENCY OPPOSITION
AND EMERGENCY MOTION AND
ORDER FOR TRANSPORTATION (N
ALL CASES FOR MR. MATTHRE
TRAVIS HOUSTON) OF INAMTE FOR
COURT APPEARANCE NRCP 24,
NRAP 3 C/NRAP 27(E)/9TH CIR.27.3, OR
IN THE ALTERNATIVE, FOR
APPEARANCE BY TELEPHONE OF
VIDEO CONFERENCE**

Plaintiff's Motion for New Trials Under NRCP 60 Emergency Opposition and Emergency Motion and Order for Transportation (in All Cases for Mr. Matthew Travis Houston) of Inmate for Court Appearance NRCP 24, NRAP 3 C/NRAP 27(e)/ 9TH CIR. 27.3, or in the Alternative for Appearance by Telephone or Video Conference and the Court having examined and reviewed all documents, Orders as follows:

IT IS HEREBY ORDERED that Plaintiff's Motion for New Trials Under NRCP 60 Emergency Opposition and Emergency Motion and Order for Transportation (in All Cases for Mr. Matthew Travis Houston) of Inmate for Court Appearance NRCP 24, NRAP 3 C/NRAP 27(e)/ 9TH CIR.

1 27.3, or in the Alternative for Appearance by Telephone or Video Conference shall be DENIED;
2 Plaintiff seeks relief for a new trial under NRCP 60 and has failed to support any of the following;

- 3 (1) mistake, inadvertence, surprise, or excusable neglect;
- 4 (2) newly discovered evidence that, with reasonable diligence, could not have been
5 discovered in time to move for a new trial under Rule 59(b);
- 6 (3) fraud (whether previously called intrinsic or extrinsic), misrepresentation, or
7 misconduct by an opposing party;
- 8 (4) the judgment is void;
- 9 (5) the judgment has been satisfied, released, or discharged; it is based on an earlier
10 judgment that has been reversed or vacated; or applying it prospectively is no longer
11 equitable; or
- 12 (6) Any other reason that justifies relief.

13
14 **IT IS HEREBY ORDERED** Plaintiff's Request for transport and/or appearance via telephone
15 of video conference shall be DENIED as MOOT.

16
17 **IT IS HEREBY ORDERED** the hearing date of November 29, 2023 shall be VACATED.

18
19 Dated this 31st day of October, 2023



20
21 **C21 438 EEB1 2D41**
22 **Nadia Krall**
23 **District Court Judge**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

Matthew Houston, Plaintiff(s)	CASE NO: A-22-858580-C
vs.	DEPT. NO. Department 4
Daniel Schwartz, Defendant(s)	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 10/31/2023

- | | |
|-----------------|-----------------------------------|
| Daniel Schwartz | daniel.schwartz@lewisbrisbois.com |
| Josh Aicklen | josh.aicklen@lewisbrisbois.com |
| Misty Pettiford | misty.pettiford@lewisbrisbois.com |
| Nancy Alarcon | nancy.alarcon@lewisbrisbois.com |

If indicated below, a copy of the above mentioned filings were also served by mail via United States Postal Service, postage prepaid, to the parties listed below at their last known addresses on 11/1/2023

- | | |
|-----------------|---|
| Matthew Houston | #1210652
HDSP
P.O. Box 650
Indian Springs, NV, 89070 |
|-----------------|---|

1 **CSERV**

2
3 **DISTRICT COURT**
4 **CLARK COUNTY, NEVADA**

5	
6 Matthew Houston, Plaintiff(s)	CASE NO: A-22-858580-C
7 vs.	DEPT. NO. Department 4
8 Daniel Schwartz, Defendant(s)	
9	

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Notice of Entry of Order was served via the court's electronic eFile
13 system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 11/1/2023

15 Daniel Schwartz	daniel.schwartz@lewisbrisbois.com
16 Josh Aicklen	josh.aicklen@lewisbrisbois.com
17 Misty Pettiford	misty.pettiford@lewisbrisbois.com
18 Nancy Alarcon	nancy.alarcon@lewisbrisbois.com

19
20 If indicated below, a copy of the above mentioned filings were also served by mail
21 via United States Postal Service, postage prepaid, to the parties listed below at their last
22 known addresses on 11/2/2023

22 Matthew Houston	#1210652
23	HDSP
24	P.O. Box 650
25	Indian Springs, NV, 89070
26	
27	
28	

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Legal Malpractice

COURT MINUTES

January 10, 2023

A-22-858580-C Matthew Houston, Plaintiff(s)
vs.
Daniel Schwartz, Defendant(s)

January 10, 2023 3:00 AM Minute Order

HEARD BY: Krall, Nadia **COURTROOM:** Chambers

COURT CLERK: Pharan Burchfield

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- NRCP 1 and NRCP 1.10 state that the procedures in district court shall be administered to secure efficient, just and inexpensive determinations in every action and proceeding.

Pursuant to EDCR 2.23(c), the judge may consider the motion on its merits at any time with or without oral argument, and grant or deny it.

Defendant Daniel Schwartz's Motion to Dismiss Pro Se Plaintiff Matthew Travis Houston's Complaint filed on 10/17/2022 and Pro Se Plaintiff Matthew Travis Houston's Emergency Ex Parte Motion for an Extension of Time to Prepare and File an Opposition to Defendant's Motion(s) to Dismiss in Case No A-22-858580-C- and Case No. A-22-856372-C Filed on 12/29/2022.

The Court reviewed all of the pleadings and attached exhibits regarding the pleadings on file.

COURT ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint filed on 10/17/2022 is CONTINUED for 90 days to 4/12/2023 at 9:00 A.M. to allow Pro Se Plaintiff Matthew Travis Houston additional time to file an Opposition to Defendant Daniel Schwartz's Motion to Dismiss.

COURT FURTHER ORDERED, Pro Se Plaintiff Matthew Travis Houston deadline to file an opposition is 3/29/2023 by 5:00 P.M.

COURT FURTHER ORDERED, Defendant Daniel Schwartz to file his Reply no later than 4/5/2023 by 5:00 P.M.

COURT FURTHER ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Pro Se Plaintiff Matthew Travis Houston's Complaint filed on 10/17/2022 currently scheduled for hearing on 1/11/2023 at 9:00 A.M. is CONTINUED to 4/12/2023 at 9:00 A.M.

04/12/2023 09:00 AM MOTION TO DISMISS

CLERK'S NOTE: This minute order was electronically served and mailed to Pro Se Plaintiff at the address on file by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve.//pb/1/10/23.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Legal Malpractice

COURT MINUTES

January 31, 2023

A-22-858580-C Matthew Houston, Plaintiff(s)
vs.
Daniel Schwartz, Defendant(s)

January 31, 2023 9:00 AM All Pending Motions

HEARD BY: Krall, Nadia **COURTROOM:** RJC Courtroom 03C

COURT CLERK: Pharan Burchfield
Kimberly Lienen

RECORDER: Melissa Burgener

REPORTER:

PARTIES

PRESENT: Schwartz, Daniel L Attorney

JOURNAL ENTRIES

- PLAINTIFF'S EMERGENCY EX PARTE OPPOSITION TO THE FALSE CLAIMS OF LEWIS BRISBOIS BISGAARD & SMITH . . . PLAINTIFF'S EMERGENCY EX PARTE MOTION FOR LEAVE TO FILE AN AMENDED COMPLAINT

COURT NOTED Opposition not being a proper pleading and the Court cannot make a ruling. Therefore, COURT ORDERED, Plaintiff's Emergency Ex Parte Opposition To The False Claims Of Lewis Brisbois Bisgaard & Smith DENIED AS MOOT. COURT FURTHER NOTED Motion for Leave to File Amended Complaint was filed without an attached proposed Amended Complaint. COURT FURTHER ORDERED, Plaintiff's Emergency Ex Parte Motion For Leave To File An Amended Complaint DENIED; and Mr. Schwartz to prepare the Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Legal Malpractice

COURT MINUTES

March 28, 2023

A-22-858580-C Matthew Houston, Plaintiff(s)
vs.
Daniel Schwartz, Defendant(s)

March 28, 2023 9:00 AM All Pending Motions

HEARD BY: Krall, Nadia **COURTROOM:** RJC Courtroom 03C

COURT CLERK: Pharan Burchfield

RECORDER: Melissa Burgener

REPORTER:

PARTIES

PRESENT: Schwartz, Daniel Defendant
 Schwartz, Daniel L Attorney

JOURNAL ENTRIES

- PLAINTIFF / INMATE'S - EMERGENCY MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR IN THE ALTERNATIVE FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE UNDER NRAP 78(E) . . . PLAINTIFF / INMATE'S EX PARTE MOTION FOR AN EXTENSION OF TIME TO PREPARE AND FILED AN OPPOSITION TO DEFENDANT'S MOTION(S) TO DISMISS IN CASE NO. A-22-858580-C AND CASE NO. A-22-856372-C UNDER NRAP 27(E)

Mr. Schwartz confirmed Plaintiff has not yet received anything in response to his Motion to Dismiss. COURT ORDERED, Plaintiff / Inmate's - Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference Under NRAP 78(e) GRANTED; Plaintiff / Inmate's Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27(e) GRANTED; the 4/12/23 hearing on Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint CONTINUED; and the Court will prepare an Order with the Opposition date, Reply date, and new hearing date. COURT FURTHER ORDERED, Defendant's appearance via IN-PERSON with Transport Order or appearance via telephone or video conference.

CLERK'S NOTE: This minute order was electronically served by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve; this minute order was also served by First Class U.S. Mail postage full prepaid to Plaintiff at High Desert State Prison.//pb/3/29/23.

GRANTED WITH PREJUDICE; COURT FINDS amendment to be futile; all future hearings VACATED; and Mr. Aicklen to prepare the Order.

Certification of Copy

State of Nevada }
County of Clark } **SS:**

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING PLAINTIFF'S EMERGENCY MOTION TO VACATE DISMISSAL FROM JULY 11, 2023 (ORDER ENTERED JULY 13, 2023), MOTION FOR RECONSIDERATION, REHEARING DE NOVO AUGUST 28, 2023 AND NOTICE OF MOTION UNDER NRAP 27-E NRCP 59 AND NRCP 60; NOTICE OF ENTRY OF ORDER; ORDER DENYING PLAINTIFF'S MOTION FOR NEW TRIAL UNDER NRCP 60 EMERGENCY OPPOSITION AND EMERGENCY MOTION AND ORDER FOR TRANSPORTATION (IN ALL CASES FOR MR. MATTHEW TRAVIS HOUSTON) OF INADMISSIBLE FOR COURT APPEARANCE NRCP 24, NRAP 3 C/NRAP 27(E)/9TH CIR.27.3, OR IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OF VIDEO CONFERENCE; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES

MATTHEW TRAVIS HOUSTON,

Plaintiff(s),

vs.

DANIEL SCHWARTZ, ESQ.,

Defendant(s),

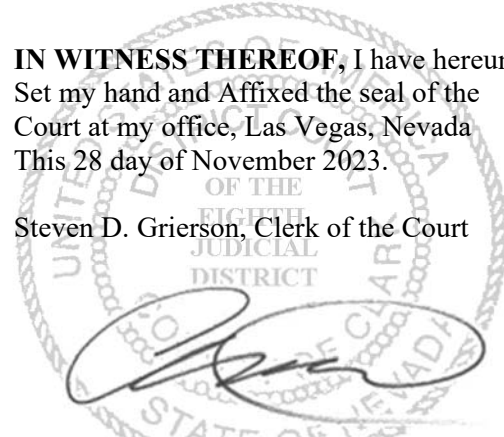
Case No: A-22-858580-C

Dept No: IV

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 28 day of November 2023.

Steven D. Grierson, Clerk of the Court



Cierra Borum, Deputy Clerk