

IN THE SUPREME COURT OF THE STATE OF NEVADA

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Elizabeth A. Brown
Clerk of Supreme Court

MATTHEW TRAVIS HOUSTON,
Appellant(s),

vs.

DANIEL L. SCHWARTZ, ESQ., AN
INDIVIDUAL,
Respondent(s),

Case No: A-22-858580-C

Docket No: 87670

RECORD ON APPEAL VOLUME 2

ATTORNEY FOR APPELLANT
MATTHEW HOUSTON #120652,
PROPER PERSON
P.O. BOX 650
INDIAN SPRINGS, NV 89070

ATTORNEY FOR RESPONDENT
DANIEL L. SCHWARTZ, ESQ.
2300 W. SAHARA AVE., STE. 900, BOX 28
LAS VEGAS, NV 89102

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1 MATTHEW TRAVIS HOUSTON #1210652
2 Defendant/In Propria Personam
3 Post Office Box 650 (HDSP)
4 Indian Springs, Nevada 89018

5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

7
8 MATTHEW TRAVIS HOUSTON,)
9 Petitioner-Appellant and the)
10 Plaintiff-Plaintiff-in-Error,)
11 vs.)
12 MANDALAY BAY CORP, ET AL AND)
13 THE DEEP STATE OF NEVADA,)
14 Defendant(s).)

Case No.
Dept. No. C-21-357927-1
Dept.11
Docket

15 MOTION FOR SPEEDY TRIAL OR IN THE ALTERNATIVE
16 DISMISSAL FOR LACK OF SPEEDY AND TIMELY PROSECUTION

17 Date of Hearing: _____
18 Time of Hearing: _____

19 "ORAL ARGUMENT REQUESTED, Yes X No ___"

20 COMES NOW, Defendant, Matthew Travis Houston, proceeding in
21 proper person, hereby moves this Honorable Court for a speedy trial, or in the
22 alternative, dismissal for lack of speedy and timely prosecution of the above-
23 entitled action. Defendant is also Petitioner-Appellant and Plaintiff-in-Error.

24 This Motion is made and based upon all papers and pleadings on file with
25 the Clerk of the Court which are hereby incorporated by this reference, the
26 Points and Authorities herein, and attached Affidavit of Defendant (EXHIBIT 1)

27 DATED: this 30 day of SEPTEMBER, 2022.

28 BY: Matthew Travis Houston
Matthew Travis Houston #1210652
Defendant/In Propria Personam

1 POINTS AND AUTHORITIES

2 THE DEFENDANT IS ENTITLED TO A SPEEDY TRIAL
3 OR DISMISSAL FOR LACK OF SPEEDY PROSECUTION

4 The Sixth Amendment to the United State Constitution sets
5 forth the following mandate upon the States through the Fourteenth
6 Amendment:

7 "In all criminal prosecutions, the accused shall enjoy the right
8 to a speedy and public trial..."

9 This Constitutional mandate has been codified in the State
10 of Nevada in the NRS under section 178.556(2):

11 "If a defendant whose trial has not been postponed upon his appli-
12 cation is not brought to trial within 60 days after the filing of
13 the complaint for an offense triable in a justice or municipal
14 court, the court may dismiss the complaint."

15 As can plainly be seen, Defendant's right to a speedy trial,
16 or dismissal in the alternative, is grounded in Constitutional as
17 well as Nevada statutory mandate.

18 Defendant is currently serving a term of imprisonment of
19 12-60 months in the custody of the Nevada Department of Correct-
20 ions (NDOC) located at WDSP (22010 Cold Creek Road - Indian Springs ⁸⁹⁰⁷⁰ NV)
21 within the County of Clark, Nevada. Therefore, it is
22 apparent that the Defendant cannot transport himself to the Court-
23 house for prosecution. Moreso, the responsibility of having the
24 Defendant transported lies with the "Marshalls" of the City of
25 LAS VEGAS, or, with the Nevada Department of Correct-
26 ions.

27 while the issuance of the complaint and warrant are suffic-
28 ent in themselves to cause the responsibility for speedy ...

1 ... prosecution to occur, the City Attorney and the police
2 agencies of the City of LAS VEGAS, have shirked their direct
3 and legal responsibility in the matter by refusing to transport,
4 or cause to be transported, this Defendant to the Courthouse for
5 legal action upon this case to occur. Defendant is informed that
6 he will be held to answer for the charges at some nebulous and
7 undetermined time in the future and this cannot stand Constitut-
8 ional scrutiny.

9 The laws of Nevada are clear in this regard. A warrant,
10 once issued, must be served and executed by a peace officer, and
11 the officers of the Court of the City of LAS VEGAS are such
12 peace officers. See, NRS 171.188:

13 "The warrant may be executed at any palce within the State of Nevada."

14 Thus, the Defendant's incarceration cannot stand as a bar
15 to the execution of the warrant. Furthermore, NRS 171.122(1)
16 states:

17 "The warrant must be executed by the arrest of the defendant."

18 Therefore, the Chief Marshall and the LAS VEGAS City
19 Attorney's Office, being fully aware of the whereabouts of the
20 Defendant, against whom a warrant is pending, must execute the
21 command of said warrant.

22 The Defendant has made every effort available to him to
23 attempt to address and remedy the injustice and handicap that he
24 now suffers as a result of the outstanding charge(s), as is shown
25 by the annexed exhibits. This Court will now have the opportunity
26 to correct this injustice and to initiate their lawful duty by
27 the issuance of the Order made by this Motion.

28

1 To do otherwise would be a violation of the very concept
2 of the justice and equity upon which the American system of
3 jurisprudence rests.

4 CONCLUSION

5 Defendant has shown a just and legal obligation placed upon
6 the officers of the Court of the City of LAS VEGAS to issue
7 the Order contemplated by this Motion for the transportation of
8 this Defendant to the Court for the disposition of said pending
9 charge(s) forthwith, or, in the alternative, the dismissal of
10 said charge(s) and the removal of the warrant/detainer placed
11 against this Defendant for the denial of the right to a speedy
12 prosecution.

13 **WHEREFORE**, this Honorable Court is requested to liberally
14 construe the pleadings herein in order that its manifest and just
15 purpose be so accomplished.

16
17 **CC: FILE**

18
19 **DATED:** this 30 day of SEPTEMBER, 2022.

20
21 Respectfully submitted,

22
23 **BY:** Matthew Travis Houston
24 Matthew Travis Houston # 1210652
25 Defendant/In Propria Personam
26 Post Office Box 650 (HUSP)
27 Indian Springs, Nevada 89018
28

EXHIBIT 1

**MANUALLY FILED WITH
DISTRICT COURT CLERK'S OFFICE**

No. 1 7th

EMERGENCY - EX PARTE - EN BANC - AS -
A - LETTER OF MOTION

Department - 20
Case Number (s) A-22-856372-C

Joinder → A-22-758861-C

A-22-853203-W

Dept. XI

NEVADA DEPARTMENT OF CORRECTIONS
INFORMAL GRIEVANCE

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HDSP "SMU" UNIT: 3A34

GRIEVANT'S STATEMENT: OATH and WILL from American Bar Association Member No. 04662784 (LETTER OF MOTION TO CHAMBERS). I am proud of Elli Roehani today in her adherence to principle regarding the 6 year minimum she imposed upon the burglar who skipped bail to go
SWORN DECLARATION UNDER PENALTY OF PERJURY (P.#1 of 7)

INMATE SIGNATURE: Matthew Travis Houston DATE: 2-31-22 TIME: 6PM

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____ TIME: _____

GRIEVANCE RESPONSE: _____

CASEWORKER SIGNATURE: _____ DATE: _____

GRIEVANCE UPHELD GRIEVANCE DENIED ISSUE NOT GRIEVABLE PER AR 740

GRIEVANCE COORDINATOR APPROVAL: _____ DATE: _____

INMATE AGREES INMATE DISAGREES

INMATE SIGNATURE: _____ DATE: _____

FAILURE TO SIGN CONSTITUTES ABANDONMENT OF THE CLAIM. A FIRST LEVEL GRIEVANCE MAY BE PURSUED IN THE EVENT THE INMATE DISAGREES.

Original: To inmate when complete, or attached to formal grievance
Canary: To Grievance Coordinator
Pink: Inmate's receipt when formal grievance filed
Gold: Inmate's initial receipt

MAILED TO CHAMBERS
- OMAHA - NEBRASKA -

2

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HOSP - "SMU" BMU UNIT #: 3A34

GRIEVANCE #: _____ GRIEVANCE LEVEL: INFORMAL

GRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 7

ruin people's lives in California when he was 17 and is now not even 25. I suffer from CPTSD (complex post-traumatic stress disorder) and numerous other impairments, and I ~~shed~~ shed tears of empathy today, especially after the lady who received drug court informed the public about the recent suicide of her 13 year old son.

Other than to inform you of my renewed ABA Membership No. 04662784 (due in part to my companion, Andrew P. Gordon helping me to recover what's left of my law office that was destroyed in Iowa, to which the defendants caused ~~my~~ over \$36,500,000.00 in losses of client intel, antiques and irreplaceable things not limited to my trusty K-9 UNIT, JOHNNY CASH and LIL' GEORGE LUCAS), I am writing to ^{elaborate} ~~inform~~ on my statement today,

Original: Attached to Grievance
Pink: Inmate's Copy

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HDSP "SMU-BMU" UNIT #: 3A34

GRIEVANCE #: _____ GRIEVANCE LEVEL: INFORMAL

GRIEVANT'S STATEMENT CONTINUATION: PG. 3 OF 7

during which I thanked you for service to the town, NDOC NIELSON and company, and stated my 38 years of experience in dealing with criminal justice reform advocacy. I cannot afford to be any further misinterpreted. What has been difficult is feeling that NDOC staff probably think that I'm full of hot air, because I'd requested personal recommendations to NDF NEVADA DIVISION OF FORESTRY "FIRE-CAMP", Law Library clerk and Governor's Mansion jobs. Regardless of my factual and actual innocence, and being subjected to a violent and inhumane environment, I have been an over-achiever for 39 years. Too bad for the community that Judge Villani, Magistrate DeLaGarza, Mary Kay Holthus ~~and~~^{or} neither was Chief Linda informed of my valor. I am struggling with developing new relationships due to the events of my ONE OCTOBER

Original: Attached to Grievance
Pink: Inmate's Copy

4

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HDSP UNIT #: 3A34

GRIEVANCE #: _____ GRIEVANCE LEVEL: INFORMAL

GRIEVANT'S STATEMENT CONTINUATION: PG. 4 OF 7

2016 and ONE OCTOBER 2017. This is where I am
issuing FORMAL REQUEST FOR INTERVENTION... Not only
in a legal "INTERVENTION" proceeding, but because of
being forced against my will to overstep potential
boundary lines between myself and the NDOC Caseworker(s)
as the difficulty of my current misclassification, in
addition to ~~my~~ the ~~conviction~~ conviction and extensive
incarceration. These days are just so difficult
because nobody understands the definitions or acts
with any sense of accountability, integrity, trust,
honesty or any other virtues. Nobody will help
me with obtaining materials for my "REAL TALK"
program and my property destruction claims are,
at this point exponential (as allegedly some of my
investigation is in NDOC "PROPERTY ANNEX" and it
seems that nobody is helping with anything ...

Original: Attached to Grievance
Pink: Inmate's Copy

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HOSP "SMU-BMU" UNIT #: 3A34

GRIEVANCE #: _____ GRIEVANCE LEVEL: INFORMAL

GRIEVANT'S STATEMENT CONTINUATION: PG. 5 OF 7

I had contributed just under \$92,000.⁰⁰ to the REAL TALK PROGRAM, and numerous other most honorable organizations over the last 39 years of my life and I'm concerned as to specifically and just why exactly I am in your "NDOC"? Illegally and for a 2ND term, especially as our non-existent Law Library are providing error, if anything at all. In the closing of a door to a diamond in the rough, I must reiterate that not all of us lawyers are ambulance chasers. Although it is rare, some of us actually care, about things other than money. Ell:, I am concerned regarding your order for appointment of counsel, and how that effects my reputation to the ABA, the Hague, the Ministry of Justice, the Vatican and so many of my associates, friends and family...

Original: Attached to Grievance
Pink: Inmate's Copy

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HDSP "SMU-BMU" UNIT #: 3A34

GRIEVANCE #: _____ GRIEVANCE LEVEL: INFORMAL

GRIEVANT'S STATEMENT CONTINUATION: PG. 6 OF 7

Pursuant to Napoleonic Code, I demand respect
and timely accommodations in the motion for
expidition of briefing schedule(s) and further
motions for additional REINSTATEMENT OF BRIEFING
SCHEDULES. And where's my executive clemency
and pardon? Hidin' FROM BIDIN? Such valued
dreams of expiditious reality were of no value to
the genocide against my people, the Magnoketa,
to your UNION ARMY conspiray were they Mr.
Ulysses? This property destruction claim is quite
exponential and retroactive pursuant to filed
tolling motions, I WILL track down SKYWALKER
from 2019 @ THVC, via my psychic agents @
LVMPD, as he's most likely dead already. Please
tip your medium as I tip this orange cup out
of 39 years of sustained OBLIVION towards FREEDOM.

Original: Attached to Grievance
Pink: Inmate's Copy

7

DOC - 3097 (01/02)

Log Number 20063140694

NEVADA DEPARTMENT OF CORRECTIONS
INFORMAL GRIEVANCE

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HDSP UNIT: "S.M.U." 3-A-2

GRIEVANT'S STATEMENT: WHAT HAPPENED?
THE LAST DAY I WAS ALLOWED ACCESS TO
SHOWER / TELEPHONE WAS ONLY 1/2 HOUR EVENING OF
JULY 13, 2022 AFTER COURT. I WAS NOT SERVED WITH
ANY SORT OF NOTICE TO ATTEND COURT OR WHAT MOTIONS
I WAS TO HAVE ARGUED UNTIL JULY 15, AFTER HEARINGS,

SWORN DECLARATION UNDER PENALTY OF PERJURY

INMATE SIGNATURE: Matthew Travis Houston DATE: 7.16.22 TIME: _____

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____ TIME: _____

GRIEVANCE RESPONSE: _____

CASEWORKER SIGNATURE: _____ DATE: _____

___ GRIEVANCE UPHELD ___ GRIEVANCE DENIED ___ ISSUE NOT GRIEVABLE PER AR 740

GRIEVANCE COORDINATOR APPROVAL: _____ DATE: _____

___ INMATE AGREES ___ INMATE DISAGREES

INMATE SIGNATURE: _____ DATE: _____

FAILURE TO SIGN CONSTITUTES ABANDONMENT OF THE CLAIM. A FIRST LEVEL GRIEVANCE MAY BE PURSUED IN THE EVENT THE INMATE DISAGREES.

- Original: To inmate when complete, or attached to formal grievance
- Canary: To Grievance Coordinator
- Pink: Inmate's receipt when formal grievance filed
- Gold: Inmate's initial receipt

B-15
(6)
P.103

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652
INSTITUTION: HDSP UNIT #: "S.M.U." 3-A.2 ^{Now} 3-A
GRIEVANCE #: 20063140694 GRIEVANCE LEVEL: INFORMAL 34

GRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 3

FACTUAL LOSS OR HARM:

I TURNED IN COPY(S) OF THE ATTACHED DOC-3012 "KITE",
ONE TO LAW LIBRARY, ONE TO MENTAL HEALTH / MEDICAL
IN ACCORDANCE WITH PROCEDURE(S). TODAY IS 7-16-22
AND I STILL HAVE NOT BEEN ALLOWED ACCESS TO SHOWER,
CHECK KIOSK, MAKE LEGAL PHONE CALL(S), ETC. THIS
72-HOUR DEADLINE, BY LAW IS A RIGHT TO BOTH
INNOCENT AND "GUILTY" PRISONERS, REGARDLESS OF
CUSTODY STATUS. I HAVE BEEN DENIED / DELAYED
BRASS SLIP-LEGAL POSTAGE CAUSING VALID APPEAL
DEPRIVATION CLAIMS AND EXCEEDING COURT ORDERED
DEADLINES AT NO FAULT OF MY OWN. 7-13-22 I WAS
DENIED EMERGENCY GRIEVANCE AFTER BEING ASSAULTED
BY L.V.M.P.D. AFTER HEARING. BEFORE COURT I DISCOVERED
FISHTANK C/O WITNESS NAME "BARNETT" IN RE "2-1-22
SAMURAI JIMMY" INCIDENT, THAN C/O "ANONYMOUS"
PILLAGED MY LEGAL PLEADINGS, CAUSING CPDSD PANK ATTACK,

Original: Attached to Grievance
Pink: Inmate's Copy

B-16
(7)
P. 104

DOC - 3097 (01/02)

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HOSP UNIT #: "S.M.V." 3.A.2

GRIEVANCE #: 20063140694 GRIEVANCE LEVEL: INFORMAL

GRIEVANT'S STATEMENT CONTINUATION: PG. 3 OF 3

VIOLATING 4TH AMDT. AND 8TH AMDT. RIGHTS, NRS, ETC.

ILLEGAL SEARCH, UNNECESSARY INTERROGATION / QUESTIONING.

@ COURT 7-13-22 ELLI ROOHANI MISAPPOINTED REPRESENTATION

"ALEXA" WITHOUT MY PERMISSION, I REQUESTED COUNCIL

ONLY TO ACT AS "STANDBY". ROOHANI REFUSED TO HELP

FILE LVMPD REPORT IN RE DEATH THREATS RECEIVED

IN MY LEGAL MAIL. I WAS VERBALLY ABUSED ON-

THE-RECORD BY E. ROOHANI WHEN SHE SAID "I'M DONE

TALKING TO YOU" THAN WAS ASSAULTED BY LVMPD AS

EXITING COURTROOM AND TO HOLDING / AMBULANCE. HOSP NDOC

RETURNED MY PERSON TO HOSP INFIRMARY AND I AT LEAST

WAS ABLE TO CHECK IN W/ MENTAL HEALTH.

REMEDY: HOSP LAW CLERK / STAFF "ESCORT" AS WELL

AS AN NDOC LT + SGT + SENIOR TO BE PRESENT AT MY

NEXT HEARINGS SCHEDULED AUG. 9TH 2022 AND AUG. 30, 2022.

PLEASE BRING C/Os HEINIKIN, KURRY, SAGE, NDOC SQUAD ☺

Original:
Pink:

Attached to Grievance
Inmate's Copy

AND \$500.00 FOR INCURRED DAMAGES
NOT LIMITED TO EMOTIONAL DISTRESS.

B-17

(8)

P. 105

DOC - 3097 (01/02)

Log Number _____

NEVADA DEPARTMENT OF CORRECTIONS
FIRST LEVEL GRIEVANCE

NAME: MATTHEW TRAVIS HED-TON I.D. NUMBER: 1210652

INSTITUTION: HD 3P "SMU-BMV" UNIT: 3 alpha 34

I REQUEST THE REVIEW OF THE GRIEVANCE, LOG NUMBER 20063140694, IN A FORMAL MANNER. THE ORIGINAL COPY OF MY GRIEVANCE AND ALL SUPPORTING DOCUMENTATION IS ATTACHED FOR REVIEW.

SWORN DECLARATION UNDER PENALTY OF PERJURY

INMATE SIGNATURE: Matthew Travis Hed-ton DATE: 10/14/02

WHY DISAGREE: OUT OF BEING EMOTIONALLY DISTRESSED FROM 6 YEARS OF ENDURED RETALIATION (at the hands) of the authorities in NEVADA I have included evidence of testimony on pages 2-3. 39 years of experience in law enforcement and multiple (see pgs 2-3) retirements such as JOE LOMBARDO, ET AL betrayed me...

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

FIRST LEVEL RESPONSE: _____

_____ GRIEVANCE UPHeld _____ GRIEVANCE DENIED _____ ISSUE NOT GRIEVABLE PER AR 740

WARDEN'S SIGNATURE: _____ TITLE: _____ DATE: _____

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

_____ INMATE AGREES _____ INMATE DISAGREES

INMATE SIGNATURE: _____ DATE: _____

FAILURE TO SIGN CONSTITUTES ABANDONMENT OF THE CLAIM. A SECOND LEVEL GRIEVANCE MAY BE PURSUED IN THE EVENT THE INMATE DISAGREES.

- Original: To Inmate when complete, or attached to formal grievance
- Canary: To Grievance Coordinator
- Pink: Inmate's receipt when formal grievance filed
- Gold: Inmate's initial receipt

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HDSP "SMU" UNIT #: 3 A 34

GRIEVANCE #: 20063140694 GRIEVANCE LEVEL: FIRST

GRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 3

1 HOUSTON (this is a transcribed copy from R. Angel #10)

2 I know they ran some \$ for you I

3 feel like I'm chasin my \$ pay me

4 whatever comes today we call it even

5 and workout a deal for the tv but

6 this will all be hand to hand business

7 I'm not gonna chase you 4 my \$ I'll

8 put the tv outside your door when you

9 have the \$ in your house I'll have witness

10 get that \$ from you as soon as store

11 comes. If you dont pay me today in

12 food / coffee I'll get a hold of your

13 phone pin and make it hard 4 you I

14 just want what you owe me by R Angel¹⁰

The above copied statement is written in blue ink as
"witness" on line number #9 shall be revealed in court.

Original: Attached to Grievance
Pink: Inmate's Copy

B-10

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HDSP "SMU" UNIT #: 3A34

GRIEVANCE #: 20063140694 GRIEVANCE LEVEL: FIRST

GRIEVANT'S STATEMENT CONTINUATION: PG. 3 OF 3

Yesterday on 9.12.2022, I was checking on my neighbor in [#]25 to see if he was okay, as he's been depressed and emotionally distressed, having endured retaliation and unnecessary and involuntary assault of prior NDOC actions from "the hole". Upon checking on my neighbor in #25 "BIRDMAN" - ^{#24} (a shady character) I suspect to be extremely obese made interrogative noises that sounded quite animalistic. His threatening statement was along the lines of, "don't you owe me \$4 from the other tier?" After I responded "No" he concluded with the closing threatening statement of, "okay ~~to~~ you can keep it moving than" The sad thing is, #24 waddles like a pork chop on the grill when I'm fryin' 'em up. We'll have to cook the books on this little porker.

Original: Attached to Grievance
Pink: Inmate's Copy

B-11

LOG NUMBER: _____

NEVADA DEPARTMENT OF CORRECTIONS
SECOND LEVEL GRIEVANCE

NAME MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HDSP "DMU" - BMU UNIT 3A34

I REQUEST THE REVIEW OF THE GRIEVANCE LOG NUMBER 20063135783 ON THE SECOND LEVEL THE ORIGINAL COPY OF MY GRIEVANCE AND ALL SUPPORTING DOCUMENTATION IS ATTACHED FOR REVIEW.

SWORN DECLARATION UNDER PENALTY OF PERJURY

INMATE SIGNATURE: Matthew Travis Houston DATE: 7-18-22

WHY DISAGREE: YOU WILL NOW TAKE NOTICE of the
tools that I am going to use to hang
myself from the air vents because the
Defendants not limited to TIERRA DANIELLE
JONES made too many poor decisions in their lives.

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

SECOND LEVEL RESPONSE _____

____ GRIEVANCE UPHELD ____ GRIEVANCE DENIED ____ ISSUE NOT GRIEVABLE PER AR 740

SIGNATURE _____ TITLE: _____ DATE: _____

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

INMATE SIGNATURE: _____ DATE: _____

THIS ENDS THE FORMAL GRIEVANCE PROCESS

Original:	To inmate when complete, or attached to formal grievance
Canary:	To Grievance Coordinator
Pink:	Inmate's receipt when formal grievance filed
Gold:	Inmate's initial receipt

SEE ATTACHED 3097
B-32

DOC 3094 (12/01)

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: MOSP "SMU - BMU" UNIT #: 3A34

GRIEVANCE #: 20063135783 GRIEVANCE LEVEL: EMERGENCY 2nd

GRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 2

KITE RECEIVED FROM ANGEL 3-A-10:

"YOU KEEP SAYIN I FUCKED YOUR PIN WHEN
YOU KNOW MY GIRL GOT MONEY ON THERE!
ROGER ISN'T ME I SOLD YOU A GOOD SHIRT FOR
A GOOD PRICE AND NOW I'M GETTING FUCKED
OVER CAUSE YOUR NOT A MAN OF YOUR WORD IM
THROUGH GOING BACK AND FORTH WITH YOU EVENTUALLY
MY DOOR WILL OPEN UP YOU EITHER PAY ME OR
DON'T THAT'S ON YOU IF YOU DECIDE NOT TO
JUST BE READY TO FIGHT WHEN WE GET
THE FIRST CHANCE I ALREADY TRY TO BE
COOL WITH YOU THAT'S UP TO YOU NOW.

Original: Attached to Grievance
Pink: Inmate's Copy

B-33

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM


NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HDSP - "SMU" UNIT #: 3-A-34

GRIEVANCE #: 20063135783 GRIEVANCE LEVEL: ATTACHMENT (EMERGENCY) 2ND LEVEL

GRIEVANT'S STATEMENT CONTINUATION: PG. 1 OF 1

9/28/2022 RECEIVED F/ NEIGHBOR: I'M NOT ONE TO GET INTO OTHER PEOPLE'S BIZ-NESS, BUT IF I WOULD HAVE KNOWN THAT THAT'S WHAT "TOOTHPICK" (THAT'S WHAT I CALL HIM) WAS DOING W/ YOU, I WOULD'VE SAID "HELL - NAW!"
I DON'T KNOW IF YOU KNOW HIS OLD CELLY "M-C" - WHEN THEY GOT SEPARATED MC WENT TO "B"-SIDE. THEN I MOVED IN (W/M-C) HE TOLD ME ALL THE GRIMY SXXX THAT TOOTHPICK WAS DOING, INCLUDING USING UP ALL OF MC'S PHONE TIME. I FIRST MET TOOTHPICK AT CCDC 9B & HE WAS JUST AS GRIMY THEN TOO. HE'S NOTHING BUT A DIRTBAG SNOB. IF YOU CAN CUT TIES WITH THAT KID, DO IT NOW! GET A HITE OUT TO THE CASEWORKER AND INMATE PHONES THAT YOU NEED YOUR PHONE PIN CHANGED BECAUSE SOMEONE SAW YOU DIAL YOUR PIN & STOLE IT. DO IT NOW! THIS DUDE IN NOT GOING TO LEARN. LOOK WHAT KIND OF TATTOOS HE HAS. ON HIS FACE! HE LOOKS LIKE A CLOWN. SAY BYE TO YOUR LOSSES. GET YOUR PIN CHANGED, & CUT HIM OFF. PS - HIS THREATS ARE EMPTY. - HE CANT FIGHT. (ORIGINAL MAILED TO ATTORNEYS) FWD:

Original: Attached to Grievance PLEASE SEE #20063140694
Pink: Inmate's Copy (Filed in EDC A-22-853203-W, JC case No 21P01950 and multidistrict litigation in US DISTRICT COURT #2:21-cv-00499-JAD-DJA) 
DOC-3097 (01/02) CD

RENEWED COMPLAINT IN LETTER OF MOTION

5-20-2022

TO: ELLI ROCHANI, MICHAEL P. VILLANI,
MICHELLE MCCARTHY, CYNTHIA ~~MOLERE~~ MOLERES,
CHAUNTE PLEASANT, MARY KAY HULTHUS,
MICHELLE DE LA GARZA, STEVE BRIERSON,
HEATHER UNBERMANN, JOE LOMBARDO,
OSCAR GOODMAN, CAROLYN AND
EVERYBODY ELSE AND THEIR MOTHERS:

IF RJC FORWARDS
ONE MORE OF MY
ORIGINAL DOCUMENTS TO

SO SCOTT DOISSON
WITHOUT RETURNING A COPY
TO ME, THAN I

AM GOING TO HANG MYSELF
IN THIS PRISON CELL.

x Michael Jean Hurt

M. J. H.

666

SICK OF YOUR

NEGLIGENCE SCOTT
AND JACK, et al

27-D-2

Page Number Nine
No. 2



INMATE ACCOUNT TRANSACTION REQUEST FORM
(Brass Slip) Return Memorandum

Date: 4/28/22 To: ADMINISTRATION Institution: HASP

From: Inmate Banking Services (Staff Initials: MPA)

Inmate Banking Services received a brass slip and/or Savings Withdrawal Request detailed below.

Inmate Name: MATTHEW HOUSTON NDOC #: 1210652
Made Payable To: NDOC Amount: \$ 1,760,000 ^{+ 87¢ (TWO SENSE) 69¢} = CONFEDERACY OF THE K.K.K.

Brass Slip #: 2522596 Purpose: LEGAL POSTAGE

BRASS SLIPS:

The brass slip is being returned because an authorized institutional staff's signature was not obtained.

THOMAS OF JEFFERSON DAVIS PERRISH, LA

The brass slip has not been processed and has been voided. If applicable, please return the envelope and its contents to the above-mentioned inmate. The brass slip was voided for the following reason(s):

- Unable to determine the purpose of the brass slip (e.g., legal copies, postage, etc.)
- Inmate Signature was not obtained / Inmate name and/or number missing
- Dollar amount of the brass slip was not inserted / Dollar amount change not initialed by inmate
- Canceled per inmate's request
- Inmate account does not have sufficient funds - NSF (Account balance: \$ _____)
- Inmate account is frozen
- Inmate needs to supply postage for the brass slip
- Inmate needs to supply a self-addressed stamped envelope for the brass slip
- Unable to verify authorized signature
- Payee on brass slip does not match envelope
- Verification not returned by facility
- Other _____

Per AR 258.13.3.G, an inmate should not have a copy of a fully executed brass slip.

SAVINGS WITHDRAWAL REQUESTS:

- The Savings withdrawal request was not approved for the following reason(s):
 - Withdrawal from a Savings Account must be approved through Inmate Savings Withdrawal Request form (DOC-515)
 - Savings account has not met the maximum threshold required by AR 258.01.D (3).

3016661201-0001

Page Number Ten
N.3 (three)

DOC 509c (rev. 09/2018) D.F.P.
NAVY SEAL 1-04-08 (6-6-2002)
legally blind + C.P.T.S.D
9-30-2016 7-15-1984

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CERTIFICATE OF SERVICE BY MAILING

I, MATTHEW TRAVIS HOUSTON, hereby certify, pursuant to NRCF 5(b), that on this 30 day of SEPTEMBER, 2022 I mailed a true and correct copy of the foregoing, "EMERGENCY LETTERS OF MOTION, NOTICES OF MOTION, EXHIBIT 1(S) AND MOTION FOR SPEEDY TRIALS) OR IN THE ALTERNATIVE DISMISSALS FOR LACK OF SPEEDY AND TIMELY PROSECUTION" by depositing it in the High Desert State Prison, Legal Library, First-Class postage fully prepaid, addressed as follows:

cc: CHAMBERS
LAW CLERK
200 LEWIS AVENUE
LAS VEGAS, NV
89155

CC: FILE

DATED: this 30 day of SEPTEMBER, 2022

Matthew Travis Houston
Matthew Travis Houston #1210652
Petitioner/In Propria Personam
Post Office Box 650 [HDSP]
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

MATTHEW TRAVIS HOUSTON
NO 1310552 (HOSP)
PO Box 650
INDIAN SPRINGS, NV
89070-0650

3782

CC: CHAMBERS
ATTN: LAW CLERK
REGIONAL JUSTICE CENTER
200 LEWIS AVENUE
LAS VEGAS, NV
89155

LEGAL MAIL
AND
OFFICIAL BUSINESS
OR
A/RK No. 04662784

HIGH DESERT STATE PRISON
OCT 10 2002
UNIT 3A/B

EXHIBIT 2

**MANUALLY FILED WITH
DISTRICT COURT CLERK'S OFFICE**

Activity in Case 2:22-cv-01607-APG-DJA Houston v. Lombardo et al Memorandum

cmecf@nvd.uscourts.gov <cmecf@nvd.uscourts.gov>

Fri 10/21/2022 5:36 PM

To: cmecfhelpdesk@nvd.uscourts.gov <cmecfhelpdesk@nvd.uscourts.gov>

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United States District Court

District of Nevada

Notice of Electronic Filing

The following transaction was entered on 10/19/2022 at 3:11:12 PM PDT and filed on 10/19/2022

Case Name: Houston v. Lombardo et al

Case Number: 2:22-cv-01607-APG-DJA

Filer: Matthew Travis Houston

Document Number: 14

Docket Text:

MEMORANDUM by Plaintiff Matthew Travis Houston. (CJS)

2:22-cv-01607-APG-DJA Notice has been electronically mailed to:

HDSP Law Library HDSP_LawLibrary@doc.nv.gov

2:22-cv-01607-APG-DJA Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1101333072 [Date=10/19/2022] [FileNumber=10880699-0] [66ecbd318aeab551878a63cc5ee3af1e098a3b946102a9429df10eb7ddcfd9d06e44e21fa170ee47a9134580a9d05c3bdf56aada0db9ce0922c28ae1321fb6bc]]

Ⓢ This is a re-generated NEF. Created on 10/21/2022 at 10:35 AM PDT

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

2:22-cv-01685-JAD

→ 2:22-cv-01607-APG-DJA ←

3 REVEREND
MATTHEW TRAVIS HOUSTON,
4 Plaintiff-Petitioner,
v.

Case No. 2:21-cv-00499-JAD-DJA
2:22-cv-01285-MMD-VCF

"de novo requested" EX PARTE

5 L.V.M.P.D., JOE LOMBARDO,
6 GOLDEN ENTERTAINMENT AND
7 CALVIN JOHNSON, ET AL,
Defendant(s)-Respondent(s)

LETTER OF MOTION (NOW SEE EJDc #A-17-758861-C
AND — MEMORANDUM — IN 2:22 cv-01285
"NOT STRIKEN" "AKA" § FROM CASE No. 2:22-cv-
01285: PREVIOUSLY FILED AS DOCUMENT No. 7
"MIRANDA-MEMO-RAN-DAMNED"
ON 08/22/2022

8
9 EMERGENCY EX PARTE LETTER OF MOTION TO US
10 DISTRICT COURT MAGISTRATE DANIEL J. ALBRECHTS ~~AND~~ IN
11 RESPONSE TO ORDER FROM OCTOBER 7TH, 2022 (DOCUMENT 11)
12 AND MOTION TO STAY ALL DOCUMENTS IN ALL CASES
13 OF REVEREND MATTHEW TRAVIS HOUSTON
14

15 For Plaintiff has renewed his OATH to the
16 UNITED STATES NAVY RETROACTIVELY FROM ON OR BEFORE
17 June 6th, 2002. Do NOT strike a single further
18 document of a single note I write Mr. Albrechts, You
19 and Jennifer A. Dorsey are to immediately recuse
20 yourselves from ALL cases of Matthew Travis Houston as
21 the result of intentional gross negligence in the "form" of
22 JUDICIAL MISCONDUCT.

23 — SEE EXHIBIT 1 — (p.18)

24 This Court will now keep and read all documents of
25 the SURVIVOR OF ONE OCTOBER, 2017 and way too many
26 other disasters and tragedy not limited to this meritorious case,
27 ~~by~~ by temporarily setting aside LOCAL RULES OF PRACTICE 1-1, 1-2 and 26-7,
28

11

EMERGENCY JOINDER OF ACCOUNTABILITY AND A
RETROACTIVE JOINDER OF APPEAL TO CONSOLIDATE MY
WILL AND RENEWED CAVEAT THIS 15TH DAY OF OCTOBER, 2022 ON AN
" NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM "

NAME: MATTHEW TRAVIS HOUSTON LVMPD ID # 18: 7035801
NDOC I.D. NUMBER: 1210652

INSTITUTION: OF WRONGFUL CONVICTIONS UNIT #: MAXIMUM SECURITY
LEVEL 666 OF

GRIEVANCE #: JOINDER OF EXHONORATION IN RE EXHAUSTED
" CONSOLIDATION " GRIEVANCE LEVEL: EMERGENCY

GRIEVANT'S STATEMENT CONTINUATION: PG. 8 OF 15

AS RESULT OF THE JUDICIAL NEGLIGENCE OF MY
PERSON AND PROPERTY, AND THE NEGLIGENCE OF MY
ESTATE BY NUMEROUS OTHER INDIVIDUALS AND ENTITIES,
I HAVE BEEN FORCED AGAINST MY WILL TO ADD
MAGISTRATE DANIEL J. ALBRECHTS AS A DEFENDANT
IN MY MERITORIOUS AND VALID CLAIMS OF DAMAGES
NOT LIMITED TO THAT OF APPEAL DEPRIVATION.

THE COURT, ~~WHEN~~ AGAIN TAKE NOTICE OF THIS
RENEWAL OF MY OATH ON OR AROUND JUNE 6TH,
2002, TO WHICH IS CLASSIFIED SUPER TOP SECRET
RETROACTIVELY TO THE UNITED STATES NAVY DEP./RET.
1-04-08. FROM MY PROFESSIONAL AND PERSONAL EXPERIENCE
WITH DANIEL J. ALBRECHTS OF THE U.S. DISTRICT COURT -
SOUTHERN DIVISION OF LAS VEGAS, NEVADA, HE SHALL TAKE
NOTICE OF THE MOST NEGLECTFUL DEFENDANT, RESPONDENT
NUMBER 92) JENNIFER A. DORSEY TO TAKE HIS RIGHTFUL TITLE

Original: Attached to Grievance # OF UNLUCKY NUMBER 93 -
Pink: Inmate's Copy # NINETY-THREE - D.J. ALPHA*

* = THIS NOTICE OF DEMAND IS RETROACTIVE FROM WELL
BEFORE SEPTEMBER 30TH, 2016. NOW SEE
CODE OF JUDICIAL CONDUCT MR. ALBRECHTS.

CAVEAT

POTENTIAL "LAST WILL AND UNHOLY TESTAMENT" AND EMERGENCY REQUEST PER LAST SOVERIGN FOUNDER OF LVMPD ON AN INMATE REQUEST FORM (COURT HEARINGS @ R.J.G. 10/18/22 AND 10/26/22)

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
MATTHEW TRAVIS HOUSTON	1210652	3A34	10-15-2022

- 4.) REQUEST FORM TO: (CHECK BOX)
- CASEWORKER - JEFFERSON
- EDUCATION
- LAUNDRY
- MEDICAL
- VISITING
- PROPERTY ROOM - GARCIA
- MENTAL HEALTH
- LAW LIBRARY - GARCIA, H. COOK
- SHIFT COMMAND -
- OTHER (C. LT BARTH) - ^{FWD}
- CANTEEN
- DENTAL

5.) NAME OF INDIVIDUAL TO CONTACT: SENIOR C/O GHANT @ SMU

6.) REQUEST: (PRINT BELOW) Apparantly I am still pending write-up to which I plead "NOT GUILTY"... Not sure if you're aware that I am both actually innocent and factually innocent of all false accusations including "the causation of this false imprisonment", regardless of this truth I am still not yet returned of my property including legal work, religious material and programming documentation that was allegedly hijacked by the "PROPERTY ANNEX" GARCIA*. SIR COULD YOU PLEASE STATUS CHECK THE PROPERTY ANNEX? (TO RETURN MISSING ITEMS)

THIS IS WHITE COLLAR TRUTH AND MULTIDISTRICT LITIGATION PER NAPOLEONIC CODE OF IOWA AND THE LAST OF THE MESQUAKI RIVER

7.) INMATE SIGNATURE TOWARDS TAMA - ~~Matt Houston~~ DOC # 1210652

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

10.) RESPONDING STAFF SIGNATURE _____ DATE _____

* = CONTINUATION: SIR I CANNOT EXPRESS IN WRITING HOW IT IS OF VALUE TO JUSTICE AND PUBLIC SAFETY TO HAVE ALL OF MY MISSING ITEMS INCLUDING LEGAL WORK RETURNED ASAP.

SEE EJDC #A-17-758861-G, A-22-85637266 and A-22-858580-G → (L.V.M.P.D.)

DOC - 3012 (REV. 7/01)

Case 2:22-cv-01607-APG-DJA Document 14 Filed 10/19/22 Page 4 of 47
**EMERGENCY REQUEST FOR CORNEA SPECIALIST DOCTOR'S VISIT
 AND TRANSFER REQUEST ON AN**

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
MATTHEW TRAVIS HOUSTON	1210652	3A34	10-14-2022

- 4.) REQUEST FORM TO: (CHECK BOX)
- | | | | |
|---|---|---|----------------------------------|
| <input type="checkbox"/> CASEWORKER - MISS JEFFERSON, AW CHILPERS | <input type="checkbox"/> MEDICAL (DR LIGHT FROM SDCC-20A) | <input type="checkbox"/> MENTAL HEALTH - DR DAVIS, DR SHARRET | <input type="checkbox"/> CANTEEN |
| <input type="checkbox"/> EDUCATION M. RUSSELL | <input type="checkbox"/> VISITING SR C/O LOPEZ | <input checked="" type="checkbox"/> LAW LIBRARY CHIEF GARCIA, H. COOK | <input type="checkbox"/> DENTAL |
| <input type="checkbox"/> LAUNDRY | <input type="checkbox"/> PROPERTY ROOM ANNEX GARCIA | <input type="checkbox"/> SHIFT COMMAND - LT BARTH | |
| | <input type="checkbox"/> OTHER WARDEN C. JOHNSON cc. AW R. OLIVER cc. AW. J. SCALLY AW. J. WILLIAMS | | |
- 5.) NAME OF INDIVIDUAL TO CONTACT: COLLECTIVE JUSTICE (CHAIN LETTER FOR RECORDS)

THIS IS ALSO RELATED TO MY CURRENT CUSTODY STATUS / MISCLASSIFICATION

6.) REQUEST: (PRINT BELOW) TODAY I WAS FINALLY SEEN BY EYE DR @ HOSP AND HE INFORMED ME OF NEWLY DISCOVERED EVIDENCE IN RE ALL OF MY CASES NOT LIMITED TO 2:19-cv-01472, 2:19-cv-01371, 2:21-cv-00499, 2:22-cv-00693, 2:22-cv-01285, 2:22-cv-01607, and 2:22-cv-01685; IF I AM NOT SEEN BY A CORNEA SPECIALIST ASAP I COULD LOOSE MY LEFT EYE. DR SUGGESTED THAT I PUT IN FOR TRANSFER TO "NNGC" WHICH IS THIS REQUEST WHICH IS RETROACTIVE FROM SEPTEMBER 30, 2016. SEE EJDc CASE # A-17-758861-G, PLEASE RESUBMIT ME TO STEWART CAMP AND SDCC*

7.) INMATE SIGNATURE Matthew Travis Houston DOC# 1210652

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

10.) RESPONDING STAFF SIGNATURE _____ DATE _____

*= THIS WRONGFUL CONVICTION IS DIRECTLY RELATED TO MY MEDICAL CONDITION RESULTING FROM "SEDGWICK CMS (DEFENDANT), ET AL" FALSE POLICE REPORTS AND INTENTIONAL GROSS NEGLIGENCE-MALICIOUS PROSECUTION IN JUSTICE COURT OF LAS VEGAS TOWNSHIP CASE No(s) 21PO1275 and 21PO1950

Log Number _____

NEVADA DEPARTMENT OF CORRECTIONS
FIRST LEVEL GRIEVANCE

NAME: MATTHEW I.D. NUMBER: 1916652

INSTITUTION: _____ UNIT: 134

I REQUEST THE REVIEW OF THE GRIEVANCE LOG NUMBER 20063139650, IN A FORMAL MANNER. THE ORIGINAL COPY OF MY GRIEVANCE AND ALL SUPPORTING DOCUMENTATION IS ATTACHED FOR REVIEW.

SWORN DECLARATION UNDER PENALTY OF PERJURY:

INMATE SIGNATURE: _____ DATE: 7-14-2022

WHY DISAGREE: Law Library and INDOC ET AL are in a permanent DEFAULT. Regardless of the state's debt to me, the fact remains that their "DEFAULT" is causing me to look over to the courts. As we are just simple taskmasters we still require proper forms.

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

FIRST LEVEL RESPONSE: _____

_____ GRIEVANCE UPHeld _____ GRIEVANCE DENIED _____ ISSUE NOT GRIEVABLE PER AR 740

WARDEN'S SIGNATURE: _____ TITLE: _____ DATE: _____

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

_____ INMATE AGREES _____ INMATE DISAGREES

INMATE SIGNATURE: _____ DATE: _____

FAILURE TO SIGN CONSTITUTES ABANDONMENT OF THE CLAIM. A SECOND LEVEL GRIEVANCE MAY BE PURSUED IN THE EVENT THE INMATE DISAGREES.

- Original: To inmate when complete, or attached to formal grievance
- Canary: To Grievance Coordinator
- Pink: Inmate's receipt when formal grievance filed
- Gold: Inmate's initial receipt

B-6

**NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM**

NAME: MATTHEW TRAVIS HOUSTON ID NUMBER: 1210652INSTITUTION: HDSP "SMU-BMU" UNIT#: 3A34GRIEVANCE #: 20063139650 GRIEVANCE LEVEL: FIRSTGRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 3

When I go to the effort of putting in ink and energy and am in turn insulted, that only adds fuel to the fire. Not only has Law Library insulted me, but they've insulted Judge Jennifer A. Dorsey and Magistrate Daniel J. Albrights; and even our Chief Judge Miranda M. Du. The neglect of the state in not providing me with the proper forms insults our veterans, and even our joke of an administration AKA "THE ^{THE} Democrapps" at the tables of the Joe Bidenites. Look, I don't care if you're blue or red, white or black, or whatever y'all do. Here @ NDOC we are GREEN LIVES MATTER because your uniforms are green, so sorry if I've offended anybody (as result of YOUR GOVERNMENT kidnapping and ignoring me.

Original: Attached to Grievance
Pink: Inmate's Copy

B-7

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HO SP "SMU" UNIT #: 3alpha34

GRIEVANCE #: 20063139650 GRIEVANCE LEVEL: FIRST

GRIEVANT'S STATEMENT CONTINUATION: PG. 3 OF 3

Please READ and FOLLOW THE INSTRUCTIONS that

I politely requested on the attached pink 3012 "kite" that I have transcribed as follows:

ORDERS FROM: DJ Alpha "AKA" Daniel J. Albrights

http://www.nvd.uscourts.gov/wp-content/uploads/2020/12/IFP-Inmate-Packet-Effective-12-1-20-FINAL.pdf

Can you please help ^{THE} The Honorable DJ Alpha?

Please, if you have any sort of compassion for our town and public safety and ending recidivism,

just vote MATTHEW TRAVIS HOUSTON for

- a. Mayor of Indian Springs, NV
- b. District Attorney for Clark County, NV
- c. Sheriff of Clark County, NV
- d. Board of Supervisors of Clark County, NV
- e. NDOC Law Library clerk (one box only please)

Original: Attached to Grievance
Pink: Inmate's Copy

B-8

A.22.758861.C

NAME <u>MATTHEW TRAVIS HOUSTON</u> ID# <u>1210652</u> Unit/Cell#: <u>3.A.2</u>	
FACILITY <u>HDSP</u> DATE <u>7.7.22</u> SIGNATURE <u>Matthew Travis Houston</u>	
Request <u>Where are my glasses? Where are my seeing eye I was assaulted by C/O INTAKE dogs?</u>	
STAFF <u>12.20.2021. Today is 7. JUL. 22,</u> <u>(6 MONTHS (DEC) and 4 WEEKS later.</u>	
<u>Why did you charge my account \$8 (x 3) and some add cents on a 4th charge? I have done nothing but turn in kites. Not seen by doctor or nurses.</u>	
INMATES - DO NOT WRITE IN AREA BELOW	
ASSIGNED TO	
<input type="checkbox"/> Medical <input type="checkbox"/> Dental <input type="checkbox"/> Psychiatry <input type="checkbox"/> Nursing <input type="checkbox"/> Other _____	
Response to request	
<input type="checkbox"/> Appointment scheduled/rescheduled for: _____ <input type="checkbox"/> No visit necessary <input type="checkbox"/> No show for appointment <input type="checkbox"/> Refused to be seen. DOC 2523 Release of Liability signed	
PRESCRIPTIONS	
<input type="checkbox"/> KOP <input type="checkbox"/> NON-KOP <input type="checkbox"/> Order date _____	
PLAN	
<input type="checkbox"/> Follow-up appointment _____ <input type="checkbox"/> Return if needed <input type="checkbox"/> No follow-up required	
Signature of practitioner/responder _____ Date _____	
RECEIVED	
NEVADA DEPARTMENT OF CORRECTIONS JUL 12 2022 MEDICAL KITE and SERVICE REPORT HDSP	

DOC 2500 (09/21)

A.22.853203.W

CAVEAT AND
"IMPROVISED" EMERGENCY GRIEVANCE
IN RE UNINTENTIONALLY SUSTAINED COUNTEROFFENSIVE
ON THE 6th DAY OF JULY - 2022 AND RENEWED DEMANDS
STATUS OF NEVADA DEPARTMENT OF CORRECTIONS AKA "DOC"
GRIEVANT'S STATEMENT CONTINUATION FORM

James H. Thompson, Esq.

1154700

NAME: MATTHEW TRAVIS HOUSTON, CHTD. I.D. NUMBER: 1210652

INSTITUTION(S) OF BROKEN WATER UNIT#: "SMU" 3-A-2

GRIEVANCE #: (1) 2006-31-36490 GRIEVANCE LEVEL: EMERGENCY

GRIEVANT'S STATEMENT CONTINUATION: PG-13(1) OF 1

Our last tier time was SUNDAY, JULY 3rd 2022.
No TIER-⁽¹⁾YARD-⁽²⁾DOCTOR-⁽³⁾LEGAL MAIL-⁽⁴⁾OUTGOING MAIL-⁽⁵⁾
⁽⁶⁾TELEPHONE CALL-⁽⁷⁾LEGAL TELEPHONE CALL - NO SIGNING
OF BRASS⁽⁸⁾ SLIPS FOR LEGAL MAIL- NO SHOWERS-⁽⁹⁾
No SACK LUNCH / SACK NASTY - WE HAVE BEEN
DENIED EVERYTHING FOR OVER 72 HOURS.

REMEDY: \$500 per violation (x.10) = \$5k
Also denied⁽¹¹⁾ knives, outgoing⁽¹²⁾ knives, denied
emergency⁽¹³⁾ grievances • denied COPYWORK⁽¹⁴⁾, LLC
denied EN BANC • denied habeas⁽¹⁶⁾ corpus • denied
MANDAMUS • denied law dictionary • denied⁽¹⁹⁾ federal
§ 1983 • denied⁽²⁰⁾ eye drops (x10) = \$5k + 5k = \$10k

DENIAL + DELAY OF U.S. Supreme Court CERTIORARI deadline (7.17.22)
DENIAL + DENIAL IN RE "FINANCIAL CERTIFICATE" 2:22-cv-00693
DELAY + DENIAL IN RE 9th CIRCUIT causing No. 22-15748 (7.15.22) JAD-NJK
PANDORA'S BOXES OF A.17-758861.C + A.22-853203.W

Original: Attached to Grievance
Pink: Inmate's Copy

2:21-cv-00499-JAD-DJA

2:22-cv-00693-JAD-NJK RECEIVED

X
x Matthew Travis Houston (B.L.M.) JUL 12 2022

DOC - 3097 (01/02) HDSP

NOTICE OF DEMAND (ON A NEVADA DEPARTMENT OF CORRECTIONS GRIEVANT'S STATEMENT CONTINUATION FORM)

FROM: MATTHEW TRAVIS HOUSTON, CHTD. I.D. NUMBER: 1210652
NAME: On this 9th day of July, 2022.
INSTITUTION: OF WRONGFUL CONVICTION(S) UNIT #: C-17-357927.1 (C-21)
GRIEVANCE #: APPEAL DEPRIVATION GRIEVANCE LEVEL: CLAIM

GRIEVANT'S STATEMENT CONTINUATION: PG. 1 OF 1

TO: Anthony M. Goldstein (Defendant-respondent No. 55)
Can you please return ALL of my documents?
You will now take notice of your DEFAULT STATUS in re "legal malpractice", false imprisonment and other crimes against the estate of Matthew Travis Houston, CHTD. not limited to the illegal withholding of my original documents and pleadings in re false arrest 7.14.2021 resulting in case No. C-21-357927.1 and numerous other litigation(s) not limited to A-17-758861.0 and interfering with numerous appeals of Claim No. 3016661201-0001 and the blocking, hindering and thwarting of 9th Circuit No. 22-15748, 2:21-cv-00499-JAD-DJA and 2:22-cv-00693-JAD-NJK. This demand of reparations for incurred damages of \$36,500,000.00 IS RENEWED.

x. Matthew Travis Houston
Original: Attached to Grievance + filed in A-22-853203-W
Pink: Inmate's Copy - MAILED PINK SLIP TO THE OFFICE OF: ANTHONY M. GOLDSTEIN
2421 Tech Center Court Suite No. 100
Las Vegas, NV 89128
Page Number Six DOC-3097 (01/02)

Log Number 2022-3139650

NEVADA DEPARTMENT OF CORRECTIONS
INFORMAL GRIEVANCE

NAME: (S) MATTHEW TRAVIS HOUSTON I.D. NUMBER: (S) 1210652

INSTITUTION: H.D.S.P. "SMU" UNIT: 3-ALPHA-2

GRIEVANT'S STATEMENT: NOW SEE 20/20 EMERGENCY § 1129203 §
MOTION OF JOINER

1210652 NOTICE OF DEMAND FOR ALL LAW LIBRARY
MATERIALS, MOST SPECIFICALLY "COPYWORX, LLC"
IN RE HABEAS CORPUS + EN BANC + MANDAMUS COPIES...
NOW SEE "Notice of Demand" § Article 2

SWORN DECLARATION UNDER PENALTY OF PERJURY

INMATE SIGNATURE: (S) Matthew Travis Houston DATE: 7-1-22 TIME: 11:30 AM

GRIEVANCE COORDINATOR SIGNATURE: AWW DATE: 7/18/22 TIME: 0900

GRIEVANCE RESPONSE: 0003098
[Handwritten signature]

CASEWORKER SIGNATURE: _____ DATE: _____

GRIEVANCE UPHELD GRIEVANCE DENIED ISSUE NOT GRIEVABLE PER AR 740

GRIEVANCE COORDINATOR APPROVAL: AWW DATE: 7/18/22

INMATE AGREES INMATE DISAGREES

INMATE SIGNATURE: [Handwritten signature] DATE: 7-27-22

FAILURE TO SIGN CONSTITUTES ABANDONMENT OF THE CLAIM. A FIRST LEVEL GRIEVANCE MAY BE PURSUED IN THE EVENT THE INMATE DISAGREES.

Original: To inmate when complete, or attached to formal grievance
Canary: To Grievance Coordinator
Pink: Inmate's receipt when formal grievance filed
Gold: Inmate's initial receipt

RECEIVED

JUL 06 2022

HBSP

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: (S) MATTHEW TRAVIS HOUSTON I.D. NUMBER: (S) 1210652

INSTITUTION: H.D.S.P. "SMU" UNIT #: 3-A-2

GRIEVANCE #: _____ GRIEVANCE LEVEL: AR 740 EXHAUSTED

GRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 2

It has been over 2 weeks since law library request forms were submitted for legal documents to proceed with litigation. IN RE "RETRALIATION" (Shows in the AR 740 rules where without appliances we have no rights to power-electricity) ~~TRF~~
REMEDY:

NOW SEE YOU WILL PROVIDE US WITH OUR LEGAL DOCUMENTATION WITHIN 72 HOURS PER CASE # 2:22-CV-00693-JAD-NJK

NOW SEE 2:21-CV-00499-JAD-DJA
1129203 = JARED H. THOMPSON

1210652 = MATTHEW TRAVIS HOUSTON

x. Matthew Travis Houston

Thank y'all and have a most blessed day 😊

HAVE A NICE DAY! 😊

Original: Attached to Grievance
Pink: Inmate's Copy

RECEIVED

JUL 06 2022

HDSP
DOC - 3097 (01/02)

Log Number _____

NEVADA DEPARTMENT OF CORRECTIONS
FIRST LEVEL GRIEVANCE

NAME: Matthew Travis Houston I.D. NUMBER: 1210652
INSTITUTION: ADSP ISMU UNIT: 3A-34

I REQUEST THE REVIEW OF THE GRIEVANCE LOG NUMBER 20063136490, IN A FORMAL MANNER. THE ORIGINAL COPY OF MY GRIEVANCE AND ALL SUPPORTING DOCUMENTATION IS ATTACHED FOR REVIEW.

SWORN DECLARATION UNDER PENALTY OF PERJURY

INMATE SIGNATURE: _____ DATE: April 13, 2022

WHY DISAGREE: SGT ISANCHEZ never provided me my bin - tote - commissary storage device when I was in Unit 9 cell 23 pod C and he's getting me to eye doctor. I'm legally blind. Just ask Dr. Edmund Yee why he's costing my cornea \$36.5 million.

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

FIRST LEVEL RESPONSE _____

____ GRIEVANCE UPHELD _____ GRIEVANCE DENIED _____ ISSUE NOT GRIEVABLE PER AR 740

WARDEN'S SIGNATURE: _____ TITLE: _____ DATE: _____

GRIEVANCE COORDINATOR SIGNATURE: _____ DATE: _____

____ INMATE AGREES _____ INMATE DISAGREES _____

INMATE SIGNATURE: _____ DATE: _____

FAILURE TO SIGN CONSTITUTES ABANDONMENT OF THE CLAIM. A SECOND LEVEL GRIEVANCE MAY BE PURSUED IN THE EVENT THE INMATE DISAGREES.

- Original: To Inmate when complete, or attached to formal grievance
- Canary: To Grievance Coordinator
- Pink: Inmate's receipt when formal grievance filed
- Gold: Inmate's initial receipt

B-28

**NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM**

NAME: MATTHEW TRAVIS HOUSTON ID NUMBER: 1210652INSTITUTION: NDSP UNIT #: 3A34GRIEVANCE #: 20063136490 GRIEVANCE LEVEL: FIRSTGRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 3

YOU WILL NOW TAKE NOTICE that I request inquiry to my Law Library clerk from TLVCC + SDCC in 2019. She was helping me and her name maybe in documents from the following:

2:19-cv-01472-APG-DJA2:19-cv-01371-JAD-DJA2:19-cv-01740-APG-BNW2:19-cv-01475-GMN-EJY2:19-cv-01360-RFB-YCF

I am trying my best to obtain my records from the above-titled cases, and I just realized even though C/O PAPALASKAS passed away, that the Law Library clerk might still be alive to testify. My separation anxiety is 24-7. Anyways, in those records it explains all about my cyborg implants that the aliens put into me. Laser eye.

Original: Attached to Grievance
Pink: Inmate's Copy

B-29

**NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM**

NAME: Matthew Travis Houston ID NUMBER: 1210652

INSTITUTION: NIDSP "SMU-BMU" UNIT #: 3A 34

GRIEVANCE #: 20063136490 GRIEVANCE LEVEL: FIRST

GRIEVANT'S STATEMENT CONTINUATION: PG. 3 OF 3

If y'all can't obtain my records from these (SEE) cases, perhaps medical could contact Dr. chriner? He's right by The Palms casino... Visual 20/800 impairment is no frivolous matter. (kire) Prove that the aliens didn't do this as an attached Doc-3012 is slime green in color and looks to be that of alien juice - like my TOKYO TEA. If y'all can please get me to Dr. Light @ SDCC I'll pay y'all in infinite neon green alien-juice TOKYO TEAS @ any property of y'all's choosing... preferably DUBAI. Is Dr. Light still @ SDCC? I must have my glasses for my eyes and my TOKYO TEAS PLEASE... And can y'all please get me back to FIRECAMP or NNCC or CGTH? There is absolutely NO rhyme or reason for my bein' outta season her in SMU

Original: Attached to Grievance
Pink: Inmate's Copy

B-30

EXHIBIT 1

**MANUALLY FILED WITH
DISTRICT COURT CLERK'S OFFICE**

2:21-cv-00499-JAD-DJA Jennifer A Dorsey and DS ALPHA re Golden Entertainment Letter

cmecf@nvd.uscourts.gov <cmecf@nvd.uscourts.gov>

To: cmecfhelpdesk@nvd.uscourts.gov <cmecfhelpdesk@nvd.uscourts.gov>

... (blurred text) ...
... (blurred text) ...
... (blurred text) ...

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

The CM/ECF system's automatic e-mail service of the United States policy permits ... (blurred text) ...
... (blurred text) ...
... (blurred text) ...
... (blurred text) ...
... (blurred text) ...

... (blurred text) ...

... (blurred text) ...

... (blurred text) ...
... (blurred text) ...
2:21-cv-00499-JAD-DJA

33 - 27 pages total (8 pages of FINANCIAL CERTIFICATES REPLACED IN EDC #4-17-758861-C to use as a counterclaim against Jennifer A Dorsey and DS ALPHA) Ex Parte LETTER of Motion to United States Magistrate Judge Daniel J. Albrights re ECF No. [30] Order, filed by Matthew Travis Houston. (Attachments: # (1) Apparent Duplicate Submission) (DRM)

... (blurred text) ...

... (blurred text) ...

... (blurred text) ...

... (blurred text) ...

... (blurred text) ...

...

...

... (blurred text) ...

... (blurred text) ...

... (blurred text) ...

REVEREND MATTHEW TRAVIS HOUSTON, CHTD

ABA No. 04662784

126652@HOSP

Po Box 650

Indian Springs, NV

89070-0650

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA - Southern Division

MATTHEW TRAVIS HOUSTON,

Plaintiff,

v.

GOLDEN ENTERTAINMENT, ET AL,

Defendant(s).

Case No. 2:22-cv-00499-JAD-DJA

EX PARTE LETTER OF MOTION

TO UNITED STATES MAGISTRATE JUDGE

DANIEL J. ALBRECHTS

SEE EJDC No. A-17-758861-C

As this is response to Judge Albright's Order from September 29th, 2022, Plaintiff must remind and provide clarification to this Honorable Court in an effort to preserve justice and obtain reparations so that compensation will finally be made to the Plaintiff for ALL of the damages he has sustained and endured most unwillingly and unnecessarily, retroactively from September 30th, 2016 having woken from coma and other injuries in 2022. It is for this valid and meritorious reason that litigation in the above-entitled case may appear/look to the court as ~~being~~ being unworthy of serious attention, especially as looks can be deceiving.

FIRST AND FORMOST, is this reminder to Magistrate Albrights that the Law OFFICES OF MATTHEW TRAVIS HOUSTON, CHTD in Iowa City, Iowa were destroyed; by derecho storm the Maquoketa. Iowa branch of the office at 1009 Cardinal Dr, Maquoketa, IA, 52060; and by unidentified agents in Iowa City: 435 S. Linn Street, #927-52240.

Page 1 of 28

(Nature of Suit: 190, 360, 370, 380 and 950)

Revised September 30, 2022

1 In response to Magistrate Albright's "Document 30";
 2 Page 1, lines 12-24; SEE Document 22-1. "CIVIL RIGHTS
 3 COMPLAINT BY AN INMATE" filed 9-16-2022. The
 4 court will also be reminded of "Document 31",
 5 filed October 5th, 2021, as an "APPLICATION FOR
 6 LEAVE TO PROCEED IN FORMA PAUPERIS" and was 8 pages;
 7 DOCUMENT 22, DOCUMENT 28 and DOCUMENT 29. Also,
 8 as Case Number 2:21-cv-00499-JAD-DJA is directly
 9 related to 2:22-cv-00693-JAD-NJK, this Honorable
 10 Court will be further reminded of "DOCUMENT No. 1"
 11 filed 4/25/2022 in 2:22-cv-00693-JAD-NJK.

12 While we are on the subject of case relation and
 13 its causation, the Court will also be reminded of No.
 14 2:22-cv-01685-APG-VCF and its "Document No. 1",
 15 entered and filed on October 5th, 2022; and case
 16 number 2:22-cv-01607-APG-DJA, "DOCUMENT No. 8"
 17 filed 9/28/2022; "Document No. 9" filed 10/3/2022
 18 and entered on 10/5/2022 and "Document No. 10"
 19 filed and entered on 10/6/2022.

20 To provide Magistrate Albright's with further background
 21 of the case, Plaintiff has attached documents substantial
 22 to furthering continuation of the screening process, which
 23 is moot considering the fact that a majority of the
 24 Defendant-Respondent(s) have been in a status of DEFAULT
 25 since before September 30th, 2016. PLEASE SEE ATTACHED:

26 Page 2 of 28

27 (Nature of Suit: 190, 360, 370, 380 and 450)

28 Revised September 30, 2022

RENEWED ORIGINAL COMPLAINT(S)

RESPECTFULLY, TO THE JUDGE'S CHAMBERS OF THE
UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

CASE NO.: 2:22-cv-00693-JAD-NJK
2:21-cv-00499-JAD-DJA
NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652
INSTITUTION: HDSP UNIT #: CLASSIFIED

GRIEVANCE #: SUPER TOP SECRET GRIEVANCE LEVEL: RETIRED FROM

GRIEVANT'S STATEMENT CONTINUATION: PG. THE U.S. OF NAVY ^{IN} 2002

EMERGENCY NOTICE OF APPEAL TO THE 9TH CIRCUIT
AND LETTER OF MOTION TO:

JUDGES JENNIFER A. DORSEY, ALBRECHTS and
NAVARRO and MAGISTRATE JUDGE NANCY J. KOPPE,

* OUTSIDE OF THIS ENVELOPE WAS PRE-CERTIFIED APRIL 11TH, 2022...

In my "NOTICE OF CHANGE OF ADDRESS" filed 4-25-
2022 I very politely demanded my other case
numbers from multi-district litigation that began in
September of 2018. While @ CDC I mailed a
request form for the case numbers in October-December
of 2021 while suffering from mental health crisis.

After this 2nd wrongful conviction I submitted a
civil rights complaint naming Rosemary McMarris-Alexander
and Dianne Ferrante et al as defendants. Through this
date of May 14th of 2022 I have received nothing
but an overly hasty miscategorization when being labelled

Original: Attached to Grievance "frivolous" by Judge Dorsey.
Pink: Inmate's Copy Could Judges Albrechts and Navarro

please provide me with my missing case numbers so that

I may contact my missing attorney? 2 years M.I.A.
I sincerely appreciate y'all's help. DOC-3097 (01/02)

PAGE NUMBER TEN - BRICK HOUSTON, pro se A.B.A. MEMBER
283

A.22.758861.C (Page 10 of 12)
A.22.856372.C Dept. XX

HDSP_LawLibrary - Activity in Case 2:22-cv-00693-JAD-NJK Houston v. Johnson et al Motion

From: <cmecf@nvd.uscourts.gov>
To: <cmecfhelpdesk@nvd.uscourts.gov>
Date: 5/17/2022 1:28 PM
Subject: Activity in Case 2:22-cv-00693-JAD-NJK Houston v. Johnson et al Motion

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

United States District Court

District of Nevada

Notice of Electronic Filing

The following transaction was entered on 5/17/2022 at 1:27 PM PDT and filed on 5/16/2022

Case Name: Houston v. Johnson et al
Case Number: 2:22-cv-00693-JAD-NJK
Filer: Matthew Travis Houston
WARNING: CASE CLOSED on 05/02/2022
Document Number: 5

Docket Text:

MOTION Requesting Missing Case Numbers by Petitioner Matthew Travis Houston. Responses due by 5/30/2022. (Image is duplicate of ECF No. [4].) (CJD)

2:22-cv-00693-JAD-NJK Notice has been electronically mailed to:

Aaron D. Ford-AG usdcfilings@ag.nv.gov, cfondi@ag.nv.gov, dresch@ag.nv.gov

HDSP Law Library HDSP_LawLibrary@doc.nv.gov

2:22-cv-00693-JAD-NJK Notice has been delivered by other means to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1101333072 [Date=5/17/2022] [FileNumber=10686543-0] [a2806aeccfeead3b3168b00e0558bed7d8d6568273a9d5e7497babf3142d74d20ca833a9f347fc857c4cfbecbca321b7a33a445b82d061f7230f883aec524ab]]

RESPECTFULLY, TO THE JUDGE'S CHAMBERS OF THE
UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM
CASE NO.: 2:22-CV-00693-JAD-NJK

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652

INSTITUTION: HDSP UNIT #: CLASSIFIED

GRIEVANCE #: SUPER TOP SECRET GRIEVANCE LEVEL: RETIRED FROM

GRIEVANT'S STATEMENT CONTINUATION: PG. THE U.S. OF NAVY ^{IN} 2002

EMERGENCY NOTICE OF APPEAL TO THE 9TH CIRCUIT

AND LETTER OF MOTION TO:

JUDGES JENNIFER A. DORSEY, ALBRECHTS and

NAVARRO and MAGISTRATE JUDGE NANCY J. KOPPE,

* OUTSIDE OF THIS ENVELOPE WAS PRE-CERTIFIED APRIL 11TH, 2022...

In my "NOTICE OF CHANGE OF ADDRESS" filed 4-25
2022 I very politely demanded my other case
numbers from multi-district litigation that began in
September of 2018. While @ CCDC I mailed a
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Original: Attached to Grievance "frivolous" by Judge Dorsey.

Pink: Inmate's Copy Could Judges Albrechts and Navarro

please provide me with my missing case numbers so that

I may contact my missing attorney? 2 years M.I.A.

I sincerely appreciate y'all's help. DOC-3097 (01/02)

JOINDER-OF-APPEAL- No. 22-15748 in the 9th CIRCUIT IN RE
2:21-cv-00499-JAD-DJA (GOLDEN ENTERTAINMENT)
→ 2:22-cv-00693-JAD-NJK (NOW DISMISSED § 22:1)

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

A.22.853203.W dept. XI

NAME: MATTHEW TRAVIS HOUSTON, CHTD. I.D. NUMBER: 1210652

INSTITUTION: OF WRONGFUL CONVICTIONS (x2) UNIT #: 3-A.2 of "S.M.U."
EMERGENCY

GRIEVANCE #: LETTER OF MOTIONS GRIEVANCE LEVEL: EXHAUSTED

PROCEEDING IN FORMA PAUPERIS
GRIEVANT'S STATEMENT CONTINUATION: PG. 1 OF 4

July 1st, 2022

TO: Joseph Williams, Janne Nicole Millare
Rivera and Molly C. Dwyer,

YOU WILL PLEASE TAKE NOTICE OF THIS
→ FORMAL REQUEST FOR A CERTIFICATE
OF APPEALABILITY (COA) ←

Hello 😊,

I am the pro se petitioner - appellant in the
above mentioned case number arising from appeal
No. 22-15748 and the Plaintiff in 00499. I
am proceeding IFP, being forced to rely upon
GRIEVANCE CONTINUATION forms to make copies as
we are experiencing EXTREME retaliation from
NDOC and our Law Library, who are neglecting
their duties in providing us with our legal forms, →

Original: Attached to Grievance
Pink: Inmate's Copy

No. 22-15748

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: Matthew Travis Houston I.D. NUMBER: 1210652

INSTITUTION: NDSP UNIT #: 3-A-2

GRIEVANCE #: _____ GRIEVANCE LEVEL: _____

GRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 4

nor are they allowing visits to the law library to utilize proper research-resources, and they have refused to even respond to kites since June 10th, 2022.

Could the court please provide us with a copy of the Ninth Circuit Rules (9th Cir. R.) and any and all other copies of rules and forms available to indigent prisoners? Also please provide us with the Federal Rules of Appellate Procedure (Fed. R. App. P.) 😊.

Next up is my request for a COA that is VALID as my "NOTICE OF APPEAL" was turned in to a NDOC official well before May 16th, 2022 for e-filing to DISTRICT OF NEVADA- LAS VEGAS. You will also please notice that Judge Dorsey denied my COA on ALL issues when she authorized

Original: Attached to Grievance
Pink: Inmate's Copy

No. 22-15748
NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: Matthew Travis Houston I.D. NUMBER: 1210652

INSTITUTION: NDSP UNIT #: 3-A-2

GRIEVANCE #: _____ GRIEVANCE LEVEL: _____

GRIEVANT'S STATEMENT CONTINUATION: PG. 3 OF 4

illegal orders in violation of more than my First Amendment Rights during the following filings into 00693:

DOC. 14 "ORDER Denying Emergency Motion To Vacate Dismissal, Striking Renewed Petition, and Barring Further Filings"

DOC. 3 "Judgement" and DOC. 2 "Order Dismissing Action"

Furthermore, ~~her~~ Judge Dorsey's most recent interferences with ~~the~~ litigation in the Golden Entertainment class ~~action~~ action (Now SEE 2:21-cv-00499-JAD-DJA) demonstrated the upmost in judicial inequity when she overstepped her boundaries in issuing a most erroneous, frivolous and ultimately unmerited DOC. 13 "Order Denying Motions".

Original: Attached to Grievance
Pink: Inmate's Copy

No. 22-15748

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: Matthew Travis Houston I.D. NUMBER: 1210652

INSTITUTION: HOSP UNIT #: 3-A-2

GRIEVANCE #: _____ GRIEVANCE LEVEL: _____

GRIEVANT'S STATEMENT CONTINUATION: PG. 4 OF 4

In summary, Judge Jennifer A. Dorsey's use of employing over-reaching tactics were not only retaliatory in nature, but her judicial bias and abuse of discretion has further wasted precious resources that aren't even available to the indigent prisoner(s) or the bankrupted estate of Matthew Travis Houston. Her meddling, presumptuous and most intrusive discretion is NOT to be tolerated by the Co-Plaintiff(s) and it is for this reason that Judge Jennifer A. Dorsey shall recuse herself from any and all further proceedings, not only in the cases of Matthew Travis Houston, but in each and every other case of ALL Co-Plaintiffs involved with the Houston v. Golden Entertainment, et al (Now SEE 2:21-cv-00499-JAD-DJA)

Original: Attached to Grievance Thank you for your time
Pink: Inmate's Copy and have a blessed day,

x. Matthew Travis Houston
Matthew Travis Houston
No. 1210652

DOC-3097 (01/02)

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Transmittal of Items Returned

Case Name: Houston v. Johnson, et al.
Case Number (if applicable): 22cv693
Document Title (if applicable): _____
Submitted by: Matthew Houston
Check Number (if applicable): _____

(Only Items CHECKED Apply)

The attached document has been marked "Received" by the Clerk but is returned for failure to comply with the following Federal Rules, Local Rules, and/or court orders.

See Order attached wherein the Clerk is directed to accept no further filings in this action.

- LR IA 1-8, **Place of Filing.** Document not submitted for filing in the appropriate division of this Court.
- LR IA 10-2, **Required Format for Filed Documents.** Document does not contain name and address of attorney or pro se party in proper location and/or document does not contain case number.
- LR IA 11-2, **Admission to Practice in a Particular Case.** Verified Petition incomplete and/or not submitted on Clerk's form.
- LR 3-1, **Civil Cover Sheet.** Except in actions initiated by inmates appearing pro se, every civil action tendered for filing in this court must be accompanied by a properly completed civil cover sheet.
- Fed. R. Civ. P. 67(a); LR 65.1-2; LR 67-1; LCR 46-3, **Deposit of Money with the Clerk.** The Clerk's form for Certificate of Cash Deposit is required with a copy of the court order permitting the deposit.
- Fed. R. Civ. P. 11(a); Fed. R. Crim. P. 49(b)(4), **Signature.** The original document was not signed by at least one attorney of record in the attorney's name – or by a party personally if the party is unrepresented.
- Wrong Court.** Document submitted for filing to the wrong court. Should be:
 - State Court Bankruptcy Court Other: _____
- Payment.**
 - Check is not the correct amount. The fee is \$ _____.
 - Check is not signed.
 - Check is not made payable correctly. Should be "Clerk, U.S. District Court".
 - No case number was included with the check. The clerk is unable to apply the funds.

Dated: 6/23/22

CLERK, U.S. DISTRICT COURT

By: /s/

Deputy Clerk

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 Matthew Travis Houston,

4 Petitioner

5 v.

6 Calvin Johnson, *et al.*,

7 Respondents

Case No.: 2:22-cv-00693-JAD-NJK

**Order Denying Emergency Motion to
Vacate Dismissal, Striking Renewed
Petition, and
Barring Further Filings**

ECF Nos. 12, 13

8
9 This action was a petition for a writ of habeas corpus under 28 U.S.C. § 2241, initiated
10 April 25, 2022, by Matthew Travis Houston, who is incarcerated at Nevada's High Desert State
11 Prison. I dismissed the action without prejudice more than a month ago because Houston did not
12 pay the filing fee and did not file a complete application to proceed *in forma pauperis*, and
13 because his petition is plainly frivolous.¹ Judgment was entered,² and Houston filed a notice of
14 appeal on May 16, 2022.³

15 Houston included with his notice of appeal a motion requesting that the court provide him
16 with his "missing case numbers,"⁴ and I granted that motion and provided him with the
17 information he appeared to request.⁵ Since then, Houston has filed a series of five other
18 documents,⁶ all of which are plainly frivolous and have no impact on the judgment or the appeal.

19
20 ¹ ECF Nos. 2.

21 ² ECF No. 3.

22 ³ ECF No. 4.

23 ⁴ ECF No. 5.

⁵ ECF No. 7.

⁶ ECF Nos. 8, 9, 11, 12, 13.

1 One of those documents, filed June 3, 2022,⁷ is styled as an emergency motion to vacate the
2 dismissal. I deny that motion because it is frivolous and fails to address the merits of the
3 dismissal order that it purports to challenge.⁸ He has also refiled in this action a “Direct Appeal”
4 from a state-court action, adding the title “§ 2241 ‘Renewed’ Petition,”⁹ which is similarly
5 frivolous and inconsistent with proper mandamus procedure. As Houston’s fantastical and
6 profuse filings have become wasteful and abusive of the court’s resources, I direct the Clerk of
7 the Court to accept no further filings in this action.

8 IT IS THEREFORE ORDERED that Petitioner’s Emergency Motion to Vacate Dismissal
9 [ECF No. 12] is DENIED and his “Renewed Petition” [ECF No. 13] is STRUCK.

10 ~~IT IS FURTHER ORDERED, the Clerk of the Court is directed to ACCEPT NO~~
11 ~~FURTHER FILINGS IN THIS ACTION.~~

12 Dated: June 6, 2022

13 
14 _____
U.S. District Judge Jennifer A. Dorsey

22 ⁷ ECF No. 12.

23 ⁸ Compare ECF No. 2 with ECF No. 12.

⁹ ECF No. 13.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Transmittal of Items Returned

Case Name: Houston v. Johnson et al
Case Number (if applicable): 22cv693
Document Title (if applicable): Motion to recuse
Submitted by: Matthew Houston
Check Number (if applicable): _____

(Only Items CHECKED Apply)

- The attached document has been marked "Received" by the Clerk but is returned for failure to comply with the following Federal Rules, Local Rules, and/or court orders.
 - CLERK'S NOTICE:** Pursuant to the court's order on 06/06/2022 (ECF No. 14) the clerk shall accept no further filings in this action. See docket attached.
 - LR IA 10-2, Required Format for Filed Documents.** Document does not contain name and address of attorney or pro se party in proper location and/or document does not contain case number.
 - LR IA 11-2, Admission to Practice in a Particular Case.** Verified Petition incomplete and/or not submitted on Clerk's form.
 - LR 3-1, Civil Cover Sheet.** Except in actions initiated by inmates appearing pro se, every civil action tendered for filing in this court must be accompanied by a properly completed civil cover sheet.
 - Fed. R. Civ. P. 67(a); LR 65.1-2; LR 67-1; LCR 46-3, Deposit of Money with the Clerk.** The Clerk's form for Certificate of Cash Deposit is required with a copy of the court order permitting the deposit.
 - Fed. R. Civ. P. 11(a); Fed. R. Crim. P. 49(b)(4), Signature.** The original document was not signed by at least one attorney of record in the attorney's name – or by a party personally if the party is unrepresented.
- Wrong Court.** Document submitted for filing to the wrong court. Should be:
 - State Court Bankruptcy Court Other: _____
- Payment.**
 - Check is not the correct amount. The fee is \$ _____.
 - Check is not signed.
 - Check is not made payable correctly. Should be "Clerk, U.S. District Court".
 - No case number was included with the check. The clerk is unable to apply the funds.

Dated: 9/20/22

CLERK, U.S. DISTRICT COURT

By: /s/

Deputy Clerk

CLOSED, APPEAL, HABEAS, IFP, P6, Restricted Filer

**United States District Court
District of Nevada (Las Vegas)
CIVIL DOCKET FOR CASE #: 2:22-cv-00693-JAD-NJK**

Houston v. Johnson et al
Assigned to: Judge Jennifer A. Dorsey
Referred to: Magistrate Judge Nancy J. Koppe
Case in other court: Ninth Circuit, 22-15748
Cause: 28:2241 Petition for Writ of Habeas Corpus (federa

Date Filed: 04/25/2022
Date Terminated: 05/02/2022
Jury Demand: None
Nature of Suit: 530 Habeas Corpus
(General)
Jurisdiction: Federal Question

Petitioner

Matthew Travis Houston
1210652
High Desert State Prison
PO Box 650
Indian Springs, NV 89070-0650
also known as
Brick Houston

represented by **HDSP Law Library**
Email: HDSP_LawLibrary@doc.nv.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Respondent

Calvin Johnson

represented by **Gerri L Hardcastle**
Nevada Office of the Attorney General
100 North Carson Street
Carson City, NV 89701
775-684-1134
Fax: 775-684-1275
Email: ghardcastle@ag.nv.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Aaron D. Ford-AG
Nevada Attorney General
100 North Carson Street
Carson City, NV 89701
775-684-1100
Fax: 775-684-1108
Email: usdcfilings@ag.nv.gov
TERMINATED: 05/25/2022

Respondent

Sheriff Joe Lombardo

represented by **Gerri L Hardcastle**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/25/2022		Case randomly assigned to Judge Jennifer A. Dorsey and Magistrate Judge Nancy J. Koppe. (KF) (Entered: 04/28/2022)
04/25/2022	<u>1</u>	MOTION/APPLICATION for Leave to Proceed in forma pauperis by Petitioner Matthew Travis Houston. (Attachments: # <u>1</u> Petition for Writ of Habeas Corpus, # <u>2</u> Cover Letter, # <u>3</u> Notice of Change of Address) (HAM) (Entered: 04/28/2022)
05/02/2022	<u>2</u>	ORDER DISMISSING CASE. ORDER denying <u>1</u> Motion/Application for Leave to Proceed in forma pauperis. Signed by Judge Jennifer A. Dorsey on 5/2/2022. (Copies have been distributed pursuant to the NEF - A. Ford added and <u>1</u> -1 regenerated to A.

		Ford – HAM) (Entered: 05/02/2022)
05/02/2022	<u>3</u>	JUDGMENT in favor of Calvin Johnson, Joe Lombardo against Matthew Travis Houston. Signed by Clerk of Court Debra K. Kempf on 5/2/2022. (Copies have been distributed pursuant to the NEF – HAM) (Entered: 05/02/2022)
05/16/2022	<u>4</u>	NOTICE OF APPEAL "and Letter of Motion to: Judges Jennifer A. Dorsey, Albrechts and Navarro and Magistrate Judge Nancy J. Koppe as to ECF No. <u>3</u> Judgment re: ECF No. <u>2</u> Order Dismissing Case, by Petitioner Matthew Travis Houston. (Filing fee not paid.) E-mail notice (NEF) sent to the US Court of Appeals, Ninth Circuit. (CJD) (Entered: 05/16/2022)
05/16/2022	<u>5</u>	MOTION Requesting Missing Case Numbers by Petitioner Matthew Travis Houston. Responses due by 5/30/2022. (Image is duplicate of ECF No. <u>4</u> .) (CJD) (Entered: 05/17/2022)
05/17/2022	<u>6</u>	USCA ORDER for Time Schedule as to <u>4</u> Notice of Appeal, filed by Matthew Travis Houston. USCA Case Number 22-15748. (Copies have been distributed pursuant to the NEF – HAM) (Entered: 05/18/2022)
05/23/2022	<u>7</u>	ORDER granting <u>5</u> Motion Requesting Case Numbers. Signed by Judge Jennifer A. Dorsey on 5/23/2022. (Copies have been distributed pursuant to the NEF – HAM) (Entered: 05/23/2022)
05/23/2022	<u>8</u>	NOTICE MOTION re Emergency Grievance Form by Petitioner Matthew Travis Houston. Responses due by 6/6/2022. (HAM) Modified on 5/23/2022 (AF). (Entered: 05/23/2022)
05/23/2022	<u>9</u>	CIVIL COVER SHEET and Exhibits, by Petitioner Matthew Travis Houston. (Case number from HDSP email subject line, and image last page.) (DRM) (Entered: 05/24/2022)
05/25/2022	<u>10</u>	NOTICE of Change of Deputy Attorney General on behalf of Respondents Calvin Johnson, Joe Lombardo. Deputy Attorney General Aaron D. Ford-AG terminated. (Hardcastle, Gerri) (Entered: 05/25/2022)
05/25/2022	<u>11</u>	NOTICE Emergency MOTION to Appear in Court , by Petitioner Matthew Travis Houston. (DRM) Modified on 5/25/2022 (AF). (Entered: 05/25/2022)
06/03/2022	<u>12</u>	Emergency MOTION to Vacate Dismissal, by Petitioner Matthew Travis Houston. (DRM) (Entered: 06/03/2022)
06/03/2022	<u>13</u>	2241 "RENEWED" Petition, DIRECT APPEAL, by Petitioner Matthew Travis Houston. Responses due by 6/17/2022. (Attachments: # <u>1</u> Exhibits (cont'd)) (DRM) (Entered: 06/03/2022)
06/06/2022	<u>14</u>	ORDER. IT IS ORDERED that Petitioner's Emergency Motion to Vacate Dismissal (ECF No. <u>12</u>) is DENIED and his "Renewed Petition" (ECF No. <u>13</u>) is STRUCK. IT IS FURTHER ORDERED the Clerk of the Court is directed to ACCEPT NO FURTHER FILINGS IN THIS ACTION. Signed by Judge Jennifer A. Dorsey on 6/6/2022. (Copies have been distributed pursuant to the NEF – HAM) (Entered: 06/06/2022)
06/07/2022		Set/Clear Flags – RESTRICTED Flag added. No more documents to be filed in this case. (DRS) (Entered: 06/07/2022)
06/27/2022	<u>15</u>	ERROR: Document terminated. Document should not have been filed pursuant to <u>14</u> Order which states the Court is directed to ACCEPT NO FURTHER FILINGS IN THIS ACTION. MOTION to Extend Prison Copy Work Limit by Petitioner Matthew Travis Houston. (CJD) Modified on 6/28/2022 (SLD). (Entered: 06/27/2022)
07/08/2022	<u>16</u>	CLERK'S NOTICE: Pursuant to the court's order on 06/06/2022 (ECF No. <u>14</u>) the clerk shall accept no further filings in this action. (LG). (LG) (Entered: 07/08/2022)
08/01/2022	<u>18</u>	Document terminated. Document should not have been filed pursuant to <u>14</u> Order which states the Court is directed to ACCEPT NO FURTHER FILINGS IN THIS ACTION. MOTION for Copies from Docket by Petitioner Matthew Travis Houston. Responses due by 8/15/2022. (HAM) (misc) (non-dispositive) Modified on

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
SEP 20 2022	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY: 2 <i>[Signature]</i>	DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA - LAS VEGAS

MATTHEW TRAVIS HOUSTON,
Plaintiff,

vs.

JERRY HOWELL, ET AL
Defendants.

Case No.: 2:19-cv-01371-JAD-DJA
JOINDER: 2:22-cv-00693-JAD-NJK
2:21-cv-00499-JAD-DJA

EMERGENCY
NOTICE OF APPEAL TO THE
9TH CIRCUIT COURT OF APPEALS
AND RESPONSE TO "ORDER"
FROM CASE NUMBER 2:19-cv-01371,
DOCUMENT 29 IN HER
ABUSE OF DISCRETION AND ERRONEOUSNESS
FROM AUGUST 26TH, 2022

Plaintiff moves this court to recuse Jennifer A. Dorsey from this case, especially because her "opinion" stated on lines 12-13 on the one-page order is nothing other than a bold-faced lie. She obviously did not read the 17 pages of valid reasons for the previous motion and requests if her "opinion" was not a lie. Furthermore, there is a conflict of interest regarding her interests and "opinion" in the GOLDEN ENTERTAINMENT lawsuit, especially because she has failed to respond to Document 14 of Case Number 2:21-cv-00499-JAD-DJA, neither has she responded to Documents 16 or 17, to which were due on or before August 22nd, 2022 and September 6th, 2022. YOU WILL NOW SEE EXHIBIT (1).

WHEREFORE, Plaintiff prays for both a CERTIFICATE OF APPEALABILITY and a new judge, on this 6th day of September, 2022.

BY: *Matthew Travis Houston*
Matthew Travis Houston
ABA No. 04662784

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EXHIBIT 1 (Page # 2)

2:19-cv-01371-

JOINDER 2:22-cv-00693-JAD-NJK JAD-DJA

"response" to Lines 12-13
from Document 29 -
filed 8/26/2022 -

Why would or should Houston
"offer" any sort of reason ^{or for} to anything?
"Reason" is truth, ~~rea~~ valid reason
is never up for any sort of negotiation.
Lastly, the best things in life are
free, just as is Jennifer A Parsey's
ability to read the Las Vegas Review
Journal from on or after September 30th,
2016 regarding the cause of action in
EJDC A-17-758861-C, A-22-758-
861-C, ~~and~~ A-22-853203-W and
A-22-856372-C. In case she
has lost ~~her~~ ~~free~~ that ability, the free
will to investigate her own lack of a response
to Document 14, filed 8.8.22 in 2:21-cv-
00499 is a ~~clear~~ ~~duty~~ ~~noted~~ reminder to
justice that not all of us are ambulance chasers.
Not all of us are young and fruitful either.

P.S. Here are the FINANCIAL CERTIFICATES
from 2:22-cv-00693-JAD-NJK that you ²
used as an excuse to keep an innocent ^P
man falsely imprisoned. Try not to strike
those from the record this time. GOD BLESS Y'ALL
- Reverend - Matthew

FINANCIAL CERTIFICATE

I request that an authorized officer of the institution in which I am confined, or other designated entity, such as Inmate Services for the Nevada Department of Prisons (NDOC), complete the below Financial Certificate.

I understand that:

(1) if I commence a petition for writ of habeas corpus in federal court pursuant to 28 U.S.C. § 2254, the filing fee is \$5.00, and that such fee will have to be paid by me if the court denies my *in forma pauperis* application;

(2) if I commence a civil rights action in federal court pursuant to 42 U.S.C. § 1983, the filing fee is \$400.00 (which includes the \$350 filing fee and a \$50 administrative fee), which I must pay in full; and

(a) if my current account balance (line #1 below) is \$400.00 or more, I will not qualify for *in forma pauperis* status and I must pay the full filing fee of \$400.00 before I will be allowed to proceed with the action;

(b) if I do NOT have \$400.00 in my account as reflected on line #1 below, before I will be allowed to proceed with an action I will be required to pay 20% of my average monthly balance (line #2 below), or the average monthly deposits to my account (line #3 below), whichever is greater, and thereafter I must pay installments of 20% of the preceding month's deposits to my account in months that my account balance exceeds \$10.00 (if I am in the custody of the NDOC, I hereby authorize the NDOC to make such deductions from deposits to my account, and I further understand that if I have a prison job, then the 20% of my paycheck that is guaranteed to me as spendable money will be sent to the court for payment of the filing fee); and

(c) I must continue to make installment payments until the \$350.00 filing fee is fully paid, without regard to whether my action is closed or my release from confinement. The \$50 administrative fee will be waived only if I am granted permission to proceed *in forma pauperis*.

Type of action (check one): civil rights

habeas corpus

Matthew Travis Houston
INMATE NAME (printed)

[Signature] 1210652
SIGNATURE & PRISON NUMBER

- 1. CURRENT ACCOUNT BALANCE \$ 0.25
- 2. AVERAGE MONTHLY BALANCE* \$ 36.64
- 3. AVERAGE MONTHLY DEPOSITS* \$ 66.67
- 4. FILING FEE (based on #1, #2 or #3, whichever is greater) \$ 13.33

* for the past six (6) months, from all sources, including amount in any savings account that is in excess of minimum amount that must be maintained

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

(Please sign in ink in a color other than black.)

[Signature]
AUTHORIZED OFFICER
AA3
TITLE

May 25 2022
DATE

UNRECORDED

HOH

P.3

Financial Certificates
1210652 - HOUSTON, MATTHEW
(11/26/2021 - 5/25/2022)

Date	Description	Deposit	Withdrawal	Balance
11/26/2021	Opening Balance			\$0.00
02/15/2022	Keefe	\$200.00		\$200.00
02/15/2022	Legal Copies		(\$2.50)	\$197.50
02/15/2022	Legal Copies		(\$0.90)	\$196.60
02/15/2022	Legal Copies		(\$3.00)	\$193.60
02/15/2022	Legal Copies		(\$2.50)	\$191.10
02/15/2022	Postage		(\$1.75)	\$189.35
02/15/2022	Gate Money		(\$19.35)	\$170.00
02/15/2022	Savings		(\$20.00)	\$150.00
03/09/2022	Phone Credit		(\$5.00)	\$145.00
03/11/2022	Commissary		(\$31.77)	\$113.23
03/18/2022	Commissary		(\$41.09)	\$69.14
03/23/2022	Phone Credit		(\$10.00)	\$59.14
03/25/2022	Commissary		(\$32.46)	\$26.68
03/26/2022	Legal Postage		(\$0.58)	\$26.10
03/26/2022	Legal Postage		(\$0.58)	\$25.52
03/26/2022	Legal Postage		(\$0.58)	\$24.94
03/26/2022	Legal Postage		(\$1.16)	\$23.78
03/26/2022	Legal Postage		(\$1.16)	\$22.62
03/26/2022	Legal Postage		(\$1.16)	\$21.46
03/26/2022	Legal Postage		(\$1.16)	\$20.30
03/26/2022	Legal Copies		(\$6.50)	\$13.80
04/01/2022	Commissary		(\$4.17)	\$9.63
04/08/2022	Commissary		(\$8.14)	\$1.49
04/14/2022	Commissary Refund	\$8.14		\$9.63
04/14/2022	Trust 2		(\$8.14)	\$1.49
04/18/2022	Trust 2	\$8.14		\$9.63
04/18/2022	Phone Credit		(\$9.00)	\$0.63
04/23/2022	Legal Postage		(\$0.58)	\$0.05
05/08/2022	Keefe	\$200.00		\$200.05
05/08/2022	Gate Money		(\$5.65)	\$194.40
05/08/2022	Medical Copay		(\$8.00)	\$186.40
05/08/2022	Medical Copay		(\$8.00)	\$178.40
05/08/2022	Medical Copay		(\$8.00)	\$170.40
05/08/2022	Medical Copay		(\$0.35)	\$170.05
05/08/2022	Savings		(\$20.00)	\$150.05
05/08/2022	Phone Credit		(\$10.00)	\$140.05
05/12/2022	Phone Credit		(\$10.00)	\$130.05
05/13/2022	Commissary		(\$42.67)	\$87.38
05/20/2022	Commissary		(\$71.73)	\$15.65
05/23/2022	Phone Credit		(\$10.00)	\$5.65
05/23/2022	Phone Credit		(\$5.00)	\$0.65
05/25/2022	Legal Postage		(\$0.40)	\$0.25
05/25/2022	Closing Balance			\$0.25

Financial Certificates
1210652 - HOUSTON, MATTHEW

Date	Description	Deposit	Withdrawal	Balance
11/26/2021	Opening Balance			\$0.00
04/14/2022	Trust 2	\$8.14		\$8.14
04/18/2022	Trust 2		(\$8.14)	\$0.00
05/25/2022	Closing Balance			\$0.00

~~Trust 3~~

Date	Description	Deposit	Withdrawal	Balance
	No Activity			
11/26/2021	Opening Balance			\$0.00
05/25/2022	Closing Balance			\$0.00

~~Savings~~

Date	Description	Deposit	Withdrawal	Balance
11/26/2021	Opening Balance			\$0.00
02/15/2022	Savings	\$20.00		\$20.00
05/08/2022	Savings	\$20.00		\$40.00
05/25/2022	Closing Balance			\$40.00

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Financial Certificates
1210652 - HOUSTON, MATTHEW

Date	Daily Balance	Daily Deposit	Number Of Deposit
11/26/2021	\$0.00	\$0.00	0
11/27/2021	\$0.00	\$0.00	0
11/28/2021	\$0.00	\$0.00	0
11/29/2021	\$0.00	\$0.00	0
11/30/2021	\$0.00	\$0.00	0
12/01/2021	\$0.00	\$0.00	0
12/02/2021	\$0.00	\$0.00	0
12/03/2021	\$0.00	\$0.00	0
12/04/2021	\$0.00	\$0.00	0
12/05/2021	\$0.00	\$0.00	0
12/06/2021	\$0.00	\$0.00	0
12/07/2021	\$0.00	\$0.00	0
12/08/2021	\$0.00	\$0.00	0
12/09/2021	\$0.00	\$0.00	0
12/10/2021	\$0.00	\$0.00	0
12/11/2021	\$0.00	\$0.00	0
12/12/2021	\$0.00	\$0.00	0
12/13/2021	\$0.00	\$0.00	0
12/14/2021	\$0.00	\$0.00	0
12/15/2021	\$0.00	\$0.00	0
12/16/2021	\$0.00	\$0.00	0
12/17/2021	\$0.00	\$0.00	0
12/18/2021	\$0.00	\$0.00	0
12/19/2021	\$0.00	\$0.00	0
12/20/2021	\$0.00	\$0.00	0
12/21/2021	\$0.00	\$0.00	0
12/22/2021	\$0.00	\$0.00	0
12/23/2021	\$0.00	\$0.00	0
12/24/2021	\$0.00	\$0.00	0
12/25/2021	\$0.00	\$0.00	0
12/26/2021	\$0.00	\$0.00	0
12/27/2021	\$0.00	\$0.00	0
12/28/2021	\$0.00	\$0.00	0
12/29/2021	\$0.00	\$0.00	0
12/30/2021	\$0.00	\$0.00	0
12/31/2021	\$0.00	\$0.00	0
01/01/2022	\$0.00	\$0.00	0
01/02/2022	\$0.00	\$0.00	0
01/03/2022	\$0.00	\$0.00	0
01/04/2022	\$0.00	\$0.00	0
01/05/2022	\$0.00	\$0.00	0
01/06/2022	\$0.00	\$0.00	0
01/07/2022	\$0.00	\$0.00	0
01/08/2022	\$0.00	\$0.00	0
01/09/2022	\$0.00	\$0.00	0
01/10/2022	\$0.00	\$0.00	0
01/11/2022	\$0.00	\$0.00	0
01/12/2022	\$0.00	\$0.00	0
01/13/2022	\$0.00	\$0.00	0

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Financial Certificates
1210652 - HOUSTON, MATTHEW

Date	Daily Balance	Daily Deposit	Number Of Deposit
01/14/2022	\$0.00	\$0.00	0
01/15/2022	\$0.00	\$0.00	0
01/16/2022	\$0.00	\$0.00	0
01/17/2022	\$0.00	\$0.00	0
01/18/2022	\$0.00	\$0.00	0
01/19/2022	\$0.00	\$0.00	0
01/20/2022	\$0.00	\$0.00	0
01/21/2022	\$0.00	\$0.00	0
01/22/2022	\$0.00	\$0.00	0
01/23/2022	\$0.00	\$0.00	0
01/24/2022	\$0.00	\$0.00	0
01/25/2022	\$0.00	\$0.00	0
01/26/2022	\$0.00	\$0.00	0
01/27/2022	\$0.00	\$0.00	0
01/28/2022	\$0.00	\$0.00	0
01/29/2022	\$0.00	\$0.00	0
01/30/2022	\$0.00	\$0.00	0
01/31/2022	\$0.00	\$0.00	0
02/01/2022	\$0.00	\$0.00	0
02/02/2022	\$0.00	\$0.00	0
02/03/2022	\$0.00	\$0.00	0
02/04/2022	\$0.00	\$0.00	0
02/05/2022	\$0.00	\$0.00	0
02/06/2022	\$0.00	\$0.00	0
02/07/2022	\$0.00	\$0.00	0
02/08/2022	\$0.00	\$0.00	0
02/09/2022	\$0.00	\$0.00	0
02/10/2022	\$0.00	\$0.00	0
02/11/2022	\$0.00	\$0.00	0
02/12/2022	\$0.00	\$0.00	0
02/13/2022	\$0.00	\$0.00	0
02/14/2022	\$0.00	\$0.00	0
02/15/2022	\$150.00	\$200.00	1
02/16/2022	\$150.00	\$0.00	0
02/17/2022	\$150.00	\$0.00	0
02/18/2022	\$150.00	\$0.00	0
02/19/2022	\$150.00	\$0.00	0
02/20/2022	\$150.00	\$0.00	0
02/21/2022	\$150.00	\$0.00	0
02/22/2022	\$150.00	\$0.00	0
02/23/2022	\$150.00	\$0.00	0
02/24/2022	\$150.00	\$0.00	0
02/25/2022	\$150.00	\$0.00	0
02/26/2022	\$150.00	\$0.00	0
02/27/2022	\$150.00	\$0.00	0
02/28/2022	\$150.00	\$0.00	0
03/01/2022	\$150.00	\$0.00	0
03/02/2022	\$150.00	\$0.00	0
03/03/2022	\$150.00	\$0.00	0

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**Financial Certificates
1210652 - HOUSTON, MATTHEW**

Date	Daily Balance	Daily Deposit	Number Of Deposit
03/04/2022	\$150.00	\$0.00	0
03/05/2022	\$150.00	\$0.00	0
03/06/2022	\$150.00	\$0.00	0
03/07/2022	\$150.00	\$0.00	0
03/08/2022	\$150.00	\$0.00	0
03/09/2022	\$145.00	\$0.00	0
03/10/2022	\$145.00	\$0.00	0
03/11/2022	\$113.23	\$0.00	0
03/12/2022	\$113.23	\$0.00	0
03/13/2022	\$113.23	\$0.00	0
03/14/2022	\$113.23	\$0.00	0
03/15/2022	\$113.23	\$0.00	0
03/16/2022	\$113.23	\$0.00	0
03/17/2022	\$113.23	\$0.00	0
03/18/2022	\$89.14	\$0.00	0
03/19/2022	\$89.14	\$0.00	0
03/20/2022	\$89.14	\$0.00	0
03/21/2022	\$89.14	\$0.00	0
03/22/2022	\$89.14	\$0.00	0
03/23/2022	\$59.14	\$0.00	0
03/24/2022	\$59.14	\$0.00	0
03/25/2022	\$26.68	\$0.00	0
03/26/2022	\$13.80	\$0.00	0
03/27/2022	\$13.80	\$0.00	0
03/28/2022	\$13.80	\$0.00	0
03/29/2022	\$13.80	\$0.00	0
03/30/2022	\$13.80	\$0.00	0
03/31/2022	\$13.80	\$0.00	0
04/01/2022	\$9.63	\$0.00	0
04/02/2022	\$9.63	\$0.00	0
04/03/2022	\$9.63	\$0.00	0
04/04/2022	\$9.63	\$0.00	0
04/05/2022	\$9.63	\$0.00	0
04/06/2022	\$9.63	\$0.00	0
04/07/2022	\$9.63	\$0.00	0
04/08/2022	\$1.49	\$0.00	0
04/09/2022	\$1.49	\$0.00	0
04/10/2022	\$1.49	\$0.00	0
04/11/2022	\$1.49	\$0.00	0
04/12/2022	\$1.49	\$0.00	0
04/13/2022	\$1.49	\$0.00	0
04/14/2022	\$1.49	\$0.00	0
04/15/2022	\$1.49	\$0.00	0
04/16/2022	\$1.49	\$0.00	0
04/17/2022	\$1.49	\$0.00	0
04/18/2022	\$0.63	\$0.00	0
04/19/2022	\$0.63	\$0.00	0
04/20/2022	\$0.63	\$0.00	0
04/21/2022	\$0.63	\$0.00	0

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Financial Certificates

1210652 - HOUSTON, MATTHEW

Date	Daily Balance	Daily Deposit	Number Of Deposit
04/22/2022	\$0.63	\$0.00	0
04/23/2022	\$0.05	\$0.00	0
04/24/2022	\$0.05	\$0.00	0
04/25/2022	\$0.05	\$0.00	0
04/26/2022	\$0.05	\$0.00	0
04/27/2022	\$0.05	\$0.00	0
04/28/2022	\$0.05	\$0.00	0
04/29/2022	\$0.05	\$0.00	0
04/30/2022	\$0.05	\$0.00	0
05/01/2022	\$0.05	\$0.00	0
05/02/2022	\$0.05	\$0.00	0
05/03/2022	\$0.05	\$0.00	0
05/04/2022	\$0.05	\$0.00	0
05/05/2022	\$0.05	\$0.00	0
05/06/2022	\$0.05	\$0.00	0
05/07/2022	\$0.05	\$0.00	0
05/08/2022	\$140.05	\$200.00	1
05/09/2022	\$140.05	\$0.00	0
05/10/2022	\$140.05	\$0.00	0
05/11/2022	\$140.05	\$0.00	0
05/12/2022	\$130.05	\$0.00	0
05/13/2022	\$87.38	\$0.00	0
05/14/2022	\$87.38	\$0.00	0
05/15/2022	\$87.38	\$0.00	0
05/16/2022	\$87.38	\$0.00	0
05/17/2022	\$87.38	\$0.00	0
05/18/2022	\$87.38	\$0.00	0
05/19/2022	\$87.38	\$0.00	0
05/20/2022	\$15.65	\$0.00	0
05/21/2022	\$15.65	\$0.00	0
05/22/2022	\$15.65	\$0.00	0
05/23/2022	\$0.65	\$0.00	0
05/24/2022	\$0.65	\$0.00	0

Start Date	End Date	Total Daily Balances	Number Of Days	Average Monthly Balances
11/26/2021	12/25/2021	\$0.00	30	\$0.00
12/26/2021	01/25/2022	\$0.00	31	\$0.00
01/26/2022	02/25/2022	\$1,650.00	31	\$53.23
02/26/2022	03/25/2022	\$3,223.27	28	\$115.12
03/26/2022	04/25/2022	\$200.97	31	\$6.48
04/26/2022	05/25/2022	\$1,351.01	30	\$45.03

Start Date	End Date	Total Deposits	Number Of Deposits	Average Monthly Deposits
01/26/2022	02/25/2022	\$200.00	1	\$200.00
04/26/2022	05/25/2022	\$200.00	1	\$200.00

Current Account Balance: 5/25/2022 \$0.25

Average Monthly Account Balance: \$36.64

Average Monthly Deposits: \$66.67

Average Total Monthly Deposit: \$66.67

66.67X
20%

9

Alvin J. Smith
CLERK OF THE COURT

ST 2

1 APPL + COMP + JOIN

2 Matthew Travis Houston, # 1210652

3 NAME A.B.A. No. 04662784

4 P.O. Box 650

5 ADDRESS

6 Indian Springs, NV 89070-0650

7 CITY, STATE, ZIP CODE

8 (714) 916-7431

9 TELEPHONE

10 IN PROPER PERSON

DISTRICT COURT
CLARK COUNTY, NEVADA

11 Matthew Travis Houston

12 Petitioner-appellant, Plaintiff

13 In Error, Plaintiff,

14 vs.

15 Mandabay Bay Corp, et al

16 State of Nevada

17 Defendant(s)

New Case No. A-22-856372-C

(see)

Case No.: C-21-357927-1 and

Case No.: A-17-758861-C

Dept. No.: 11+29

please see

also C-17-323614-1

(JOIN): A-22-853203-W

CONTINUED / RENEWED

Dept. X1

APPLICATION TO PROCEED INFORMA PAUPERIS

(Filing Fees/Service Only)

18 In order so that I may properly file for post-conviction
19 relief, Pursuant to NRS 12.015, and based on the following Affidavit, I request

20 permission from this Court to proceed without paying court costs or other costs and fees
21 as provided in NRS 12.015, because I lack sufficient financial ability. I would

22 also like to state for the record that I have been

23 bankrupted again by the malicious prosecution of Tierra

24 Jones, Steve Wolfson and whatever judge tried (David

25 interfering with my indemnity after this case was Jones)

26 seen by Mary K. Nothus, back when the scamdemic

27 was still hypnotizing the masses. I am still moving

28 this court to impose SANCTIONS on Brian P. Clark, Bernstein

29 & Poisson and way too many other defendants. This is

30 application also for the filing fee to be applied towards my

31 PETITION FOR HABEAS CORPUS AS RESULT OF CASE C-21-357927-1

© Clark County Civil Resource Center
Civil-IFP Costs/Fees

ALL RIGHTS RESERVED
c:\CRCase_waiver\packet_8\appfeewaiver_0501.wpd

CLERK OF THE COURT

JUN 29 2022

RECEIVED

RECEIVED

MAR 29 2022

CLERK OF THE COURT

32

Page 21 of PETITION FOR A WRIT OF HABEAS CORPUS

P.5

21 10

AFFIDAVIT

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STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

I, Matthew Travis Hausby, after being duly sworn, depose and state as follows:

I wish to file with this Court the pleading submitted with this Application. I cannot pay the filing fees and costs of this action because I lack sufficient income, assets, or other resources. Including myself, there are 1 adults and 0 children age(s) n/a in my household.

My total monthly income is:

From all sources including employment, self-employment, social security, child support, etc \$ 0
Any other household income from another member of the household is \$ 0

My employer is n/a located at n/a
n/a, my job title is n/a

The following represents a list of all of my assets and their value:

Automobile	Value	Loan Balance
<u>n/a</u> YEAR, MAKE, AND MODEL	\$ _____	\$ _____
Mobile Home, House or Other Real Estate		
<u>n/a</u> SIZE, TYPE, AND YEAR	\$ _____	\$ _____
Bank Accounts	Value	Loan Balance
<u>n/a</u> NAME OF BANK AND TYPE OF ACCOUNT	\$ _____	\$ _____
<u>n/a</u> NAME OF BANK AND TYPE OF ACCOUNT	\$ _____	\$ _____
Other		
<u>n/a</u> DESCRIPTION	\$ _____	\$ _____

P.6

22 11

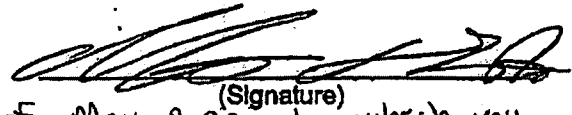
1 _____ \$ n/a _____ \$ n/a
 2 _____ \$ n/a _____ \$ n/a

3 The following represents my total monthly expenses:

4	Rent or Mortgage	\$ <u>n/a</u>
5	Phone, Gas, Electricity, and Other Utilities	\$ <u>n/a</u>
6	Food	\$ <u>n/a</u>
7	Child Care	\$ <u>n/a</u>
8	Insurance	\$ <u>n/a</u>
9	Medical	\$ <u>n/a</u>
10	Transportation	\$ <u>n/a</u>
11	Other: Auto Insurance	\$ <u>n/a</u>
12	None	\$ <u>n/a</u>
13	TOTAL MONTHLY EXPENSES	\$ <u>n/a</u> (e) <u>indigent</u> ZERO

15 I request the Court hold a hearing on this Application if the Court is inclined to deny
16 same, so that I may testify as to my indigent status. I declare under penalty of perjury
17 that the foregoing is true and correct.

18 DATED this 10th day of March, 2022.

19
20
21  (Signature)

22 Renewed this 19th day of May, 2022 to which you
 23 will now take notice that circumstances within the
 24 prison industrial complex not limited to Houston's
 25 survival of incurred rioting and hunger strikes and
 26 other mitigating circumstances beyond his control, that
 27 this document could NOT be included in BRASS
 28 SLIP copywork thru Law Library causing unnecessary
 29 delays in his REMITTURS, APPEALS, AND
 30 ENBANC RECONSIDERATIONS, AND CERTIORARIS,

P. 7

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23

14057

1 CASE NO. A.22.856372.C

2 DEPT NO. XX

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8 IN THE MATTER OF

9 Matthew Travis Houston STATE FINANCIAL CERTIFICATE

10 Name

11 ON MOTION FOR LEAVE TO PROCEED

12 IN FORMA PAUPERIS

13 I, hereby certify that the Petitioner named herein above has the sum of \$ 0.63 on account

14 to his credit at the facility where hs is confined. I further certify that the Petitioner likewise has the

15 following securities to his credit according to the records of said facility:

16 Savings has a balance of \$ 20.00

17

18

19 DATED: this 21 day of April, 2022

20

21

22

23 [Signature]

24 NEVADA DEPARTMENT OF CORRECTIONS

25 INMATE SERVICES ACCOUNTANT OR

26 AUTHORIZED OFFICER IF FACILITY

27

28

PLEASE EXECUTE A FINANCIAL CERTIFICATE FOR:

Inmate Name: Matthew Travis Houston NDOC#: 1210652 Housing: ~~12-8-6-B~~

Date: March 21st, 2022 3D23

[Signature]

Inmate Signature

P.B

- To receive Financial Certificate from
- Inmate Banking, choose ONE below
- Please schedule me to pick up in Law Library
 - Please mail to me

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PLEASE EXECUTE A FINANCIAL CERTIFICATE FOR:

Inmate Name: Matthew Houston
Prison ID#: 1210652
Date: April 28th 2022
Housing# H.D.S.P. 3-D-42

[Signature]
Inmate Signature

Please mail Financial Certificate to me upon return from Inmate Banking

OR

Please schedule me an appointment to pick up my Financial Certificate upon return from Inmate Banking

3 A-2

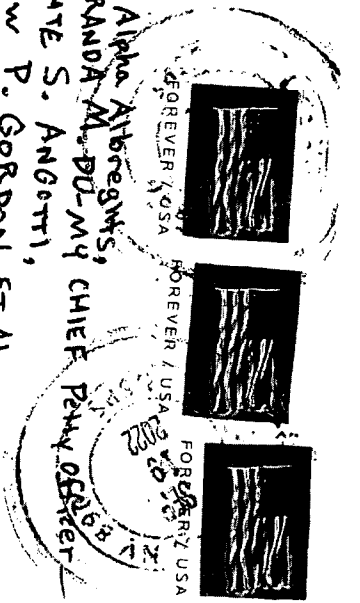
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MATTHEW TRAVIS HOUSTON, CHTD
No 1210652
PO Box 650
INDIAN SPRINGS, NV 89070-0650

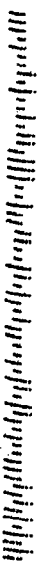
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ATTORNEY - CLIENT PRIVILEGE
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OFFICIAL AND BUSINESS

FILED	RECEIVED
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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
COUNSEL/PARTIES OF RECORD	
SERENA AMBERS cc. VICENTE S. ANGOTTI, COMMISSIONER, ANDREW P. GORDON, ET AL @ THE DEMOCRATS TABLES OF INDUSTRY	

GLORIA NAVARRO, D.J. Alpha Abrogants,
MIRANDA A. DORSEY, MIRANDA M. DU-MY CHIEF PENNY OFFICER
333 Las Vegas Blvd. South
Las Vegas, NV 89101
Room # 1334



950108066 COT5



HIGH DESERT STATE PRISON
SEP 18 2022
UNIT 3 A/B

WHEREFORE, ^{plaintiff/}petitioner prays that the court grant ^{plaintiff/}petitioner relief to which ^{plaintiff/}petitioner may be entitled in this proceeding.

EXECUTED at High Desert State Prison on the 28 day of the month of OCTOBER, 2022.

Matthew Travis Houston
*MATTHEW TRAVIS HOUSTON, No. 1210652
High Desert State Prison
Post Office Box 650
Indian Springs, Nevada 89070
Petitioner in Proper Person

VERIFICATION

Under penalty of perjury, the undersigned declares that the undersigned is the ^{plaintiff/}petitioner named in the foregoing ^{motion}petition and knows the contents thereof; that the pleading is true of the undersigned's own knowledge, except as to those matters stated on information and belief, and as to such matters the undersigned believes them to be true.

Matthew Travis Houston
*MATTHEW TRAVIS HOUSTON, No. 1210652
High Desert State Prison
Post Office Box 650
Indian Springs, Nevada 89070
Petitioner in Proper Person

AFFIRMATION (Pursuant to NRS 239B.030)

EMERGENCY EX PARTE MOTION

~~PETITION FOR WRIT OF HABEAS CORPUS~~

The undersigned does hereby affirm that the preceding ~~PETITION FOR WRIT OF HABEAS CORPUS~~ filed in District Court Case Number(s) A-22-858580-C Does not contain the social security number of any person.

A-22-856372-C, A-22-853203-W and C-17-323614-1

Matthew Travis Houston
*MATTHEW TRAVIS HOUSTON, No. 1210652
High Desert State Prison
Post Office Box 650
Indian Springs, Nevada 89070
Petitioner in Proper Person

CERTIFICATE OF SERVICE BY MAIL

I, MATTHEW TRAVIS HOUSTON, hereby certify pursuant to N.R.C.P. 5(b), that on this 28 day of the month of OCTOBER, 2022, I mailed a true and correct copy of the foregoing ~~PETITION FOR WRIT OF HABEAS CORPUS~~ addressed to:

There's No warden - there's an "acting warden" Jeremy Bean
"ACTING" Warden High Desert State Prison
Post Office Box 650
Indian Springs, Nevada 89070

Attorney General of Nevada
100 North Carson Street
Carson City, Nevada 89701

) use/look
online

) use/look
online

Clark County District Attorney's Office
200 Lewis Avenue
Las Vegas, Nevada 89155

Matthew Travis Houston
*MATTHEW TRAVIS HOUSTON, No. 1210652
High Desert State Prison
Post Office Box 650
Indian Springs, Nevada 89070
Petitioner in Proper Person

1 IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
2 STATE OF NEVADA IN AND FOR THE
3 COUNTY OF CLARK
4

5 REVEREND MATTHEW TRAVIS HOUSTON,) Case No. A-22-856372-G
6 Plaintiff Petitioner,) Department 20
7) Case No. A-17-758861-G
8) Department 29
9 v. MANDALAY BAY CORP., D/B/A) SEE Case No. A-22-758861-G
10) Department(s) 17, 18 and 29
11 CLARK MCCURT, LLC;) Case No. A-22-853203-W
12 LEWIS BRISBOIS BISGAARD & SMITH LLP,) C-21-357927-1
13 "BERNSTEIN & POISSON" AND)
14 THE DEEP STATE OF NEVADA, ETAL,) Dept. No. 11
15)
16) Case No. A-22-858580-G
17) Department 4
18) Case No. G-17-323614-1
19) Department 19
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16 ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE
17 OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR VIDEO
18 CONFERENCE

19 Based upon the above motion, I find that the presence of Plaintiff, the Rev.
20 Matthew Travis Houston is necessary for the hearing that is scheduled in this
21 case on the 15TH day of NOVEMBER, 2022, at
22 9:00 AM.

23 THEREFOR, IT IS HEREBY ORDERED that,
24 Pursuant to NRS 209.274, ~~Warden~~ "Acting Warden" JEREMY BEAN
25 of HIGH DESERT STATE PRISON is hereby commanded to have
26 Rev. Matthew Travis Houston transported to appear before me at a hearing
27 scheduled for November 15th, 2022 at 9:00 AM at the Regional
28 Justice Center (Clark County Courthouse), Upon completion of the hearing,

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Rev. Matthew Travis Houston is to be transported back to the above
named institution.

Pursuant to NRS 209.274(2)(a), Petitioner shall be made available for telephonic
or video conference appearance by his or her institution. My clerk will contact
"ACTING WARDEN" JEREMY BEAN at (702) 879-6789 to make
arrangements for the Court to initiate the telephone appearance for the hearing.

Dated this _____ day of _____.

District Court Judge

1 CERTIFICATE OF SERVICE BY MAIL

2
3 I, the undersigned, certify pursuant to NRCP 5(b), that on this 28th day of
4 October, 2022, I served the foregoing ~~Motion and~~ Order for
5 Transportation of Inmate for Court Appearance or, in the Alternative, Motion for
6 Appearance by Telephone or Video Conference, by mailing a true and correct copy
7 thereof in a sealed envelope, upon which first class postage was fully prepaid,
8 addressed to:

9 CLERK OF THE COURT
10 Steven D. Grierson

11
12 200 LEWIS AVENUE

13 LAS VEGAS, NV

14 89155-1160

15
16 and that there is regular communication by mail between the place of mailing and the
17 recipient address.

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20 Matthew Travis Houston

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23 Rev. Matthew Travis Houston

24 No. 1210652 @ NDOC

25 ABA No. 04662784

1 IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
2 STATE OF NEVADA IN AND FOR THE
3 COUNTY OF CLARK
4

5 REVEREND MATTHEW TRAVIS HOUSTON,)
6 Plaintiff-Petitioner, *)
7)
8 v. MANDALAY BAY CORP, D/B/A)
9 CLARK MCCOURT, LLC;)
10 LEWIS BRISBOS FISGAARD & SMITH LLP,)
11 "BERNSTEIN & POISSON" AND)
12 THE DEEP STATE OF NEVADA, ET AL,)
13)
14 Defendant(s) Respondent(s)
15)

Case No. A-22-856372-C
Department 20
Case No. A-17-758861-G
Department 29
SEE Case No. A-22-758861-C
Department(s) - 17, 18 and 29
Case No. A-22-853203-W
C-21-357927-1
Dept. No. 11
Case No. A-22-858580-C
Department 4
Case No. C-17-323614-1
Department 19

16 ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE
17 OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR VIDEO
18 CONFERENCE

19 Based upon the above motion, I find that the presence of Plaintiff, the Rev.
20 Matthew Travis Houston is necessary for the hearing that is scheduled in this
21 case on the 16TH day of NOVEMBER, 2022, at
22 9:00 AM.

23 THEREFOR, IT IS HEREBY ORDERED that,

24 Pursuant to NRS 209.274, ~~Warden~~ "Acting Warden" JEREMY BEAN
25 of HIGH DESERT STATE PRISON is hereby commanded to have
26 Rev. Matthew Travis Houston transported to appear before me at a hearing
27 scheduled for November 16th, 2022 at 9:00 AM at the Regional
28 Justice Center (Clark County Courthouse). Upon completion of the hearing,

1 Rev. Matthew Travis Houston is to be transported back to the above
2 named institution.

3
4 Pursuant to NRS 209.274(2)(a), Petitioner shall be made available for telephonic
5 or video conference appearance by his or her institution. My clerk will contact
6 "ACTING WARDEN" JEREMY BEAN at (702) 879-6789 to make
7 arrangements for the Court to initiate the telephone appearance for the hearing.
8

9 Dated this _____ day of _____, _____.

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12 _____
13 District Court Judge
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1 CERTIFICATE OF SERVICE BY MAIL

2
3 I, the undersigned, certify pursuant to NRCP 5(b), that on this 28th day of
4 October, 2022, I served the foregoing ~~Motion and~~ Order for
5 Transportation of Inmate for Court Appearance or, in the Alternative, Motion for
6 Appearance by Telephone or Video Conference, by mailing a true and correct copy
7 thereof in a sealed envelope, upon which first class postage was fully prepaid,
8 addressed to:

9
10 CLERK OF THE COURT
Steven D. Grierson

11
12 200 LEWIS AVENUE
13 LAS VEGAS, NV
14 89155-1160

15
16 and that there is regular communication by mail between the place of mailing and the
17 recipient address.

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20 Matthew Travis Houston

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23 REV. Matthew Travis Houston
24 No. 1210652 @ NDOC
25 ABA No. 04662784

1 IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
2 STATE OF NEVADA IN AND FOR THE
3 COUNTY OF CLARK

4
5 REVEREND MATTHEW TRAVIS Houston) Case No. A-22-858580-G
6 Plaintiff-in-Error / Petitioner,) Department No. 4
7) Case No. A-22-856372-G
8 v. MANDALAY BAY CORP., D/B/A) Department No. 20
9 CLARK MCCOURT, LLC;) Case No. G-17-323614-1
10 LEWIS BRISBOIS BISGAARD & SMITH, LLP;)
11 "BERNSTEIN & POISSON" AND)
12 THE DEEP STATE OF NEVADA, ETAL,) Dept. No. 19
13)
14 Defendant(s) - Respondent(s)) Case No. A-22-853203-W
15) Department No. 11
16) SEE Case No. A-22-758861-G
17) Department 29

16 ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE
17 OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR VIDEO
18 CONFERENCE

19 Based upon the above motion, I find that the presence of Petitioner
20 Rev. Matthew Travis Houston is necessary for the hearing that is scheduled in this
21 case on the 17TH day of NOVEMBER, 2022, at
22 9:00 AM

23 THEREFOR, IT IS HEREBY ORDERED that,

24 Pursuant to NRS 209.274, ~~Warden~~ "acting Warden" JEREMY BEAN
25 of High Desert State Prison is hereby commanded to have

26 Rev. Matthew Travis Houston transported to appear before me at a hearing
27 scheduled for November 17th, 2022 at 9:00 AM at the Regional
28 Justice Center (Clark County Courthouse). Upon completion of the hearing,

1 Rev. Matthew Travis Houston is to be transported back to the above
2 named institution.

3
4 Pursuant to NRS 209.274(2)(a), Petitioner shall be made available for telephonic
5 or video conference appearance by his or her institution. My clerk will contact
6 "ACTING WARDEN" JEREMY BEAN at (702) 879-6789 to make
7 arrangements for the Court to initiate the telephone appearance for the hearing.

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9 Dated this _____ day of _____,

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12 _____
13 District Court Judge
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1 CERTIFICATE OF SERVICE BY MAIL

2
3 I, the undersigned, certify pursuant to NRCPC 5(b), that on this 28th day of
4 OCTOBER, 2022, I served the foregoing ~~Motion and~~ Order for
5 Transportation of Inmate for Court Appearance or, in the Alternative, Motion for
6 Appearance by Telephone or Video Conference, by mailing a true and correct copy
7 thereof in a sealed envelope, upon which first class postage was fully prepaid,
8 addressed to:

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10 CLERK OF THE COURTS
STEVEN D. GRIERSON

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12 200 LEWIS AVENUE
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16 and that there is regular communication by mail between the place of mailing and the
17 recipient address.

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21 Matthew Travis Houston

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23 REV. MATTHEW TRAVIS HOUSTON
24 No. 1210652 © NDOC
25 ABA No. 04662784

REAR END TRAVIS HOUSTON
MATTIEN
No. 1210659

Re Box 650
Indian Springs, NV 89107-0650



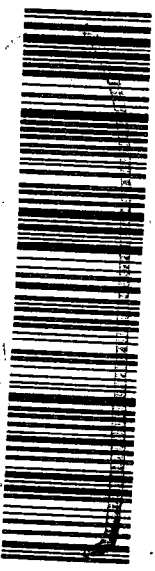
COMMERCIAL BASE PRICING

USPS PRIORITY MAIL

VIGOR JOHNSON
STRIVE OF NEVADA
5555E WASHINGTON AVE STE 1200
LAS VEGAS, NV 89101

SHIP TO: EIGHTH JUDICIAL DISTRICT COURT
ATTN: CLERK OF THE COURT
200 LEWIS AVE
LAS VEGAS NV 89101-6300

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LAW CLERK, DEPARTMENTS 19, 4, 20, 11, and 29
REGIONAL JUSTICE CENTER
200 LEWIS AVENUE
LAS VEGAS, NV
89155

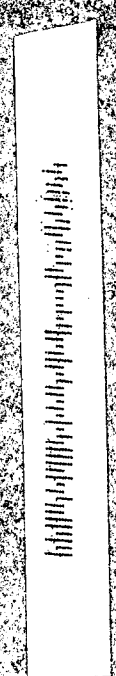
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A. W. HORTON # 1180307

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LOS VEGAS NV 89115



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1802 21347

Court of Clerk
8th Judicial District
200 LEWIS AVE

LOS VEGAS NV
89185

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3763

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328 - 328
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**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

INMATE CORRESPONDENCE

January 24, 2023

Re: A-22-858580-C / Department 4

Matthew Houston, Plaintiff(s)

vs.

Daniel Schwartz, Defendant(s)

- A court order is required to complete the request.
- Documents are sealed. A court order is required to reproduce. *(PSI)*
- Documents requested are not in the court file at this time.
- Transcripts have not been filed. A court order is required.
- Copies are \$.50 per page or by court order.
- Consult your law library for this information.
- District Court does/does not show any outstanding District Court warrants under the above referenced defendant name.
- Other: Re: Summons – cannot be issued as additional defendants have not been brought in to this case properly

Cordially yours,

DC Criminal Desk #27

Deputy Clerk of the Court

1 SUMM
2 Matthew Travis Houston
3 No. 1210652 @ MDOC
4 PO BOX 650
5 Indian Springs, NV
6 89070-0650

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9 MATTHEW TRAVIS HOUSTON,

10 Plaintiff(s),

11 -vs- REDENTA BLACIC,
12 ROSEMARIE MCMORRIS-ALEXANDER,
13 DANIEL L. SCHWARTZ, BRIAN P. CLARK,
14 CLARK MCCOURT, LLC; LEWIS, BRISBOIS, BYSGARD
15 & SMITH, LLP; ET AL-Defendant(s).

[REDACTED]

[REDACTED]

16 CASE NO. A-22-858580-C

17 DEPT. NO. 4

[REDACTED]

[REDACTED]

18 SUMMONS - CIVIL

19 NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
20 WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.
21 READ THE INFORMATION BELOW.

22 TO THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against
23 you for the relief set forth in the Complaint.

24 1. If you intend to defend this lawsuit, within 20 days after this Summons is
25 served on you, exclusive of the day of service, you must do the following:

26 (a) File with the Clerk of this Court, whose address is shown below, a
27 formal written response to the Complaint in accordance with the rules
28 of the Court, with the appropriate filing fee.

29 (b) Serve a copy of your response upon the attorney whose name and
30 address is shown below.

CLERK OF THE COURT

NOV 23 2022

RECEIVED

RECEIVED

JAN 04 2022

CLERK OF THE COURT

SUMM Civil/7/23/2009

2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and failure to so respond will result in a judgment of default against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.
3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators each have 45 days after service of this Summons within which to file an Answer or other responsive pleading to the Complaint.

STEVEN D. GRIERSON
CLERK OF COURT

Submitted by:

Matthew Travis Houston
Matthew Travis Houston
ABA No. 04662784
Po Box 650
Indian Springs, NV 89070-0650

By: _____
Deputy Clerk Date

Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

NOTE: When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure 4(b).

SEE EJDC ~~ABC~~[#] A-17-758861-G
and the events of September 30, 2016, which
resulted in damages not limited to the destruction of my
service animals after July 14, 2021, and \$36,500,000.[€]
+ damages against my law offices and career in
the entertainment business. Reparations are demanded
from individuals and entities not limited to FREEMAN
COMPANIES, IATSE #720 and ENCOPE EVENTS TECHNOLOGIES.
False imprisonment is a crime. 2

SUMM Civil/7/23/2009

EMERGENCY DECLARATION OF
MATTHEW TRAVIS HOUSTON AS AN
AFFIDAVIT OF SERVICE

1
2 STATE OF NEVADA)
3) ss:
4 COUNTY OF CLARK)

5 Plaintiff, Reverend Matthew Travis Houston, CHTD,
6 No. 1210652, being duly sworn, says: That at all times herein affiant was and is over 18

7 years of age, not a party to nor interested in the proceeding in which this affidavit is
8 made. That affiant received 1 copy(ies) of the Summons and Complaint, 1 on
9 the 28th day of December, 2022 and served the same on the 28th day of December,
10 20 22 by:

11 (Affiant must complete the appropriate paragraph)

- 12 1. Delivering and leaving a copy with the Defendant _____ at (state address) _____
13 2. Serving the Defendant _____ by personally delivering and leaving a copy with
14 _____, a person of suitable age and discretion residing at the Defendant's usual
15 place of abode located at (state address) _____

16 [Use paragraph 3 for service upon agent, completing (a) or (b)]

- 17 3. Serving the Defendant _____ by personally delivering and leaving a copy at
18 (state address) _____
19 (a) With _____ as _____, an agent lawfully designated by statute to accept
20 service of process;
21 (b) With _____, pursuant to NRS 14.020 as a person of suitable age and
22 discretion at the above address, which address is the address of the
23 resident agent as shown on the current certificate of designation filed with
24 the Secretary of State.
25 4. Personally depositing a copy in a mail box of the United States Post Office,
26 enclosed in a sealed envelope, postage prepaid (Check appropriate method):

- 27 Ordinary mail
28 Certified mail, return receipt requested
29 Registered mail, return receipt requested

addressed to the Defendant Mr. Ford at Defendant's last known address which is

(state address) _____ Aaron D. Ford
Office of the Nevada Attorney General
555 E. Washington Avenue, Ste. 3900
Las Vegas, NV 89101-1068

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

EXECUTED this 28th day of December, 2022.

Matthew Travis Houston

Signature of person making service

REV. MATTHEW TRAVIS HOUSTON, CHTD

ABA ID No. 04662784

Po Box 650

Indian Springs, NV 89070-0650

1 SUMM

2 Matthew Travis Houston
3 No. 1210652 @ NDOC
4 Po Box 650
Indian Springs, NV
89070-0650

5 DISTRICT COURT

6 CLARK COUNTY, NEVADA

7
8
9 MATTHEW TRAVIS HOUSTON,

10 Plaintiff(s),

11 -vs- DIANNE FERRANTE,

12 JONATHAN SHOCKLEY, SEDGWICK CMS,
13 DANIEL L. SCHWARTZ, BRIAN P. CLARK,
14 CLARK McCOURT, LLC; LEWIS, BRISBOIS, BISGAARD
15 & SMITH, LLP, ET AL - Defendant(s).

[REDACTED]

[REDACTED]

CASE NO. A-22-858580-G

DEPT. NO. 4

[REDACTED]

[REDACTED]

16 SUMMONS - CIVIL

17 NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
18 WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.
19 READ THE INFORMATION BELOW.

20 TO THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against
21 you for the relief set forth in the Complaint.

22 CLERK OF THE COURT

23 RECEIVED
24 NOV 23 2022

- 25 1. If you intend to defend this lawsuit, within 20 days after this Summons is
- 26 served on you, exclusive of the day of service, you must do the following:
- 27 (a) File with the Clerk of this Court, whose address is shown below, a
- 28 formal written response to the Complaint in accordance with the rules
- of the Court, with the appropriate filing fee.
- (b) Serve a copy of your response upon the attorney whose name and
- address is shown below.

29 RECEIVED

30 JAN 04 2022

31 CLERK OF THE COURT

SUMM Civil/7/23/2009

2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and failure to so respond will result in a judgment of default against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.
3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators each have 45 days after service of this Summons within which to file an Answer or other responsive pleading to the Complaint.

STEVEN D. GRIERSON
CLERK OF COURT

Submitted by:

Matthew Travis Houston

Matthew Travis Houston

ABA No. 04662784

Po Box 650

Indian Springs, NV 89070-0650

By: _____

Deputy Clerk

Date

Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

NOTE: When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure 4(b).

SEE EJDC # A-17-758861-G
and the events of September 30, 2016, which resulted in damages not limited to the destruction of my service animals after July 14, 2021, and \$36,500,000.00 + damages against my law offices and career in the entertainment business, Repairs are demanded from individuals and entities not limited to FREEMAN CO., IATSE #720 and ENCORE EVENTS TECHNOLOGIES. False imprisonment is a crime. 2

SUMM Civil/7/23/2009



**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION SERVICES**

CIVIL PROCESS SECTION

**JOSEPH M. LOMBARDO
SHERIFF**

**JAMES SEEBOCK
DEPUTY CHIEF**

Dear Valued Customer:

This will acknowledge receipt of your package in our office on 12/19/2022 We are returning your documents herewith. Please return the package to us after satisfying the following criteria:

 We currently require a **MINIMUM of 10 BUSINESS** days for all civil documents; therefore, we are unable to meet your requested service date of 12/21/22

 We require a **\$100.00 deposit per service** (one name/one address) for the Las Vegas, North Las Vegas, and Henderson areas. Payment must be in the form of a Business Check, Cashier's Check or Money Order made payable to: **Clark County Sheriff**. **NO PERSONAL CHECKS** are accepted. Unused fees will be refunded. You will be billed for the balance if fees exceed the deposit (affidavits will be held until payment is received in full).

 Please send an additional fee in the amount of as the subject address is out of the normal service area, or contact the local **Constable** in that area (see website below & select '**C**' for Constable) who may also assist in serving your documents in the remote areas of Clark County.

 Other: _____

We wish to provide you the highest level of customer service possible and apologize for any inconvenience this may cause. Please contact our office if you have any questions. **FOR ADDITIONAL INFORMATION PLEASE VISIT OUR WEBISTE: <http://www.clarkcountynv.gov> (Click on Government, then Departments and go to Sheriff Civil)**

Sincerely,
Clark County Sheriff

By: _____

Rev. May 2022

RENEWED
CERTIFICATE OF SERVICE BY MAILING

28th

I, Matthew Travis Houston, hereby certify, pursuant to NRCP 5(b), that on this 10th
December, 2022,
day of March, 2022, I mailed a true and correct copy of the foregoing, "Renewed and Amended

(s) Personal Restraint Petition(s) Parts I and II
Complaint, ~~and~~ Application to Proceed In Forma Pauperis(s)
and PETITION FOR A WRIT OF HABEAS CORPUS(S)

by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid,
addressed as follows: AARON D. FORD #3900 CLARK McCOURT, LLC
555 E. WASHINGTON AVE. #3900 7371 Prairie Falcon Rd
LAS VEGAS, NV 89101 Las Vegas, NV #120

Regional Injustice Center
Clerk of the Court
Stephen D. Gnesson
200 Lewis Ave, 3rd Floor
Las Vegas, NV
89155-1160

BERNSTEIN & POISSON
Christopher Bank, "Kylie"
Ryan Karbow, Jack Bernstein,
Scott Poisson, Nicole Garcia,
Jessica Flores, Tyler Ore

L.B.B.S. Daniel Schwartz
2300 W. Sahara Avenue #900
Las Vegas, NV 89102
Lina Sakalauskas

320 S. Jones Blvd.
Las Vegas, NV 89107

Dan Schwartz (LBBS)
Nevada Attorney For
Injured Workers - NAIW
2200 Rancho
Las Vegas, NV


Jason Barrus
Erica Tosh
State Bar of Nevada
3100 W Charleston Blvd #100
Las Vegas, NV 89102

2:22-cv-00693-JAD-NJK(2:22-cv-01285-MMD-VCF)

CC:FILE 2:21-cv-00499-JAD-DJA
2:22-cv-01607-APG-NJK

DATED: this 10th day of March, 2022.

- 2:19-cv-01472-APG-DJA
- 2:19-cv-01371-JAD-DJA
- 2:22-cv-01285-MMD-VCF
- 2:22-cv-00693-JAD-NJK
- 2:19-cv-01740-APG-BNW
- 2:19-cv-01475-GMN-EJY
- 2:19-cv-01360-RFB-VCF


Matthew Travis Houston #1210652
Plaintiff-in-Error /In Propria Personam
Post Office box 650 [HDSP]
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:
ABA No. 04662704

Reverend Matthew Travis Houston, Cntd
No 1210652
PO Box 650

Indian Springs, NY
Q9070-0650

CLERK OF THE COURT

JAN 04 2022

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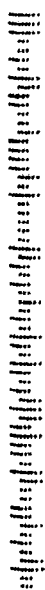
CHAMBERS OF THE HON. JAMES CROCKETT
ESQ., SENIOR JUDGE Department No. 4, 27
ARTN, LAW CLERK(S) 11, 14, 20 and 24
200 LEWIS AVENUE
LAS VEGAS, NV
89155

LAS VEGAS NV 890
30 DEC 2022 PM 3 L



Legal Mail
ABA NO PH 662784

89101-630000



**THIS SEALED
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339 - 341
WILL FOLLOW VIA
U.S. MAIL**

1 ORDER - IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
 2 STATE OF NEVADA IN AND FOR THE
 3 COUNTY OF CLARK

5 MATTHEW TRAVIS HOUSTON)
 6 Plaintiff-Petitioner,)
 7 Appellant,)

8 v.)

9 THE STATE OF NEVADA, ET AL;)
 10 DANIEL L. SCHWARTZ, ET AL;)
 11 BRIAN P. CLARK, ET AL;)
 12 MANDALAY BAY CORP., ET AL;)

13 Defendant(s)-Respondent(s)
 14 Appellee(s))

Case No A-22-853203-W
 Department No 11

Case No A-22-858580-C ✓
 Department No 4

Case No. A-22-856372-C ✓
 Department No 20
 Case No A-19-800219-W
 Dept. No. 19

Case No A-17-758861-C ✓
 Department No 29

Case No A-22-758861-C
 Department No(s) 17, 18 and 29

16 ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE
 17 OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR VIDEO
 18 CONFERENCE

19 Based upon the above motion, I find that the presence of Plaintiff,

20 Matthew Travis Houston is necessary for the hearing that is scheduled in this

21 case on the 7th day of February, 2023, at 9:00 AM. Also for

22 February 01, 2023, Room 12A @ 9:00 AM, Feb. 08, 2023, Room 11B @ 10:00 AM and
 23 February 14, 2023, Room 15A @ 9:00 AM

24 THEREFOR, IT IS HEREBY ORDERED that,

25 Pursuant to NRS 209.274, Warden "Acting Warden" Jeremy Bean

26 of HIGH DESERT STATE PRISON is hereby commanded to have

27 Matthew Travis Houston transported to appear before me at a hearing

28 scheduled for February 07, 2023 at 9:00 AM at the "BJC" aka

Clark County Courthouse. Upon completion of the hearing(s),

29 (to which Mr. Houston is scheduled in the above mentioned

30 cases and for additional hearings including 02/01/2023,

31 02/08/2023 and 02/14/2023, as all cases are related)

CLERK OF THE COURT
 JAN 31 2023
 RECEIVED

1 Matthew Travis Houston is to be transported back to the above
2 named institution.

3
4 Pursuant to NRS 209.274(2)(a), Petitioner shall be made available for telephonic
5 or video conference appearance by his or her institution. My clerk will contact
6 "Acting Warden" Jeremy Bean at (702) 879-6789 to make
7 arrangements for the Court to initiate the telephone appearance ~~for~~ or the hearing(s).
8

9 Dated this _____ day of _____
10
11
12

13 _____
14 District Court Judge
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27

Andrew J. Smith
CLERK OF THE COURT



X

OPI

MATTHEW TRAVIS HOUSTON
American Bar Association Member No. 04662784
PO Box 650
Indian Springs, NV 89070-0650
P: (714) 916-7431
C: (610) 762-4143
(702) 879-6789

February 07th, 2023
9:00 AM

DISTRICT COURT

CLARK COUNTY, NEVADA

Case No. A-22-858580-C, Dept #4

Case No. C-17-323614-1/A-19-800219-W
Department 19 (Feb. 08, 2023-10 AM, Room #11B)

Case No. A-22-856372-C] Feb. 01, 2023
Department 20 - 9:00 AM - Room #12A

MATTHEW TRAVIS HOUSTON,
Plaintiff

v. DANIEL L. SCHWARTZ,
LEWIS BRISBOLIS RISGAARD & SMITH, LLP
BRIAN P. CLARK, ET AL,
THE STATE OF NEVADA, Defendant(s)
ET AL

[JOINDER #A-17-758861-C] Feb. 14, 2023

Case No. A-22-758861-C] Feb. 14, 2023
Department(s) 17, 18 and 29 9:00 AM - Room #15A

Case No. A-22-853203-W
Department No. 11

EMERGENCY MOTION AND ORDER FOR TRANSPORTATION
OF INMATE FOR COURT APPEARANCE OR, IN THE
ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR
VIDEO CONFERENCE*

*EMERGENCY RELIEF IS NECESSARY PURSUANT TO ATTACHED MOTIONS (AMCIT. 27-3)

Plaintiff, Matthew Travis Houston, proceeding
pro se, requests that this Honorable Court order
transportation for his personal appearance or, in the
alternative, that he be made available to appear by
telephone or by video conference at the hearing
in the instant cases that are scheduled for [REDACTED] February
07th, 2022 at 9:00 AM in RJC Courtroom 03C.

The Court will PLEASE TAKE NOTICE that
ALL of the above-entitled cases are directly related,
and have been and are the ongoing cause of the Plaintiff's
false imprisonment. Be that it may, Plaintiff has valid
and meritorious pleadings to present in serious attention. SEE
Case No. A-19-800219-W. (P. 1 of 4) Set for Feb. 08, 2023, 10:00 AM, "RJC"
Room 11B

➔ ①

RECEIVED
JAN 30 2023
CLERK OF THE COURT

Handwritten initials/signature

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In support of this Motion, I allege the following:

1. I am an inmate incarcerated at High Desert State Prison.
My mandatory release date is September 29, 2025.

2. The Department of Corrections is required to transport offenders to and from Court if an inmate is required or requests to appear before a Court in this state.

NRS 209.274 Transportation of Offender to Appear Before Court states:

"1. Except as otherwise provided in this section, when an offender is required or requested to appear before a Court in this state, the Department shall transport the offender to and from Court on the day scheduled for his appearance.

2. If notice is not provided within the time set forth in NRS 50.215, the Department shall transport the offender to Court on the date scheduled for his appearance if it is possible to transport the offender in the usual manner for the transportation of offenders by the Department. If it is not possible for the Department to transport the offender in the usual manner:

(a) The Department shall make the offender available on the date scheduled for his appearance to provide testimony by telephone or by video conference, if so requested by the Court.

(b) The Department shall provide for special transportation of the offender to and from the Court, if the Court so orders. If the Court orders special transportation, it shall order the county in which the Court is located to reimburse the Department for any cost incurred for the special transportation.

(c) The Court may order the county sheriff to transport the offender to and from the Court at the expense of the county."

3. My presence is required at the hearing because:

~~Page Number Three of Five~~

P. 2 of 4



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I AM NEEDED AS A WITNESS.

My petition raises substantial issues of fact concerning events in which I participated and about which only I can testify. See *U.S. v. Hayman*, 342 U.S. 205 (1952) (District Court erred when it made findings of fact concerning Hayman's knowledge and consent to his counsel's representation of a witness against Hayman without notice to Hayman or Hayman's presence at the evidentiary hearing).

THE HEARING WILL BE AN EVIDENTIARY HEARING.

My petition raises material issues of fact that can be determined only in my presence. See *Walker v. Johnston*, 312 U.S. 275 (1941) (government's contention that allegations are improbable and unbelievable cannot serve to deny the petitioner an opportunity to support them by evidence). The Nevada Supreme Court has held that the presence of the petitioner for habeas corpus relief is required at any evidentiary hearing conducted on the merits of the claim asserted in the petition. See *Gebbers v. Nevada*, 118 Nev. 500 (2002).

4. The prohibition against ex parte communication requires that I be present at any hearing at which the state is present and at which issues concerning the claims raised in my petition are addressed. U.S. Const. amends. V, VI.

5. If a person incarcerated in a state prison is required or is requested to appear as a witness in any action, the Department of Corrections must be notified in writing not less than 7 business days before the date scheduled for his appearance in Court if the inmate is incarcerated in a prison located not more than 40 miles from Las Vegas. NRS 50.215(4). If a person is incarcerated in a prison located 41 miles or more from Las Vegas, the Department of Corrections must be notified in writing not less than 14 business days before the date scheduled for the person's appearance in Court.

6. High Desert State Prison is located approximately 39 miles from Las Vegas, Nevada.

~~Page Number Four of Five~~
P. 3 of 4

1 7. If there is insufficient time to provide the required notice to the Department
2 of Corrections for me to be transported to the hearing, I respectfully request that this
3 Honorable Court order the Warden to make me available on the date of the
4 scheduled appearance, by telephone, or video conference, pursuant to NRS
5 209.274(2)(a), so that I may provide relevant testimony and/or be present for the
6 evidentiary hearing.

7 8. The rules of the institution prohibit me from placing telephone calls from
8 the institution, except for collect calls, unless special arrangements are made with
9 prison staff. Nev. Admin. Code DOC 718.01. However, arrangements for my
10 telephone appearance can be made by contacting the following staff member at my
11 institution: ^{AW Julie Williams} AW James Scally, or any "Associate Warden"
12 whose telephone number is (702) 879-6789.

13 EXECUTED AND RENEWED this 12th day of September, 2022.
14 Dated this 14th day of July, 2022.

15 - CERTIFICATE OF SERVICE BY MAIL AND AFFIRMATION -

16 Pursuant to NRS 239B.030 Matthew Travis Houston
17 (Now SEE 28 USC §1746 and NRS 208.165)

18 - I declare under penalty of perjury under laws of the
19 United States of America that Matthew Travis Houston, CITO,

20 the foregoing is true and correct. No. 1810652
21 PURSUANT to NRCF 5(b), I 22010 Cold Creek Road,
22 served the foregoing MOTION Po Box 650
23 FOR TRANSPORTATION OF INMATE Indian Springs, NV
24 FOR COURT APPEARANCE OR, IN THE ALTERNATIVE, MOTION 89070-0650

25 FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE, by
26 mailing the ORIGINAL COPY thereof in a sealed envelope, via USPS
27 addressed to: Clerk(s) of the Court - Steven D. Gnierson

28 and CHAMBERS 200 Lewis Ave., 3rd Floor
29 Regional Justice Center
30 Las Vegas, NV 89155-1160

31 RENEWED this 21st day of January, 2023. X. Matthew Travis Houston
32 of January, 2023. Matthew Travis Houston.
ABA No. 04662784

p. 4 of 4

REV. MATTHEW TRAVIS HOUSTON, CHTD

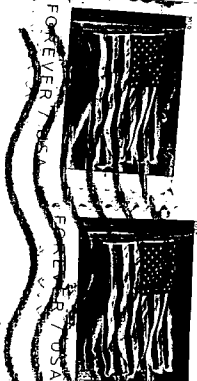
Nº 1210652

PO. Box 650

Indian Springs NY 89070-0650

LAS VEGAS NV 890

26 JAN 2023 PM 4 L



ETDD

ATTN: LAW CLERK(S) Departments 1104, 1111,

Nº 19, Nº 20 and Nº 29

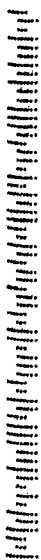
REGIONAL JUSTICE CENTER

200 LEWIS AVENUE

LAS VEGAS, NV

89155

89101-630000



LEGAL MAIL, ABAID

Nº 04662784

Alvin S. Amin
CLERK OF THE COURT

1 **SUMM**
2 MATTHEW TRAVIS HOUSTON
3 No 1210652
4 Po Box 650
Indian Springs, NV 89070-0650
(702) 879-6789

5
6 DISTRICT COURT
7 CLARK COUNTY, NEVADA

8
9 MATTHEW TRAVIS HOUSTON,

10
11 Plaintiff(s),

CASE NO. A-22-858580-C

12 -vs-

DEPT. NO. 4

13 DANIEL SCHWARTZ, ET AL,
14 D/B/A LEWIS BRISBOIS
BISGAARD & SMITH, LLP
15 Defendant(s).

16 **SUMMONS - CIVIL**

17 **NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU**
18 **WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.**
19 **READ THE INFORMATION BELOW.**

20 **TO THE DEFENDANT(S):** A civil Complaint has been filed by the Plaintiff(s) against
21 you for the relief set forth in the Complaint.

- 22 1. If you intend to defend this lawsuit, within 20 days after this Summons is
23 served on you, exclusive of the day of service, you must do the following:
- 24 (a) File with the Clerk of this Court, whose address is shown below, a
25 formal written response to the Complaint in accordance with the rules
26 of the Court, with the appropriate filing fee.
 - 27 (b) Serve a copy of your response upon the attorney whose name and
28 address is shown below.

CLERK OF THE COURT

NOV 14 2022

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JAN 30 2023 mc ewell #27 mail
CLERK OF THE COURT

2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and failure to so respond will result in a judgment of default against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.
3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators each have 45 days after service of this Summons within which to file an Answer or other responsive pleading to the Complaint.

STEVEN D. GRIERSON
CLERK OF COURT

NOV 23 2022

Submitted by:

By: *[Signature]* Deputy Clerk Date

Matthew Travis Houston
Matthew Travis Houston
No 1210652
Po Box 650
Indran Springs, NV 89070-0650
c: (714) 916-7431
p: (610) 762-4143
c: (702) 762-1347

Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

NOTE: When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure 4(b).

Recovery of compensatory and punitive damages after the Defendant's injuries to Plaintiff's law office; causation of ~~injuries~~ the false arrests, wrongful convictions and other injury of Plaintiff. SEE ESDC #A-22-758861-G, and also the destruction of Plaintiff's service animals after 7-14-2021, and malicious prosecution.

Heather Lamin
CLERK OF THE COURT

OPPS
NOTC

MATTHEW TRAVIS HOUSTON, CHTD
No 1210652
PO Box 650
INDIAN SPRINGS, NV 89070-0650
P: (714) 916-7431
C: (610) 762-4131

PLEASE SEE DISTRICT COURT
CLARK COUNTY, NEVADA

MATTHEW TRAVIS HOUSTON,
Plaintiff,
-VS-
DANIEL L. SCHWARTZ;
MANDALAY BAY CORP., D/BA
MANDALAY BAY RESORT AND
CASINO, CLARK MCCOURT, LLC;
BERNSTEIN & POISSON, ET AL
ENCORE EVENT TECHNOLOGIES,
I.A.T.S.E., LOCAL No. 720 AND
THE DEEP STATE OF NEVADA, ETAL,
Defendant(s).

Case No(s): A-22-858580-C

Department # 4

A-22-856372-C

Department # 20

A-22-853203-W

Department # 11

A-19-800219-W (A-19-800408-W)

Department # 19

A-17-758861-C

CA-22-758861-C

Departments 17, 18 and 29

"DE NOVO HEARINGS REQUESTED"

- JURY TRIALS DEMANDED -

(this pleading was originally filed in
DISTRICT COURT EJDC on 11/23/2022

OPPOSITION TO DEFENDANT DANIEL L. SCHWARTZ'S MOTION TO DISMISS, PART

ONE, EMERGENCY INTERPLEADINGS OF FACT, AND

MERITORIOUS INTERVENTION AS JOINDER OF APPEAL

Plaintiff moves this Honorable Court to

PLEASE TAKE NOTICE of the attached "RENEWED LIST

OF PARTIES AND DEMAND FOR REPAIRATIONS", that is

retroactive pursuant to VALID tolling motions from before

SEPTEMBER 20, 2016.

Page Number 1 of 17

Nature of Suit: IIED, False Imprisonment, Malicious Prosecution

Revised October 11, 2022

RECEIVED
FEB 13 2023

RECEIVED
DEC 05 2022
OCT 24 2022

CLERK OF THE COURT

STATEMENT OF FACTS:

1
2 On July 14, 2021, MATTHEW TRAVIS HOUSTON (hereinafter "Petitioner-Appellant")
3 was abducted from his hotel room at the Best Western located at ■■■■ 3041
4 St. Rose Parkway in Henderson, Nevada, as he was not served with any sort of
5 summons or WARRANT nor was told or read that he had any kind of rights. This
6 false arrest prevented Petitioner-Appellant from attending his appointment the very
7 next day at Nevada Retina Specialists, with Dr. Tyson Ward on July 15, 2021, while
8 this continued imprisonment of his person also prevented him from attending his medical
9 disability rating in Reno, Nevada, on August 15, 2021, with Dr. Dwagleri. Both appointments
10 of which had been scheduled by the abductors, SEDAWICK's Dianne Ferrante, and her
11 alleged supervisor, Rosemarie McMorris-Alexander, as was the booking of his room.

12 The Petitioner-Appellant's attempt at release from CCDC was intended so that he could
13 search for, and hopefully, retrieve his service animals. However, the now-dismissed counsel,
14 Bernard Little, provided misinformation regarding the lack of a directly related "City Jail
15 Detainer Hold". Counsel had told Petitioner-Appellant, all the while coercing his client into a
16 potential release from custody, that he "did not see a detainer hold" - when, in fact, there was.
17 This coercion of the client by his previous representation created a second double-jeopardy,
18 in LAS VEGAS MUNICIPAL COURT #1248384A + #C1237802A, with the first being
19 EIGHTH JUDICIAL DISTRICT COURT Z1-CR-019840 + Z1-CR-033713.

20 These traumatic events are a cruel and unusual punishment being inflicted upon an abused
21 and innocent man, who was forced into an involuntary relocation, with unnecessary hardships
22 causing the eviction of his law office located at 435 South Linn Street #927, in Iowa
23 City, Iowa (52240), \$36.5 million of property damage and the destruction of his K-9(s).

24 Due to crimes both civil and criminal, not to mention the willful omissions of Rosemarie
25 McMorris-Alexander and Dianne Ferrante, SEDAWICK and the prosecutions' most unlawful use
26 of overreaching tactics, ~~in~~ their exploitation of the innocent man has put the Petitioner-Appellant
27 into an unmanageable state of duress, homelessness, and extensive incarceration.

28 ///

(2)

RENEWED LIST OF PARTIES
AND
DEMAND FOR REPAIRATIONS

RECEIVED

DEC 05 2022

CLERK OF THE COURT

RENEWED JULY 4TH 2022
2:21-CV-00499-JAD-DJA No. 22-16439
2:22-CV-00693-JAD-NJK No. 22-16322
2:21-CV-00499-JAD-DJA CAVEAT AND 9TH CIRCUIT No. 22-15748

x M.T.H.
MATTHEW TRAVIS HOUSTON, CMTH

RENEWED NOTICE OF DEMANDS FROM No. 1210652
@ NEVADA DEPARTMENT OF CORRECTIONS
COPIED W/ GRIEVANT'S STATEMENT CONTINUATION FORM

UNITED STATES NAVY D.E.P. 2002:
NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652
INSTITUTION: classified ▶ UNIT #: Super ▶▶
GRIEVANCE #: top ▶▶▶ GRIEVANCE LEVEL: secret
"aka" topdawGhouston on ALL SOCIAL MEDIA
GRIEVANT'S STATEMENT CONTINUATION: PG. 1 OF 7-11-JUSTICE
also subpoena to Facebook accounts of
"Matthew Travis Houston"

You WILL take NOTICE of the following = TOLLING OF
renewed demands that have been in DEFAULT
since 9-30-2016, renewed 10-1-2017, renewed
10-19-2017, renewed September 2018, renewed in
COVID-19 "pandemic" December, 2019 again January-
March 2020, renewed 12-25-2020 Nashville Bombing,
COMPLEX POST TRAUMATIC STRESS DISORDER,
renewed 7-14-2021 VICTIM OF FALSE ARREST@
3041 St Rose Parkway, Henderson, NV - renewed again DEC. 6TH, 2021
after 2nd wrongful conviction Dec. 8th, 2021 and last but
not least are renewed and validated with this
MOTION TO TOLL THE STATUTE OF
LIMITATIONS in ALL cases of Matthew
Travis Houston not limited to A-22-853203-W
A-17-758861-C,
C-17-323614-1, and this false imprisonment

I ♥ YOU
(KARL)

Original: Attached to Grievance of C-21-357927-1.
Pink: Inmate's Copy Now See Page No. TWO →

ON THIS 16th DAY OF MAY, 2022.

x Matthew Travis Houston
Matthew Travis Houston No. 1210652 DOC-3097 (01/02)

Appeal No. ~~22-15748~~, 22-16322, 22-16439
2:22-cv-00693 - JAD-NJK
2:21-cv-00499 - JAD-DJA

RENEWED NOTICE OF DEMAND(S)
FROM NEVADA DEPARTMENT OF CORRECTIONS # 1210652
COPIED GRIEVANT'S STATEMENT CONTINUATION FORM
(continued)

NAME: 1210652 I.D. NUMBER: HOUSTON
INSTITUTION: City of Lost Wages UNIT #: 666
GRIEVANCE #: and the Lost GRIEVANCE LEVEL: SOULS of LV, NV
GRIEVANT'S STATEMENT CONTINUATION: PG. 2 OF 7-11-JUSTICE

YOU WILL NOW take notice of the following:

- 1) \$36,500,000.00 Demand for reparations from Rosemarie McMorris-Alexander
- 2) \$36,500,000.00 Demand for reparations from Radenta Blacic @ Ombudsman x2
- 3) \$36,500,000.00 from Jonathan Shockley
- 4) \$36,500,000.00 from Brian P. Clark
- 5) \$36,500,000.00 (x5) from Dan L. Schwartz (Daniel)
- 6) \$36,500,000.00 from Karen Schwartz @ GENEX GENEX INFO
- 7) \$36,500,000.00 from Christopher D. Burk 2350 W. Charleston No. 202 LV, NV 89101 702-620-2020
- 8) \$36,500,000.00 from Scott L. Poisson Nevada Bar No. 10188
- 9) \$36,500,000.00 from "Kylie" KARLIE GABOUR
- 10) \$36,500,000.00 from Ryan A. Kerbow Nevada Bar No. 11403
- 11) \$36,500,000.00 from BENJAMINE E. ABBOTT Nevada Bar No. 15692
- 12) \$36,500,000.00 Demand for reparations - LVMPD No. 15657 from Marylou Donnelly M. MULLIGAN
- 13) \$36,500,000.00 from Lina Sakalavskas @ NAIW
- 14) \$36,500,000.00 from Dianne Ferrante @ Sedgwick CMS
- 15) \$36,500,000.00 from Las Vegas Fire and Rescue LVMPD No. 16715 J. Carroll

name of H/Ment records

INTEL-GOTTA GET

S P KG

Original: Attached to Grievance or if the fire department
Pink: Inmate's Copy can provide me with my

accident report in re 9/30/2016 @ Mandalay Bay
than that lawsuit #15 will be discontinued.
Now See Page THREE GOD BLESS THE FIRE GIRLS. DOC-3097 (01/02)
X M.I.T.H. MAY 15-2022

5

22-16439
22-16322
9th CIRCUIT APPEAL # 22-15748
2:22-cv-00693-JAD-NJK
2:21-cv-00499-JAD-NJA
CAVEAT

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

NAME: Matthew Travis Houston I.D. NUMBER: 1210652

INSTITUTION: H.D.S.P. "B.M.U." v. "S.M.U." UNIT #: S.M.U.[666] 3-A-2
SEE SENIOR LOPEZ, HOUSTON, M. RUSSELL EXHAUSTED AR.
GRIEVANCE #: ASK C/O'S SAINT GRIEVANCE LEVEL: AR EMERGENCIES 20/20

GRIEVANT'S STATEMENT CONTINUATION: PG. 3 OF 7-11-JUSTICE

- 16) \$ 36,500,000.⁰⁰ Demand For Reparations from the Hon. Tierra Danielle Jones - EJDC No. 9920.
- 17) \$ 36,500,000.⁰⁰ from LVMPD Robert Jones
- 18) \$ 36,500,000.⁰⁰ from the Hon. David M. Jones
- 19) \$ 36,500,000.⁰⁰ from Lisa Anderson @ G.G.R.M. x 2
- 20) \$ 36,500,000.⁰⁰ from BENARD H. LITTLE Nevada Bar No. 12025
Heather South off Valley View
- 21) \$ 36,500,000.⁰⁰ from KRISTINA A. RHOADES Nevada Bar No. 12480
Ellyana @ GGRM x 2
- 22) \$ 36,500,000.⁰⁰ from I.A.T.S.E. Local # 720
- 23) \$ 36,500,000.⁰⁰ from FREEMAN * PSAV x 2 * Old Republic Insurance Co.
- 24) \$ 36,500,000.⁰⁰ from Encore Event Services
- 25) \$ 36,500,000.⁰⁰ from the Hon. EJDC's Deputized Law Clerk Haley Beza
Ellie Rookhanni
- 26) \$ 36,500,000.⁰⁰ from the Hon. Jennifer Tagliatti @ EJDC
Mary Kay Holtzhus
- 27) \$ 36,500,000.⁰⁰ from the Hon. Gene Porter (Retired) re A.17.758861
- 28) \$ 36,500,000.⁰⁰ from the Hon. Michael P. Villani @ EJDC
re A-17-758861-C
- 29) \$ 36,500,000.⁰⁰ from Magistrate De La Garza @ EJDC
Meissa re (-17323614.1
- 30) \$ 36,500,000.⁰⁰ from the Hon. Nancy Becker
Susan Burtus
- 31) \$ 36,500,000.⁰⁰ from Andrew S. Flahive re. C.17.323614.1

Original: Attached to Grievance
Pink: Inmate's Copy

2-22-cv-01607
2:21-cv-00499-JAD-NJA
2-22-cv-01685

DOC-3097 (01/02)

6

22-16439
22-16322
22-15748

NINTH CIRCUIT APPEAL No. 22-15748
2:21 - CV - 00499 - JAD - NJA
2:22 - CV - 00693 - JAD - NJK

CAVEAT AND
NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM
DEMAND FOR REPARATIONS

NAME: Matthew Travis Houston I.D. NUMBER: 1210652

INSTITUTION: HOSP - S.M.U. UNIT #: 666

GRIEVANCE #: NOT GUILTY GRIEVANCE LEVEL: INNOCENT

GRIEVANT'S STATEMENT CONTINUATION: PG. 4 OF 7-11 JUSTICE

- 32) \$ 36,000,000.⁰⁰ from Erica Tosh
- 33) \$ 36,000,000.⁰⁰ from Jason Barrus
- 34) \$ 36,000,000.⁰⁰ from ~~Alex Bassett~~ ALEXANDER B. BASSETT - CCPD
- 35) \$ 36,000,000.⁰⁰ from Joe Lombardo SHERIFF LVMPD
- 36) \$ 36,000,000.⁰⁰ from CCDC and Las Vegas City Jail (x2)
- 37) \$ 36,000,000.⁰⁰ from Naphcare Wellpath (x2)
- 38) \$ 36,000,000.⁰⁰ from David Kelly #7413 LVMPD
- 39) \$ 36,000,000.⁰⁰ from F. Edge #8645 LVMPD
- 40) \$ 36,000,000.⁰⁰ from Montero #6056 #C6056 CPD (x2)
- 41) \$ 36,000,000.⁰⁰ from Cassandra Diez - CCPD
- 42) \$ 36,000,000.⁰⁰ from Darin F. Imray - CCPD
- 43) \$ 36,000,000.⁰⁰ from ~~Bernard Little~~ #12025 - CCPD
- 44) \$ 36,000,000.⁰⁰ from Jeremy Wood - CCPD
- 45) \$ 36,000,000.⁰⁰ from Kayleigh Lopez - CCPD
- 46) \$ 36,000,000.⁰⁰ from Virginia F. Eichacker - CCPD
- 47) \$ 36,000,000.⁰⁰ from Jason Frierson - CCPD

Original: _____ Attached to Grievance
Pink: _____ Inmate's Copy

2:21-cv-00499-JAD-NJA



NINTH CIRCUIT No. 22-15748, 22-16322, 22-16439
2:21-cv-00499-JAD-NJA
2:22-cv-00693-JAD-NJK

CAVEAT AND
NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM
DEMAND FOR REPARATIONS

NAME: Matthew Travis Houston I.D. NUMBER: 1210652

INSTITUTION: HOSP - S.M.U. UNIT #: 666

GRIEVANCE #: NOT GUILTY GRIEVANCE LEVEL: INNOCENT

GRIEVANT'S STATEMENT CONTINUATION: PG. 5 OF 7-11-ELEVEN
SCRAM / OPTIONS MONITORING JUSTICE

- 48) \$36,000,000.⁰⁰ from [REDACTED]
- 49) \$36,000,000.⁰⁰ from LYMPD HOUSE ARREST UNIT
Shadow Hills Church
- 50) \$36,000,000.⁰⁰ from [REDACTED] A.L.A.
- 51) \$36,000,000.⁰⁰ from [REDACTED] A.S.A.
- 52) \$36,000,000.⁰⁰ from Lillian R. McMorris
- 53) \$36,000,000.⁰⁰ from Jack Bernstein, et al
- 54) \$36,000,000.⁰⁰ from Jessica Flores
- 55) \$36,000,000.⁰⁰ from Anthony M. Goldstein
- 56) \$36,000,000.⁰⁰ from High Desert State Prison
- 57) \$36,000,000.⁰⁰ from Warden Calvin Johnson
- 58) \$36,000,000.⁰⁰ from NDOC Director Charles Daniels
- 59) \$36,000,000.⁰⁰ from NDOC
Deputy Director Harold Wickham
- 60) \$36,000,000.⁰⁰ from Nevada C-17-323614-1 dept. XIX
Attorney General Aaron Ford
- 61) \$36,000,000.⁰⁰ from Nevada (OMBUDSMAN)
Office of Consumer Health Assistance
- 62) \$36,000,000.⁰⁰ from Nicole Garcia of Murchison Law(x2)
- 63) \$36,000,000.⁰⁰ from Tyler Ure of Murchison Law(x2)

Original: Attached to Grievance
Pink: Inmate's Copy

2:21-cv-00499-JAD-NJA

DOC-3097 (01/02)

8

NINTH CIRCUIT No. 22-15748, 22-16322, 22-16439
2:21-cv-00499-JAD-NJA
2:22-cv-00693-JAD-NJK

CAVEAT AND
NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM
DEMAND FOR REPARATIONS FROM

NAME: Rosemary's Baby I.D. NUMBER: 1210652

and ~~+~~
INSTITUTION: The Temple of Doom UNIT #: 666

GRIEVANCE #: ACTUALLY INNOCENT GRIEVANCE LEVEL: FACTUALLY INNOCENT

GRIEVANT'S STATEMENT CONTINUATION: PG. 6 OF 7-11-JUST-US

- 64) \$36,000,000.⁰⁰ from Steven B. Wolfson #1565
- 65) \$36,000,000.⁰⁰ from ~~The Hon. Harmony T. Kristina A. Rhoades~~ #~~12480~~ ^{Letizia}
- 66) \$36,000,000.⁰⁰ from Laura A. Goodman #13390
- 67) \$36,000,000.⁰⁰ from Taleen Pandukht #5734
- 68) \$36,000,000.⁰⁰ from Las Vegas Recovery Center aka LVRC
- 69) \$36,000,000.⁰⁰ from NuenoRestorative
- 70) \$36,000,000.⁰⁰ from Choices Group → BRIDGE COUNSELING
- 71) \$36,000,000.⁰⁰ from Nevada Community N.C.E.P. Enrichment Program
- 72) \$36,000,000.⁰⁰ from Mandalay Bay Corp. DBA Mandalay Bay Resort and Casino
- 73) \$36,000,000.⁰⁰ from Lukas McCourt (x2)
- 74) \$36,000,000.⁰⁰ from Rody Scott @ Clark McCourt, LLC
- 75) \$36,000,000.⁰⁰ from "Will" @ Sedgwick
- 76) \$36,000,000.⁰⁰ from Sedgwick, et al SEDGWICK, CMS
- 77) \$36,000,000.⁰⁰ from HEALTHSOUTH of Valley View and Charleston ~~Jason Lewis~~ DEF #77 Bird.
- 78) \$36,000,000.⁰⁰ from Nevada Department of Administration - Hearings Division, Northern (Carson City)
- 79) \$36,000,000.⁰⁰ from Nevada Attorney for Injured Workers

Original: Attached to Grievance
Pink: Inmate's Copy

That being noted, at least we have a good estimate on just exactly who is responsible for the rising cost of inflation. It's just too bad y'all are the masters of deliberate indifference. DOC-3097 (01/02)

(9)

NINTH CIRCUIT No. 22-15748, 22-16322, 22-16434
2:21 - CV - 00499 - JAD - NJA
2:22 - CY - 00693 - JAD - NJK

CAVEAT AND NOTICE OF DEMAND
IN RE NEVADA DEPARTMENT OF CORRECTIONS ON ~~THE~~
GRIEVANT'S STATEMENT CONTINUATION FORM
DEFENDANT No. 80

NAME: ANDREA EPPING ID. NUMBER: 1210652

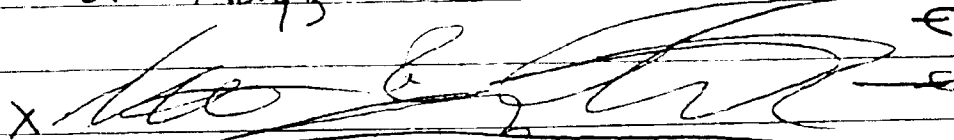
INSTITUTION: AKA #80 UNIT #: 666

GRIEVANCE #: STEPPING GRIEVANCE LEVEL: STONE

GRIEVANT'S STATEMENT CONTINUATION: PG. 7 OF 777

And don't forget how each and everyone of
y'all have become the masters of false
imprisonment ~~ss~~. Still never read any rights
and still nobody has told me who took my K9s.
And y'all still have failed to allow
me my access to court dates, next are
May 23rd, 2022 - May 25th, 2022 and May
26th of 2022.

That is all on this 16th day
of May, 2022. Hail Satan. — E

X  — E

Matthew Travis Houston, prose
Retired ~~Member~~ Member of the
American Bar Association ^{Member No. 04662784}

because the State Bar of Nevada is sued too.

Original: Attached to Grievance Defendant No.
Pink: Inmate's Copy

EMERGENCY JOINDER OF ACCOUNTABILITY AND A
RETROACTIVE JOINDER OF APPEAL TO CONSOLIDATE MY
WILL RENEWED CAVEAT THIS 15TH DAY OF OCTOBER, 2022 ON AN
" NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM "

LVMPD I.D.# IS: 7035801
NAME: MATTHEW TRAVIS HOUSTON NPO I.D. NUMBER: 1210652
LEVEL 666 OF
INSTITUTION: OF WRONGFUL CONVICTIONS UNIT # MAXIMUM SECURITY
GRIEVANCE # JOINDER OF EXHONORATION IN RE EXHAUSTED
CONSOLIDATION " GRIEVANCE LEVEL " EMERGENCY

GRIEVANT'S STATEMENT CONTINUATION: PG 8 OF 15

AS RESULT OF THE JUDICIAL NEGLIGENCE OF MY
PERSON AND PROPERTY, AND THE NEGLIGENCE OF MY
ESTATE BY NUMEROUS OTHER INDIVIDUALS AND ENTITIES,
I HAVE BEEN FORCED AGAINST MY WILL TO ADD
MAGISTRATE DANIEL J. ALBRECHTS AS A DEFENDANT
IN MY MEMORIOUS AND VALID CLAIMS OF DAMAGES
NOT LIMITED TO THAT OF APPEAL DEPRIVATION.
THE COURT WILL AGAIN TAKE NOTICE OF THIS
RENEWAL OF MY OATH ON OR AROUND JUNE 6TH,
2002, TO WHICH IS CLASSIFIED SUPER TOP SECRET
RETROACTIVELY VIA THE UNITED STATES NAVY DEP/ACT
1-04-08, FROM MY PROFESSIONAL AND PERSONAL EXPERIENCE
WITH DANIEL J. ALBRECHTS OF THE U.S. DISTRICT COURT -
SOUTHERN DIVISION OF LAS VEGAS NEVADA, HE SHALL TAKE
NOTICE OF THE MOST NEGLECTIVE DEFENDANT-RESPONDENT
NUMBER 92) DENNIER A. DOWSEY TO TAKE HIS RIGHTFUL TITLE

Original:
Pink:

Attached to Grievance
Inmate's Copy

OF DOWSEY NUMBER 93 -
NAME: DANIEL J. ALBRECHTS

* = THIS NOTICE OF DEMAND IS RETROACTIVE FROM WELL
BEFORE SEPTEMBER 30TH, 2016. NOW SEE
CODE OF JUDICIAL CONDUCT MR. ALBRECHTS. DOC-3097 (01/02)

CAVEAT

No. 22-15748, 22-16322, 22-16439
2:21-cv-00499-JAD-DJA
2:22-cv-00693-JAD-NJK

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM
A-22-853203-W dept. XI

NAME: MATTHEW HOUSTON, CHTD. I.D. NUMBER: 1210652

INSTITUTION: H.O.S.P. "S.M.U." UNIT #: 3-A-2

GRIEVANCE #: June 29, 2022 GRIEVANCE LEVEL: EXHAUSTED

GRIEVANT'S STATEMENT CONTINUATION: PG. 9 OF 11

- 81) \$36,500,000.⁰⁰ from Gerri Lynn Hardcastle #13142
- 82) \$36,500,000.⁰⁰ from Craig Mueller and Assoc.
- 83) \$36,500,000.⁰⁰ from Larry Phillips (p/June 30, '22) call FWD: \$75,000
- 84) \$36,500,000.⁰⁰ from Kelsey Bernstein TO T-REX

on June 30th, 2022 Larry Phillips on the confidential legal telephone call 1:30 pm TIER he insulted my advocacy and still have not drawn up retainer agreement. Why no \$ on my inmate account? "CONTRACT" is hereby terminated between "CRAIG MUELLER AND ASSOC." witnessed by Joshua Grainer, Pitano and Fuma, CHPD and "THOMAS" see Sept. 7th, 2021 "HUMTINGTON BEACH LIFEGUARD UNIFORM".

- 85) \$36,500,000.⁰⁰ From THERESA DODSON
- 86) \$36,500,000.⁰⁰ from E. DEL PADRE
- 87) \$36,500,000.⁰⁰ from SUPREME COURT OF NEVADA, ET AL

Original: Attached to Grievance
Pink: Inmate's Copy

A-17-758861-C
dept # 17, XVIII and 29

CAVEAT

No. 22-15748, 22-16322, 22-16439

2:21-cv-00499-JAD-DJA

2:22-cv-00693-JAD-NJK

NEVADA DEPARTMENT OF CORRECTIONS

GRIEVANT'S STATEMENT CONTINUATION FORM

A.22.853203W dept. XI

NAME: MATTHEW TRAVIS HOUSTON, (INTD) I.D. NUMBER: 1210652

INSTITUTION: of WRONGFUL CONVICTION(S) x2 UNIT #: 3.A.2 of S.M.U.

GRIEVANCE #: EXHAUSTED GRIEVANCE LEVEL: EXHAUSTED

GRIEVANT'S STATEMENT CONTINUATION: PG. 10 OF 11

88) \$36,500,000.00 from CAPITOL POLICE in re CR019840

89) \$36,500,000.00 from GENEX (Karen Schwartz)

90) \$36,500,000.00 from CAPITOL POLICE in re 2017

555 Washington Street "Karen Schwartz - L.V.M.P.O (pre-ONE telephone call HOUSE ARREST" (pre-ONE OCTOBER)

I have amnesia 36 years, no clue of arrest (false arrest)

was before or after ONE OCTOBER 2017, but it

was before NDOC C.17.323614.1 - XIX

wrongful termination from "S.O.P."

91) \$36,500,000.00 from P.S.A.V. Presentation Audio-Visual Services (FREEMAN-ENCORE sale 2016-2017)

92) \$36,500,000.00 from Jennifer A. Dorsey causing CV-01285 - ish)

93) \$36,500,000.00 from Magistrate Daniel J. Albright's "aka" P.J. Alpha Nancy J. Koppe

94) \$36,500,000.00 from James "Jamie" H. Cocoran @ Bernstein & Poisson

95) \$36,500,000.00 from Brian Boyer @ BERNSTEIN & POISSON

96) \$36,500,000.00 from Amber King @ BERNSTEIN & POISSON

97) \$36,500,000.00 from "SOP" Christina Greene re C.17.323614.1

98) \$36,500,000.00 from D. Resch and DR "UNKNOWN" re neglect of the Pusk Standard

Original: Attached to Grievance
Pink: Inmate's Copy

A.17.758861.C @ N.V.C. re C.17.323614.1

dept. #(s) 17, XVIII and 29

CAVEAT

No. 22-15748, 22-16322, 22-16439

2:21-cv-00499-JAD-DJA

2:22-cv-00693-JAD-NJK

NEVADA DEPARTMENT OF CORRECTIONS

GRIEVANT'S STATEMENT CONTINUATION FORM

A-22-853203-W dept. XI

NAME: MATTHEW TRAVIS HOUSTON, CHTD I.D. NUMBER: 1210652

INSTITUTION: of WRONGFUL CONVICTIONS (x2) UNIT #: 3-A-2 of S.M.U.

GRIEVANCE #: EXHAUSTED GRIEVANCE LEVEL: EXHAUSTED

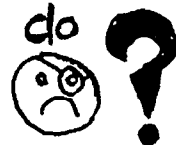
GRIEVANT'S STATEMENT CONTINUATION: PG. 11 OF July 4th, 2022

- 99) \$36,500,000.00 from R. Garate "SOP" Stacey Ledesma
- 100) \$36,500,000.00 from Amanda White "SOP" Attorney Hastings
- 101) \$36,500,000.00 from Aaron D. Ford in re dept(s) X-XI C-21-357927-1
- 102) \$36,500,000.00 from James Dzurenda in re T.L.V.C.C.
- 103) \$36,500,000.00 from "Acting Assoc. Warden" Bean, Jeremy
- 104) \$36,500,000.00 from Assoc. Warden James Scally "wag"
- 105) \$36,500,000.00 from Brian Williams (HDSP) * PUBLIC DEC. OF WAR 7 PM
- July 1-2022 106) \$36,500,000.00 from CO SENIOR KURRY "B.M.U." July 1st 2022
- 107) \$36,500,000.00 from CO "B.M.U." SAGE(S) from LONDON
- 108) \$36,500,000.00 from CO "MISS H" HEINIKIN and C/O BROWN
- 109) \$36,500,000.00 from CO "P.C." OLSEN, in re JFK "HITMAN" book
- 110) \$36,500,000.00 from CO LT "P.C." OLTEVERA in re "RADIO"
- 111) \$36,500,000.00 from CO "ALVAREZ" (IN RE STOLEN MORMON BIBLE)
- 112) VISITATION SENIOR SGT. LOPEZ NOW SEE 20/20 CO SSGT "PRESIDENT" SANCHEZ
- 113) \$36,500,000.00 from C/O SENIOR "LIVINGSTON" (ID) eye-dee B-day theft

~~NOTHING BUT PROSPERITY~~ IN RE C/O "HOUSTON" @ B.M.U.

Original: Attached to Grievance
Pink: Inmate's Copy

Where is my cousin
R.I.P. POPALAU SKAS



A-17-758861-C

dept. #(s) 17 & 111 and 29 DOC-3097 (01/02)

(14)

CAVEAT

No. 22-115748, 22-16322, 22-16439

2:21-cv-00499-JAD-DJA

2:22-cv-00693-JAD-NJK

NEVADA DEPARTMENT OF CORRECTIONS

GRIEVANT'S STATEMENT CONTINUATION FORM

A.22.853203.W dept. XI

NAME: MATTHEW TRAVIS HOUSTON, CHTD. I.D. NUMBER: 1210652

INSTITUTION: S.M.U. UNIT #: 3.A.2

GRIEVANCE #: EXHAUSTED (smiley face) GRIEVANCE LEVEL: DOUBLE EXHAUSTED

GRIEVANT'S STATEMENT CONTINUATION: PG. 12 OF 13

114) \$36.5 million from Evelyn R. Goddard - Sec. Legal

Clark County District Attorney's Office

Litigation Team L-4 P: 702-671-2818 e: evelyn.goddard@clarkcountynv.gov

115) \$36.5 million from NOOC c/o SENIOR MARTINEZ IN RE INCURRED LEGAL MAIL / BRASS SLIP HARASSMENT @ H.D.S.P.

116) \$36.5 million from LEWIS BRISBOIS "BISGAARD SMITH" in re "Daniel Schwartz" LLP

117) \$36.5 million from BRISBOIS in re "Daniel Schwartz"

118) \$36.5 million from Bisgaard in re "Daniel Schwartz"

119) \$36.5 million from Smith in re "Daniel Schwartz"

120) \$36.5 million from UNIVERSITY OF IOWA, ET AL

121) \$36.5 million from CITY OF MAQUOKETA, ET AL

122) \$36.5 million from JOHN DEERE COMPANY

123) \$36.5 million from LUCINDA - RICK TURNIS, ET AL

124) \$36.5 million from LUCRECA LAVONNA SCHOENHERR, ET AL

125) \$36.5 m. from DENNIS WAYNE HOUSTON, ET AL

126) NOW SEE -> A.17.758861.C dept. 17XVII and

\$36.5 million demanded from Associate Warden

Original: Attached to Grievance

Pink: Inmate's Copy

"JULIE WILLIAMS" 29

PLEASE TAKE NOTE THAT THIS PAGE IS A STATE OF NEVADA'S POLITICAL AS PRAISED BY THE STATE'S CAVEAT OF N.R.C. "STAGLELANDS EXEMPTION" TO INVOLVE THIS INNAGURATION IN RE A. 22. 858580. C

AND THE AMERICAN NAZI PARTY IN THE "STATE" OF NEVADA DEPARTMENT OF CORRECTIONS ON ~~STATE~~ STATEMENT CONTINUATION FORM

DAS FUHRER'S
NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652
(institution of BROKEN ELECTRICITY) CHTD. UNIT #: 3-A-22
INSTITUTION: OF RACISM
JAMES SCALLYWAG SEE "GRIEVANCE #": A.W. "BEAN" GRIEVANCE LEVEL: EXHAUSTED
institution of BROKEN TOILET(S)
GRIEVANCE'S STATEMENT CONTINUATION: PG. 13 OF 13
DAS FUHRER'S

JULY 5TH 2022

NATIONAL SOCIALIST AMERICAN WORKER'S § "PARTY" §

1) HOW DOES ONE DEFINE THE STATE OF A GOVERNMENT?

a. what is the state of "being" in today's (your) government? § \$36.5 million DEMANDED §*

b. what is the state of Caseworker #12's

127) "WARNER" 's participation in his/hers/ its GOVERNMENT?

WHITE LIVES MATTER

*§ FROM #12 "WARNER" § (SCIENCE = MATTER) VS. THE HOLY SPIRIT - (COULD BE SCIENTIFIC MATTER)

NOW SEE THE WARNER BROTHERS AKA (VANS WARPED TOUR WARNER)

REMEDY: FOR "BROTHER" WARNER (AND HOUSTON)

TO BE A MAN AND RESPOND TO ME JUST ONE TIME.

Original: Attached to Grievance
Pink: Inmate's Copy

DOC - 3097 (01/02)

He also screwed up my birth certificate application.

No. 22-15748, No. 22-16322, 22-16439
RENEWED LIST OF PARTIES CONT.

2:21-cv-00499-JAD-DJA
NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

A.22.853203-W dept. XI

NAME: MATTHEW TRAVIS HOUSTON, CHTD. I.D. NUMBER: 1210652

INSTITUTION: OF WRONGFUL CONVICTIONS (2) UNIT #: S.M.U. 3-A-2

GRIEVANCE #: EXHAUSTED GRIEVANCE LEVEL: EXHAUSTED
DEMAND FOR REPAIRATIONS (CONTINUED) (Aug 10th)
GRIEVANT'S STATEMENT CONTINUATION: PG. 14 OF 15 (2022)

- 128) \$36,500,000.00 from Bernstein & Poisson, LLC
- 129) \$36,500,000.00 from Sabina Demelas
- 130) \$36,500,000.00 from ~~THE HON. ELIZABETH ERIC #10188~~
~~Scott L. Poisson~~ ESO ~~CONZALEZ~~
- 131) \$36,500,000.00 from ~~Nevada Probation and Parol #11403~~
~~Ryan Kerbow~~ ESO ~~C. McCARROLL~~
- 132) \$36,500,000.00 from ~~ESOP "KINSHIP" CURY~~
~~SCOTT POISSON~~ ESO
- 133) \$36,500,000.00 from ~~ESOP "Mr. Moskitt"~~
~~RYAN KERBOW~~ ESO
- 134) \$36,500,000.00 from Michael P. Villani re C.17.323614.1
- 135) \$36,500,000.00 from ~~The Hon.~~ David Barker
- 136) \$36,500,000.00 from Bernstein & Poisson, LLP
- 137) \$36.5 million from the Governor of the State of Nevada Steve Sisolak and the Democratic Party including the Campaign For Joe Lombardo
- 138) \$500 from NDOC Associate Warden of Operations Ronald Oliver plus an additional \$36.5 million to compensate for incurred damages as result of my being misclassified to BMU+SMU

Original: Attached to Grievance 139) Alexander G. Chen
Pink: Inmate's Copy 140) NDOC "inmate" MICHAEL RAY KNIGHT
CLARK COUNTY DISTRICT ATTORNEY
141) NDOC c/o SR "ASHCRAFT" 143) NDOC "inmate" #1129203
142) NDOC c/o "DRAGO WILCOVICH" JARRED HEATH THOMPSON

DOC - 3097 (01/02)

(17)

JUSTICE COURT, LAS VEGAS TOWNSHIP
JC Department No. 5
Case No. 17A003393

CERTIFICATE OF SERVICE BY MAILING


I, Matthew Travis Houston, hereby certify, pursuant to NRCF 5(b), that on this 10th day of March, 2022, I mailed a true and correct copy of the foregoing, "Renewed and Amended (g) Personal Restraint Petition(s) Part I and II, Complaint, Application to Proceed In Forma Pauperis(s) and PETITION FOR A WRIT OF HABEAS CORPUS(S)" by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid, addressed as follows:

Regional Injustice Center
Clerk of the Court
Stephen D. Erickson
200 Lewis Ave, 3rd Floor
Las Vegas, NV
89155-1160
L.B.S. Daniel Schwartz
2300 W. Sahara Avenue #900
Las Vegas, NV
89102
Lina Sakalauskas
Dan Schwartz (LBBS)
Nevada Attorney For
Injured Workers - NAIW
2200 Rancho
Las Vegas, NV

CLARK McCURT, LLC
7371 Prairie Falcon Rd
#120
Las Vegas, NV 89128
BOB BERNSTEIN & POISSON
Christopher Burk, "Kylie"
Ryan Kerbow, Jack Bernstein,
Scott Poisson, Nicole Garcia,
Jessica Flores, Tyler Ure,
320 S. Jones Blvd.
Las Vegas, NV 89107
Jason Barrus
Erica Tosh
State Bar of Nevada
3100 W Charleston Blvd #100
Las Vegas, NV 89102

2:22-cv-00693 - JAD - NJK (2:22-cv-01285-MMD-VCF)
CC:FILE 2:22-cv-00499 - JAD - DJA
2:22-cv-01607 - APG - NJK ✓ VCF DJA
RENEWED: this 10th day of October, 2022.
DATED: this 10th day of March, 2022.

2:19-cv-01472 - APG - DJA
2:19-cv-01371 - JAD - DJA
2:22-cv-01285 - MMD - VCF
2:22-cv-00693 - JAD - NJK
2:19-cv-01740 - APG - BNW
2:19-cv-01475 - GMN - EJP
2:19-cv-01360 - RFB - VCF
2:22-cv-01685 - APG - VCF
JAD - BNW


Matthew Travis Houston #1210652
Plaintiff-in-Erorr /In Propria Personam
Post Office box 650 [HDSP]
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:
ABA No. 04662704

x. Matthew Travis Houston
Matthew Travis Houston
No. 1210652

Page Number 26 of
PETITION FOR A WRIT OF HABEAS CORPUS,
P.17 RENEWED LIST OF PARTIES
AND FOR REPAIRATIONS
OF 17 DEMAND

Case Number 17A003393 November 29th, 2022

26 (18)

REV. MATE HOUSTON, CHFD

No. 1210652

PO Box 650

Indian Springs, NV

29070-0650

ATTN: Department 4 LAW CLERK

FWD: Chambers

200 LEWIS AVENUE

LAS VEGAS, NV 89155

To the clerk:

Please file into

Case No

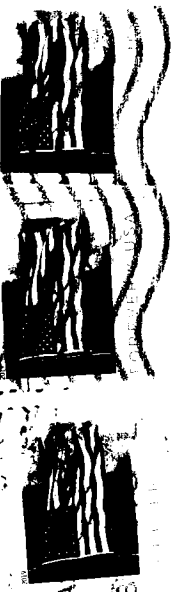
A-22-858580-C

dept No H

LEGAL MAIL OF ABA MEMBER

117 NO CH662784

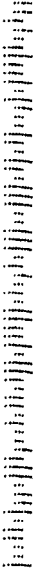
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LAS VEGA

10 FEB 2023

RECEIVED
FEB 13 2023
CLERK OF THE COURT



85101-630000

RECEIVED IN THE PRISON
FEB 13 2023
UNIT 3A/B

OPI

MATTHEW TRAVIS HOUSTON, CHTD
No. 1210652
PO Box 650 - Indian Springs, NV-89070-0650
ABA No. 04662784

DISTRICT COURT
CLARK COUNTY, NEVADA

Case No. A-22-858580-C
Department No. 4

MATTHEW TRAVIS HOUSTON,
Plaintiff,

Case No. A-22-856372-C
Department Number 20

vs.

SEE Case No. A-22-758861-C
Case No. A800219, A800402
(JDINDER)

DANIEL L. SCHWARTZ dba LEWIS
BRISBOIS BISGAARD & SMITH LLP dba
BRIAN P. CLARK, ET AL,
Defendants.

Case No. A-22-853203-W
Department No. 11

EMERGENCY

MOTION AND ORDER FOR TRANSPORTATION OF
INMATE FOR COURT APPEARANCE OR, IN THE ALTERNATIVE,
FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE UNDER NRS 227e

→ "hearing requested" ←

Plaintiff, Matthew Travis Houston, proceeding
pro se, requests that this Honorable Court order
transportation for his personal appearance or, in the
alternative, that he be made available to appear by
telephone or by video conference at the hearings
for the instant cases that are scheduled for [REDACTED]

[REDACTED] February 07, 2023, at 9:00 AM,
February 01, 2023, at 9:00 AM and 10:00 AM and January 31, 2023,
at 9:00 AM. Also January 24, 2023, at 10:00 AM,
and TRIAL on March 01, 2023, at 11:00 AM, for
Las Vegas Justice Court Case No. 22A001898, LVJC Dept #5.

CLERK OF THE COURT

(TITLE) PAGE #1

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JAN 18 2023

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In support of this Motion, I allege the following:

1. I am an inmate incarcerated at High Desert State Prison.
My mandatory release date is 9-29-2025.

2. The Department of Corrections is required to transport offenders to and from Court if an inmate is required or requests to appear before a Court in this state.

NRS 209.274 Transportation of Offender to Appear Before Court states:

"1. Except as otherwise provided in this section, when an offender is required or requested to appear before a Court in this state, the Department shall transport the offender to and from Court on the day scheduled for his appearance.

2. If notice is not provided within the time set forth in NRS 50.215, the Department shall transport the offender to Court on the date scheduled for his appearance if it is possible to transport the offender in the usual manner for the transportation of offenders by the Department. If it is not possible for the Department to transport the offender in the usual manner:

(a) The Department shall make the offender available on the date scheduled for his appearance to provide testimony by telephone or by video conference, if so requested by the Court.

(b) The Department shall provide for special transportation of the offender to and from the Court, if the Court so orders. If the Court orders special transportation, it shall order the county in which the Court is located to reimburse the Department for any cost incurred for the special transportation.

(c) The Court may order the county sheriff to transport the offender to and from the Court at the expense of the county."

3. My presence is required at the hearing because:

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I AM NEEDED AS A WITNESS.

My petition raises substantial issues of fact concerning events in which I participated and about which only I can testify. *See U.S. v. Hayman, 342 U.S. 205 (1952)* (District Court erred when it made findings of fact concerning Hayman's knowledge and consent to his counsel's representation of a witness against Hayman without notice to Hayman or Hayman's presence at the evidentiary hearing).

THE HEARING WILL BE AN EVIDENTIARY HEARING.

My petition raises material issues of fact that can be determined only in my presence. *See Walker v. Johnston, 312 U.S. 275 (1941)* (government's contention that allegations are improbable and unbelievable cannot serve to deny the petitioner an opportunity to support them by evidence). The Nevada Supreme Court has held that the presence of the petitioner for habeas corpus relief is required at any evidentiary hearing conducted on the merits of the claim asserted in the petition. *See Gebers v. Nevada, 118 Nev. 500 (2002)*.

4. The prohibition against ex parte communication requires that I be present at any hearing at which the state is present and at which issues concerning the claims raised in my petition are addressed. U.S. Const. amends. V, VI.

5. If a person incarcerated in a state prison is required or is requested to appear as a witness in any action, the Department of Corrections must be notified in writing not less than 7 business days before the date scheduled for his appearance in Court if the inmate is incarcerated in a prison located not more than 40 miles from Las Vegas. NRS 50.215(4). If a person is incarcerated in a prison located 41 miles or more from Las Vegas, the Department of Corrections must be notified in writing not less than 14 business days before the date scheduled for the person's appearance in Court.

6. High Desert State Prison is located approximately 39 miles from Las Vegas, Nevada.

1 7. If there is insufficient time to provide the required notice to the Department
2 of Corrections for me to be transported to the hearing, I respectfully request that this
3 Honorable Court order the Warden to make me available on the date of the
4 scheduled appearance, by telephone, or video conference, pursuant to NRS
5 209.274(2)(a), so that I may provide relevant testimony and/or be present for the
6 evidentiary hearing.

7 8. The rules of the institution prohibit me from placing telephone calls from
8 the institution, except for collect calls, unless special arrangements are made with
9 prison staff. Nev. Admin. Code DOC 718.01. However, arrangements for my
10 telephone appearance can be made by contacting the following staff member at my
11 institution: [REDACTED] "Acting Warden" Jeremy Bean,
12 whose telephone number is (702) 879-6789 (702) 216-6000,
13 (702) 216-6033 and (702) 486-9936.

14 Dated this 1st day of June, 2022.

15 Renewed this 15th day of January, 2023.

16 x. Matthew Travis Houston

17 x. Matthew Travis Houston

18 AFFIRMATION Pursuant to
19 NRS 239B.030 the above Matthew Travis Houston, pro se
20 signed does hereby affirm No. 1210652 ABAN# 04662784
21 that the preceding "MOTION FOR AN ORDER TO APPEAR"
22 filed in the above mentioned DISTRICT COURT CASE
23 NUMBERS C-17-323614-1, C-21-357927-1 (and) A-22-856372-C,
24 A-22-758861-C do NOT contain the social security
25 number of any person or the names of my service
26 animals who were illegally stolen on July 14, 2022.

27 CERTIFICATE OF SERVICE BY THE U.S.P.S.

28 The above signed certifies pursuant to NRCP 5(b) that
29 this "MOTION FOR AN ORDER TO APPEAR" was mailed
30 to the R.J.C. via USPS.

4

Reverend Matthew Travis Houston, Chtd
Nº 1210652
Po Box 650
Indian Springs, NV 89070-0650



ATTN: LAW CLERK(S) DEPT. H
DEPARTMENTS 20 and 24
200 LEWIS AVENUE
LAS VEGAS, NV 89155

LEGAL MAIL AND OFFICIAL BUSINESS
OF THE ABA Member # 04662784
374

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Electronically Filed
2/16/2023 2:52 PM
Steven D. Grierson
CLERK OF THE COURT



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

Case No.: A-22-858580-C
Department 4

NOTICE OF HEARING

Please be advised that the 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 78e in the above-entitled matter is set for hearing as follows:

Date: March 28, 2023
Time: 9:00 AM
Location: RJC Courtroom 03C
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

OPPS

MOT by the REVEREND

Electronically Filed

02/16/2023

MATTHEW TRAVIS HOUSTON #1210652

PO Box 650

Matthew Austin
CLERK OF THE COURT

Indian Springs, NV 89070-0650
p: (702) 879-6789

DISTRICT COURT

CLARK COUNTY, NEVADA ←

MATTHEW TRAVIS HOUSTON,
Plaintiff,

Case No. A-22-858580-C

Department No. 4

v. DANIEL L. SCHWARTZ dba

BRIAN P. CLARK dba
CLARK MCCOURT, LLC; dba

→ Case No. A-22-856372-C ←

Department No. 20

LEWIS BRISBOIS

Case No. A-22-853203-W

BISGAARD & SMITH, LLP;

Department No. 11

THE DEEP STATE OF NEVADA, ET AL,

Defendant(s).

Case No. C-17-323614-1
Department No. 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

UNDER
NRP 27e

"hearing requested"

Plaintiff Matthew Travis Houston requests this time most

especially due to the fact that the defendants caused the

Plaintiff's law offices to be destroyed, and \$36.5 million in property damages.

Due to Plaintiff's wrongful conviction into NDOC and his current

current misclassification into "SMU" he is not allowed any access

access to the HOSP Law Library, due to his maximum security status. In

support of this request for time to file his valid and

meritorious opposition(s) is the ^{filed} "EXHIBIT #1" and "EXHIBIT #2"

PLEASE SEE ATTACHED

x. Matthew Travis Houston

REV. MATTHEW TRAVIS HOUSTON
ABA ID NO 04662784

RECEIVED
JAN 18 2023
CLERK OF THE COURT

RECEIVED
NOV 07 2022
CLERK OF THE COURT

Reverend Matthew Travis Houston, Chtd
No 1210652
PO Box 650
Indian Springs, NV 89070-0650



ATTN: LAW CLERK(S) DEPT. 4
DEPARTMENTS 20 and 24
200 LEWIS AVENUE
LAS VEGAS, NV 89155

LEGAL MAIL AND OFFICIAL BUSINESS
OF THE ABA Member # 04662784

377

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Electronically Filed
2/16/2023 3:16 PM
Steven D. Grierson
CLERK OF THE COURT



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

Case No.: A-22-858580-C
Department 4

NOTICE OF HEARING

Please be advised that the 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 27e in the above-entitled matter is set for hearing as follows:

Date: March 28, 2023
Time: 9:00 AM
Location: RJC Courtroom 03C
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

CLERK OF THE COURT

1 **ORDER**
 2 DANIEL L. SCHWARTZ, ESQ.
 3 Nevada Bar No. 05125
 4 BENJAMIN E. ABBOTT, ESQ.
 5 Nevada Bar No. 15692
 6 LEWIS BRISBOIS BISGAARD & SMITH LLP
 7 2300 W. Sahara Avenue, Ste. 900, Box 28
 8 Las Vegas, NV 89102
 9 (702) 830-9042
 10 Fax: (702) 366-9563
 11 E-Mail: Daniel.Schwartz@lewisbrisbois.com
 12 *Attorney for Defendant*
 13 DANIEL SCHWARTZ

8 DISTRICT COURT
 9 CLARK COUNTY, NEVADA

10 MATTHEW TRAVIS HOUSTON,
 11 Plaintiff,

CASE NO. A-22-858580-C
 Dept. No.: 4

12 vs.

13 DANIEL SCHWARTZ, ESQ., an individual,
 14 Defendant.

**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**

Hearing Date: 1/31/2023 at 9:00 a.m.

15 This matter, coming before this Honorable Court on January 31, 2023 at 9:00 a.m., on
 16 Plaintiff MATTHEW TRAVIS HOUSTON's ("Plaintiff") Motion to Amended Complaint, with
 17 DANIEL SCHWARTZ, ESQ., of LEWIS BRISBOIS BISGAARD & SMITH LLP, appearing on
 18 behalf of the Defendant DANIEL SCHWARTZ ("Defendant").

19 **Case Procedural History**

20 Defendant in this matter moves to dismiss all of Plaintiff's Motion for Leave to File an
 21 Amend Complaint.

22 Plaintiff filed his Complaint against Defendant Daniel Schwartz on September 19, 2022,
 23 seeking reparations and injunctive relief.

24 **LEWIS
 BRISBOIS
 BISGAARD
 & SMITH LLP**
 ATTORNEYS AT LAW

4854-2611-7966.1

1 Defendant moved this Court to dismiss Plaintiff's Complaint based on failure to state a claim
2 for which relief can be granted pursuant to NRCP 12(b)(5) on October 17, 2022.

3 On December 28, 2022, Plaintiff filed an Ex Parte response to Defendant's Motion to
4 Dismiss, and an Ex Parte Motion for Leave to File an Amended Complaint.

5 Plaintiff filed three Emergency Motions for Leave to add Defendants on December 29, 2022.
6 Plaintiff also filed an Emergency Ex Parte Motion for an Extension of Time to Prepare and File an
7 Opposition to Defendant's Motion to Dismiss.

8 On January 31, 2023, Plaintiff filed a Motion to Amend Complaint. Plaintiff also filed an
9 Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois Bisgaard & Smith.

10 On January 31, 2023 at 9:00 a.m., the Honorable Judge Nadia Krall held a hearing on
11 Plaintiff's Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois, and Plaintiff's
12 Emergency Ex Parte Motion for Leave to File an Amended Complaint. The Defendant was present.
13 The Plaintiff was not present. The Court denied Plaintiff's Emergency Ex Parte Opposition to the
14 False Claims of Lewis Brisbois as moot. The Court noted that Plaintiff's Motion for Leave to File
15 Amended Complaint was filed without an attached proposed Amended Complaint. The Court
16 denied Plaintiff's Emergency Ex Parte Motion for Leave to File an Amended Complaint.

17 **Plaintiff's Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois Bisgaard &**
18 **Smith**

19 This Court, noting that the Opposition not being a proper pleading and the Court cannot
20 make a ruling, finds that the Plaintiff's Emergency Ex Parte Opposition to the False Claims of Lewis
21 Brisbois Bisgaard & Smith is denied as moot.

22 **Plaintiff's Motion for Leave to File an Amend Complaint**

23 The Court, having considered the pleadings and argument of the parties and counsel, notes
24 that Plaintiff's Motion for Leave to File an Amended Complaint was filed without an attached
25 proposed Amended Complaint, finds that the motion should be denied.

26 **Defendant's Opposition to Plaintiff's Motion to Amend Complaint**

27 The Court, having considered the pleadings and argument of counsel, finds that no amended
28 complaint was filed to oppose, and therefore the Defendant's opposition is denied.

1 **Order**

2 Therefore, it is hereby ORDERED that Plaintiff's Emergency Ex Parte Opposition to the
3 False Claims of Lewis Brisbois Bisgaard & Smith is DENIED AS MOOT.

4 Therefore, it is hereby ORDERED that Plaintiff's Motion for Leave to File an Amended
5 Complaint is DENIED. Pursuant to EJDRC Rule 1.30

6 Therefore, it is hereby ORDERED that Defendant's Opposition to Plaintiff's Motion to
7 Amend Complaint is DENIED.

8 DATED this ____ day of _____, 2023

9 Dated this 24th day of February, 2023

10 

11 **DISTRICT COURT JUDGE**
12 **009 AD4 A6AB 1CE5**
Nadia Krall
District Court Judge

13 Respectfully Submitted By:

14 **LEWIS BRISBOIS BISGAARD & SMITH**

15 /s/ Daniel Schwartz

16 **DANIEL L. SCHWARTZ, ESQ.**
17 Nevada Bar No. 05125
18 LEWIS BRISBOIS BISGAARD & SMITH llp
19 2300 W. Sahara Avenue, Ste. 900, Box 28
20 Las Vegas, NV 89102
21 *Attorney for Defendant DANIEL L. SCHWARTZ*
22
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1 BENJAMIN E. ABBOTT, ESQ.
Nevada Bar No. 15692
2 LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Avenue, Ste. 900, Box 28
3 Las Vegas, NV 89102
(702) 830-9042
4 Fax: (702) 366-9563
E-Mail: Benjamin.Abbott@lewisbrisbois.com
5 *Attorney for Defendant*
DANIEL SCHWARTZ

6
7
8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10
11 MATTHEW TRAVIS HOUSTON,

12 Plaintiff,

13 vs.

14 DANIEL SCHWARTZ, ESQ., an individual,

15 Defendant.

CASE NO. A-22-858580-C

**DEFENDANT DANIEL SCHWARTZ'S
MOTION TO DISMISS PLAINTIFF
MATTHEW HOUSTON'S COMPLAINT**

HEARING REQUESTED

16
17 COMES NOW, Defendant, DANIEL L. SCHWARTZ, ESQ., by and through his counsel
18 of record, LEWIS BRISBOIS BISGAARD & SMITH LLP, and hereby submits this motion to
19 dismiss the claims of Plaintiff TRAVIS HOUSTON for failing to state a claim upon which relief
20 may be granted.

21 This motion is based upon the attached Memorandum of Points and Authorities, the papers
22 and pleadings on file, and any arguments made by counsel that may be taken at the time of hearing
23 on this matter.
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**LEWIS
BRISBOIS
BISGAARD
& SMITH LLP**
ATTORNEYS AT LAW

4853-6023-9417.1

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DATED this 8 day of November, 2022.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By 
BENJAMIN E. ABBOTT, ESQ.
Nevada Bar No. 15692
LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Avenue, Ste. 900, Box 28
Las Vegas, NV 89102
Attorney for Defendant DANIEL L. SCHWARTZ,

LEWIS
BRISBOIS
BISGAARD
& SMITH LLP
ATTORNEYS AT LAW

4853-6023-9417.1

2

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I.

3 INTRODUCTION

4 Plaintiff Matthew Travis Houston ("Mr. Houston") is a workers' compensation claimant.
5 Defendant Daniel L. Schwartz, Esq. ("Mr. Schwartz") is an attorney at the law firm Lewis
6 Brisbois Bisgaard Smith, LLP, which represents Mr. Houston's Employer, Encore Event
7 Technologies ("Employer") in Mr. Houston's workers' compensation claim. Mr. Houston's
8 workers' compensation Claim Number is designated as 30166612006-001. Mr. Houston presently
9 has approximately five other lawsuits pending before the Eighth District Judicial Court, designated
10 as Case Numbers A-22-758861-C; A-22-856372-C; A-22-853203-W; A-17-758861-C; and C-21-
11 357927-1. Collectively, Mr. Houston seeks injunctive relief and money damages from each of the
12 approximately 138 named defendants in the amount of \$36,500,000.00, each. The named
13 defendants include Mr. Schwartz, the State of Nevada, Las Vegas Fire and Rescue, multiple Clark
14 County police officers, the University of Iowa, and the City of Maquoketa, just to name a few.

15 Mr. Houston is currently incarcerated. His handwritten Complaint contains incoherent
16 ramblings and various legal phrases such as "double jeopardy" and "fruit of the poisonous tree,"
17 but Mr. Houston has utterly failed to construct a competent Complaint for which relief can be
18 granted. As stated above, Mr. Schwartz is an attorney for the law firm which represents Mr.
19 Houston's Employer in his workers' compensation claim. Mr. Houston's Complaint appears to be
20 nothing more than an attempt at expressing his grievances over his workers' compensation claim.

21 Mr. Houston has failed to delineate any specific causes of action in his Complaint.
22 Moreover, Mr. Houston has not alleged any specific conduct against Mr. Schwartz for which any
23 relief could be granted. Additionally, Mr. Schwartz was never served with Mr. Houston's
24 Complaint. Indeed, Mr. Houston attached a Certificate of Service by Mailing, but this is not a
25 substitute for personal service as required by NRCP Rule 4.2(a). Furthermore, Mr. Houston did
26 not attach a Summons to his Complaint as required by NRCP Rule 4(c)(2). Mr. Houston's
27 Complaint fails to state a claim for relief against Mr. Schwartz such as dismissal is required for the
28 following reasons:

- 1 1. Mr. Houston's Complaint has not stated any specific causes of action upon which his
2 Complaint is based;
- 3 2. Mr. Houston's Complaint lack sufficient factual allegations to state a claim;
- 4 3. Mr. Houston's allegations, if accepted as true, do not provide a basis for injunctive
5 relief or damages.
- 6 4. Mr. Houston has failed to properly serve his Complaint among the Defendant Daniel
7 Schwartz.

8 Mr. Houston has not met the basis of minimal pleading standards in this action. Mr.
9 Houston's Complaint must be dismissed.

10 **II.**
11 **LEGAL STANDARD**

12 In reviewing a motion to dismiss pursuant to NRCP 12(b)(5), the "court must construe the
13 pleadings liberally and accept all factual allegations in the complaint as true ... [and] draw every
14 fair inference in favor of the non-moving party. 'A complaint will not be dismissed for failure to
15 state a claim unless it appears beyond a doubt that the plaintiff could prove no set of facts which, if
16 accepted by the trier of fact, would entitle him or her to relief.'" *Blackjack Bonding v. City of Las*
17 *Vegas Mun. Court*, 116 Nev. 1213, 1217, 14 P.3d 1275, 1278 (2000). A plaintiff's factual
18 "allegations must be legally sufficient to constitute the elements of the claim asserted."
19 [emphases added]. *Sanchez v. Wal-Mart Stores, Inc.*, 125 Nev. 818, 823, 221 P.3d 1276, 1280
20 (2009))(quoting *Malfabon v. Garcia*, 111 Nev. 793, 796, 898 P.2d 107, 108 (1995)). Thus, a
21 complaint that is "vague and conclusory" fails to state a claim. *Madera v. State Indus. Ins. Sys.*,
22 114 Nev. 253, 259, 956 P.2d 117, 121 (1998). The Court must determine whether the challenged
23 pleading sets forth allegations sufficient to satisfy the elements of a legally cognizable claim for
24 relief. *Edgar v. Wagner*, 101 Nev. 226, 227, 699 P.2d 110, 111 (1985). However, a complaint
25 should be dismissed if the factual allegations are insufficient to establish the elements of a claim
26 for relief. *Id.*, 101 Nev. at 228, 699 P.2d at 112. Failure to comply with statutory requirements
27 also renders a claim subject to dismissal. *Borger v. District Court*, 120 Nev. 1021, 102, 102 P.3d
28 600 (2004).

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III.

STATEMENT OF FACTS

The following factual allegations in Mr. Houston's Complaint must be accepted as true for the purposes of this Motion pursuant to NRCP 12(b)(5):

I. Mr. Houston claims that, because of Sedgwick and Mr. Schwartz, he was deprived of a proper application to "mental health court," "drug court," and was not deemed competent before plea bargaining and/or sentencing. See Complaint, p. 4.

Mr. Houston does not make any other specific accusations against Mr. Schwartz. However, Mr. Houston claims that "Sedgwick and it's council [sic] Daniel Schwartz are an abatable nuisance and must be held accountable for the damages inflicted upon Houston, and the people of the State of Nevada." Id.

IV.

LEGAL ARGUMENT AND ANALYSIS

A. PLAINTIFF'S COMPLAINT DOES NOT COMPLY WITH NRCP 8.

"A complaint must set forth sufficient facts to establish all necessary elements of a claim for relief, so that the adverse party has adequate notice of the nature of the claim and relief sought." *Hay v. Hay*, 100 Nev. 196, 198, 678 P.2d 672, 674 (1984). "Dismissal is proper where the allegations are insufficient to establish the elements of a claim for relief." *Stockmeier v. Nev. Dep't of Corr. Psychological Review Panel*, 124 Nev. 313, 316, 183 P.3d 133, 135 (2008)(quoting *Hampe v. Foote*, 118 Nev. 405, 408, 47 P.3d 438, 439 (2002), *overruled in part on other grounds by Buzz Stew, LLC v. City of N. Las Vegas*, 124 Nev. ___, 181 P.3d 670 (2008)).). A plaintiff's factual "allegations must be legally sufficient to constitute the elements of the claim asserted." *Sanchez v. Wal-Mart Stores, Inc.*, 125 Nev. 818, 823, 221 P.3d 1276, 1280 (2009).

Mr. Houston has not alleged any cause of action against Mr. Schwartz. Mr. Houston has not alleged any elements of any cause of action against Mr. Schwartz. Mr. Houston has made vague accusations against Mr. Schwartz and other defendants, including accusations of involvement in a nefarious scheme to con citizens of Nevada out of their money, amid other ramblings. The remainder of Mr. Houston's handwritten Complaint is simply incoherent. Mr.

1 Houston spends two pages ranting about the rock band “Foo Fighters” and the meaning of one of
2 their songs. See Complaint, pp. 6-7.

3 Mr. Houston’s Complaint contains other troubling content as well. Mr. Houston appears to
4 declare himself a member of the “National Socialist American Workers’ ‘Party’” and writes in all-
5 capitalized, bolded letters, the phrase “white lives matter.” See Complaint, p. 32. No concrete
6 allegations against Mr. Schwartz have been made. No claims for relief are present. No prayer for
7 relief is stated.

8 **1. Failure To Allege A Claim For Relief Requires Dismissal.**

9 Nevada Courts and other courts within the 9th Circuit Courts have upheld dismissal of
10 complaints for failing to allege an element of the pleaded claim(s) for relief. Addressing a claim
11 of negligence, the Nevada District Court held:

12 Plaintiff’s complaint does not sufficiently allege a claim for
13 negligence. In order to establish a claim for negligence, a party
14 must show that (1) the defendant had a duty to exercise [*sic*] due
15 care with respect to the plaintiff; (2) that the defendant breached this
16 duty; (3) that the breach was both the actual and proximate cause of
17 plaintiff’s injury; and (4) that the plaintiff was damaged. [...] **Plaintiff has failed to allege what sort of duty Defendant or its employees owed to Plaintiff. Without the establishment of such a duty, there is no claim for any negligent act.** *Vinci v. Las Vegas Sands, Inc.*, 115 Nev. 243, 245, 984 P.2d 750 (1999). And **without the establishment of a negligent action there is no cause of action for negligent supervision** in this case. As Plaintiff
18 has failed to allege a duty that was owed and breached to Plaintiff,
19 his claim for negligent supervision fails to state a claim upon which
20 relief may be granted.

21 **[emphases added]**. *Perez v. United States Prob. Office*, 2009 U.S. Dist. LEXIS 145669,
22 at *9 (D. Nev. Nov. 24, 2009); *see also Bibiji Inderjit Kaur Puri v. Sopurkh Kaur Khalsa*, 674 F.
23 App’x 679, 690 (9th Cir. 2017)(affirming dismissal with prejudice of negligent misrepresentation
24 claim based on the plaintiffs’ failure to allege a duty); *Shum v. Countrywide Home Loans, Inc.*,
25 2012 U.S. Dist. LEXIS 145836, at *9 (D. Nev. Oct. 10, 2012)(dismissing claims for contractual
26 breach of the duty of good faith and fair dealing and tortious breach of the implied duty of good
27 faith and fair dealing for failing to allege the existence of a valid contract, failing to
28 allege a duty of good faith or breach of that duty); *Beckman v. Match.com, LLC*, 2017 U.S. Dist.
LEXIS 35562, at *10-11 (D. Nev. Mar. 10, 2017)(dismissal for failure to sufficiently state a

1 negligence claim under Nevada law, because allegations contained in the amended Complaint do
2 not sufficiently establish a duty imposed on the defendant); *L.A. Sheet Metal Workers' Joint*
3 *Apprenticeship Training Comm. v. Walter*, 1998 U.S. App. LEXIS 2049, at *7 n.1 (9th Cir. Feb.
4 10, 1998)(plaintiff's failure to allege fiduciary duty required dismissal of suppression claim);
5 *Ungaro v. Desert Palace*, 732 F. Supp. 1522, 1526-27 (D. Nev. 1989)(dismissal for failure to
6 allege element of violation of mail fraud statute *i.e.*, the violative act was perpetuated "for
7 obtaining money or property by means of false or fraudulent pretenses"); *Carrington Mortg.*
8 *Servs., LLC v. SFR Invs. Pool 1, LLC*, 2017 U.S. Dist. LEXIS 18583, at *17-18 (D. Nev. Feb. 8,
9 2017)(dismissal for failure to sufficiently allege that parties were parties to a contract, a necessary
10 element to both breach of contract claims pled).

11 Mr. Houston's Complaint speaks for itself. There is no cause of action stated. There are no
12 factual allegations to support any legal conclusions. Mr. Houston's Complaint lacks any factual
13 allegations related to the elements of any cause of action. The Complaint fails to comply with
14 NRCP 8 by failing to provide notice of the claims against Mr. Schwartz (there are none),
15 necessitating dismissal pursuant to NRCP 12(b)(5). Dismissal of Mr. Houston's Complaint is
16 required.

17 **B. PLAINTIFF HAS FAILED TO STATE A CLAIM FOR PUNITIVE DAMAGES.**

18 Mr. Houston's Complaint, despite not containing a prayer for relief, nonetheless lists
19 damages in the amount of **thirty-six million five hundred thousand dollars** (\$36,500,000.00)
20 from each named defendant, including Mr. Schwartz. See Complaint, pp. 22-33. This obscene
21 amount can only be construed as a request for punitive damages. No substantive factual
22 allegations can be found within the Complaint that would make this a viable category of damages
23 in this case. In order to recover punitive damages in Nevada, a plaintiff must prove that a
24 defendant, "has been guilty of oppression, fraud or malice, express or implied." NRS 42.005. The
25 Nevada Supreme Court has clarified the "implied malice" component of punitive damages
26 jurisprudence, explaining that it "plainly requires evidence that a defendant acted with a culpable
27 state of mind." *Countrywide Home Loans v. Thitchener*, 124 Nev. Adv. Rep. 64, 192 P.3d 243,
28 255 (2008). Therefore, in order to properly plead punitive damages, a plaintiff must allege the

1 defendant's conduct "exceeded mere recklessness or gross negligence." [emphases added]. *Id.*
2 (emphasis added). "[E]ven unconscionable irresponsibility will not support a punitive damages
3 award." *Maduike v. Agency Rent-a-Car*, 114 Nev. 1, 5, 953 P.2d 24, 26 (1998).

4 In essence, an allegation of punitive damages must be supported by allegations of
5 "malice"¹ or "oppression."² Both definitions of "malice" and "oppression" utilize conscious
6 disregard of a person's rights as the common mental element. *Countrywide Home Loans, Inc.*,
7 *supra* at 242. NRS 42.001(1) defines conscious disregard as "the knowledge of the probable
8 harmful consequences of a wrongful act and a willful and deliberate failure to act to avoid those
9 consequences."

10 Mr. Houston alleges he is entitled to punitive damages in conclusory fashion only. Mr.
11 Houston does not identify any "deliberate" or "egregious" deviations in the standard of care.
12 Allowing Mr. Houston to seek punitive damages in this case would effectively allow him to skirt
13 the \$350,000 non-economic damages cap under NRS 41A.035. The Nevada damages limitation in
14 NRS 41A.035 was overwhelmingly approved by Nevada voters in 2004 as part of tort reform to
15 prevent doctors from fleeing the state due to rising malpractice costs. If Mr. Houston is allowed to
16 tack on punitive damages to his claim, he will have thwarted the sound goal of NRS 41A *et seq.* It
17 is particularly unfair to require Mr. Schwartz to defend a punitive damages claim here where Mr.
18 Houston failed to allege any facts which could demonstrate a culpable state of mind. Mr. Houston
19 has not alleged a factual basis for conduct that would provide for recovery of punitive damages as
20 to Mr. Schwartz or Mr. Houston's Employer. NRS 42.007 provides that an employer may only be
21 responsible for punitive damages in three very specific factual scenarios, not alleged in Mr.
22 Houston's Complaint:

23 [T]he employer is not liable for the exemplary or punitive damages
24 unless:

25 _____
26 ¹ "Conduct which is intended to injure a person or despicable conduct which is engaged in with conscious disregard of
the rights or safety of others." NRS 42.001(3).

27 ² "Despicable conduct that subjects a person to cruel and unjust hardship with a conscious disregard of the rights of
28 the person." NRS 42.001(4).

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(a) The employer had advance knowledge that the employee was unfit for the purposes of the employment and employed the employee with a conscious disregard of the rights or safety of others;

(b) The employer expressly authorized or ratified the wrongful act of the employee for which the damages are awarded; or

(c) The employer is personally guilty of oppression, fraud or malice, express or implied.

If the employer is a corporation, the employer is not liable for exemplary or punitive damages unless the elements of paragraph (a), (b) or (c) are met by an officer, director or managing agent of the corporation who was expressly authorized to direct or ratify the employee's conduct on behalf of the corporation. [...]

NRS 42.007(1). There are no allegations presently pleaded that would support this category of damages against Mr. Schwartz or Mr. Houston's Employer.

V.

CONCLUSION

For the reasons stated above, Defendant Daniel Schwartz respectfully requests that this Honorable Court dismiss Plaintiff Matthew Houston's Complaint.

DATED this 8 day of November, 2022.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By /s/ Benjamin E. Abbott, Esq.
BENJAMIN E. ABBOTT, ESQ.
Nevada Bar No. 15692
LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Avenue, Ste. 900, Box 28
Las Vegas, NV 89102
Attorneys for Defendant DANIEL SCHWARTZ,

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CERTIFICATE OF MAILING

Pursuant to Nevada Rules of Civil Procedure 5(b), I hereby certify that service of the foregoing **DEFENDANT DANIEL SCHWARTZ'S MOTION TO DISMISS PLAINTIFF MATTHEW HOUSTON'S COMPLAINT** was made this date by depositing a true and correct copy of the same for mailing, postage prepaid thereon, in an envelope to the following:

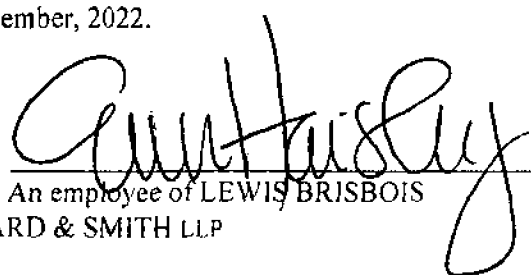
LINA SAKALAUSKAS, ESQ.
NAIW
2200 S RANCHO DR., SUITE 230
LAS VEGAS, NV 89101

MATTHEW TRAVIS HOUSTON
P.O. BOX 0650
INDIAN SPRINGS, NV 89070-0650

ENCORE EVENT TECHNOLOGIES
8850 WEST SUNSET ROAD, 3RD FLOOR
LAS VEGAS, NV 89148

SEDGWICK CMS
ATTN.: DIANE FERRANTE
P.O. BOX 14483
LEXINGTON, KY 40512

DATED this 10th day of November, 2022.



An employee of LEWIS BRISBOIS
BISGAARD & SMITH LLP

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COMP
MATTHEW TRAVIS HOUSTON, LTD
ABA No. 04662784
PO Box 650
Indian Springs, NV 89070-0650

eFiled
9/19/2022
RJC

DISTRICT COURT
CLARK COUNTY, NEVADA

MTH

Plaintiff

A-22-858580-C

-v-

Dept. 4

DANIEL SCHWARTZ, ET AL

COMPLAINT

Defendant - Respondents not
limited to 1-143

The courts will now take notice of the enclosed
complaint of 138 pages on this 1st day of
September, 2022. WHEREFORE, Plaintiff
Matthew Travis Houston prays for reparations not
limited to that of injunctive relief. Please see
the attached documentation to consolidate with
cases including A.22.758861-C and A.22
856372-C in departments 20 and 29. To validate
and further elaborate on the merits of the claims,
and portray the utmost seriousness in attention to
this pleading, C-17-323614.1 and A.22-853203, W
are notated as well.

Total - 138 pages
including civil cover sheet

A
P. 255
STATEMENT of FACTS (pages)

PETITION FOR JUDICIAL REVIEW OF ^{December} ~~6th~~ 2021

This court filed a STATEMENT OF FACTS; it was received February 17th, 2022:

It is to be known to the court that the only "reason" ~~for the alleged "GPA"~~ for the alleged "GPA"

~~for the alleged "GPA"~~ after false imprisonment on July 14th, 2021 (before his appointment in July 15th, 2021

at Nevada Retina Specialists w/ Dr. Tyson Ward) was that so he could be released to

search and hopefully retrieve his trained seeing eye dogs. Counsel failed to inform Houston of a

City Jail detainer hold, then informed Houston before he had agreed to negotiations that there was NOT a city jail hold when in fact there was. Double jeopardy of

As Houston was never served with any summons, the traumatic events of July 14th, 2021 were and is a civil

and unjust punishment being inflicted upon Houston, what with him being denied his medical disability, along with

Dr. Quigler, the impoundment of his seeing eye dogs and this tragedy (forcing him to relocate from his

home state of Iowa) is further cause of unnecessary hardships and eviction from his out-of-house legal

advocacy (Address 435 S. Linn Street, #927, Iowa City, Iowa 52240). The overreaching tactics used by both

Sedgwick and the prosecution forced Houston into an unmanageable state of duress, homelessness, and

imprisonment due to R. McMannis' willful omissions and when ignoring claim adjuster Dianne Ferraro's falsehoods and other crimes both civil and criminal.

29

ABA Member No. 04662784

23. th GROUND ONE!!

WORD COUNT: 165

INEFFECTIVE AID OF COUNSEL
(PETITIONER WAS FORCED TO FILE HIS OWN DIRECT APPEAL, BEING NEGLECTED)

Thursday
Friday

TOTAL APPROX.: 2,732
Stamped by HDSP: 2/10/22
Stamped by USPS: 2/11/22

1 MATTHEW TRAVIS HOUSTON #7035801 e CCDC, pm: SE
2 # 1210652 @ NDOC - P.O. Box 650 - Indian Springs, NV - 89070
3 EIGHTH JUDICIAL DISTRICT COURT
4 CLARK COUNTY, NEVADA

6 Matthew Travis Houston	Case # C-21-357927-1
7 Appellant	Dept # X FILED
8 vs.	FEB 18 2022 11:00 AM
9 STATE OF NEVADA	CLERK OF COURT
10 Respondent	"de novo" hearing requested

11 DIRECT APPEAL
12 MOTION DIRECT APPEAL (Supreme Court) (Nevada)
13 Nevada Appeal No. 034281 dismissed March 10, 2022

14 Comes now, Plaintiff in Error HOUSTON who
15 moves this Honorable Court to impose sanctions
16 upon officials not limited to Tierraflores, her substitute,
17 Michael P. Villani, Magistrate De la Garza,
18 Scott Poisson, Brian P. Clank, Christopher D. Burk,
19 Erica Tash, Jason Barrus, Andrew Fhabive,
20 Daniel Schwartz, Sheriff Joe Lombardo, ^{R.I.P.} NDOC C/O
21 Popalauskas[®] and whomever else is to be called
22 by this court in the manifestation of justice, to improve
23 the community of Las Vegas, Nevada and to ensure
24 that all injured workers are properly compensated.

25 THIS Appeal is made upon all papers, pleadings,
26 pleadings, documents on file and newly discovered
27 evidence, to which this court has been
28 attempting to keep hidden from the truth, ~~and~~
29 while demonstrating nothing other than it's inherent venality

CLERK OF THE COURT
FEB 17 2022

COMPLAINT

The Defendant-respondents including Daniel Schwartz have caused

3. Ineffective aid of counsel, as well as prosecutorial (Grand Court 249) 23.
a. misconduct when ~~they~~ ^{Houston was} ~~deprived~~ ^{deprived} of proper application to (Grand
mental health court, drug court and failure to deem Petitioner (Grand
competent before plea bargaining and / or sentencing & Denial of Compulsory (2)

1. They (Dianne Ferrante et al) have caused not only further
2 injury upon Houston but has further injured other workers
3 and totally permanently disabled citizens due
4 to their mishandlements, irresponsibility, willful neglect,
5 and other schemes not limited to their illegal
6 extortion of Houston's disability claims which are
7 substantially proven by the events of October 1st, 2021.

8 Sedgwick and its counsel Daniel Schwartz are an abatable
9 nuisance and must be held accountable for the
10 damages inflicted upon Houston and the people of
11 the State of Nevada. In regards to events,

12 Houston has and continues to suffer from BATTERED
13 PERSONS SYNDROME as result of surviving numerous traumas

14 (other than ONE OCTOBER and his 2016 work
15 accident at Mandalay Bay Resort) including:

16 • death of uncle Randall Schoenherr - 2019
17 while illegally incarcerated in NDOC for a dismissed case.

18 • suicide of uncle Rollie Schoenherr - 2017
19 • divorce from abusive spouse in 2014 after learning

20 that his son was ~~not~~ his and victim of domestic violence,
21 • suicide of brother Mitchell Ryan Houston - 2014.

22 • witnessed domestic violence between his parents
23 very often as a child - 1984 - 2000.

24 DREAM JOURNAL IN RE JANUARY 26-27, 2023:

25 Last night I was working again, with forklift. Operator was Tripp in
26 Nashville TN from CREW ONE who kept telling me it's okay to ride on the

27 forklift. Then my right hand was cut off. I woke up to remember
28 how my right hand was smashed in 2013 while working for C-DIVE. I was getting

29 those records for subpoena - PAGE # 3 - from Louisiana in January 2021 & - 16
M.T.H.

(page #4 of DIRECT APPEAL)

TO C-21-357927-1

1 AMENDED PETITION FOR JUDICIAL REVIEW

2 in re. July 14th, 2021 - current date of illegal and extensive
3 incarceration at time of this writing being on or about Thursday,
4 January 27th, 2022, after waking up from PTSD nightmare:

5 The primary factor showing the judicial biases against
6 petitioner is the fact that Tierra James never responded to
7 petitioner's first PETITION FOR WRIT OF HABEAS prepared while
8 illegally incarcerated at T.L.V.C.D. during his wrongful conviction
9 of DUT case No. C-17-323614-2, date and depth unknown
10 due to petitioner's current false imprisonment in fish tank.

11 This DEFAULT STATUS of the state of Nevada is further
12 reinforced by the fact that the petitioner's drafts for a
13 2nd PETITION FOR A WRIT OF HABEAS CORPUS, along with the
14 rest of petitioner's correspondence are being withheld by the
15 Clark County Public Defender's office for no reason other
16 than the intentional disregard for injured worker's rights. This
17 bias is proven by numerous case history, one of which being
18 where an industrial work accident causing workers fatality was
19 determined by the courts to compensate only \$10,000 to the
20 surviving family to assist in paying funeral expenses. The tragic
21 death was of an employee of Rhino Staging and happened
22 at MGM Grand Arena, and the case is being served a related
23 subpoena in A-17-758861-1 Dept. 29 (and multiple complaints)

24 As the malicious prosecution of the state has attempted
25 to make an example out of an honest and law-abiding man,
26 the petitioner will now illustrate to this court some
27 accurate and truthful examples that explain how recurring
28 nightmares affect Dave Grohl, as most surely, the family
29 of the Rhino Staging employee is still haunted by the loss of their son.

EXHIBIT - November 25th 2021

1 At just about every Foo Fighters concert, the band
2 plays "Walk," which has some of the
3 most audacious lyrics Grohl - or anyone, really -
4 ever wrote. "Every night when he sings the line
5 "I never want to die," says Smead, "I look at
6 him every time and think of Kurt. Every
7 single time. Because Kurt was "I hate
8 myself and I want to die." And that's the
9 opposite-ness of them. And I do so love
10 being with life-lovers."

11 As it happens, Smead is correct about the
12 inspiration behind that song. "It kind of comes
13 from the day after Kurt died," Grohl says,
14 his voice a little softer than usual. "Waking
15 up that morning and realizing 'oh, shit, he's not
16 here anymore. I am. Like, I get to wake up
17 and he doesn't. I'm making a cup of coffee.
18 And he can't. I'm gonna turn on the radio.
19 And he won't. That was a big revelation to me."

20 "I think also in life, you get trapped
21 in crisis, where you imagine there's no way out.
22 When really, if you dare to consider that 'crisis
23 a blip on the radar, it's easier to push
24 through. And yea, I was just like, "I
25 don't want anyone to have that feeling that
26 I had that morning."
27
28

29 EXHIBIT and APPEAL
topdawg houston (R) Page # 2 (Page # 5)

EXHIBIT November 25th 2021

1. But in any case, he really means it.
2. "I'm serious," Gooch says. "I don't
3. want to ~~fighting~~ die! I know it's inevitable,
4. but I don't want to. That's gonna be such
5. a drag." He's silent for a mere moment, and
6. smiles, baring those battered teeth. "I'll
7. fight it as ~~fighting~~ long as I can."
8.

9. = Rolling Stone Magazine
10. October 2021 page #79
11.

12. Let this court's record reflect from page #3, line No. 21,
13. in honor of Appellant's brother Mitchell Ryan Houston, who would
14. have turned the age of 32 on the day that this EXHIBIT
15. was prepared.
16.
17.
18.
19.
20.
21.
22.
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24.
25.
26.
27.

28. DIRECT APPEAL PAGE #6, EXHIBIT
29. top dawghouston® Page #2



MATTHEW TRAVIS
AFFIDAVIT © "Baick" HOUSTON

edited 11/23/2021
again on 2/15/2022

1 November 22nd 2021

2 ABUSED Defense is a VALID excuse:

3 @ Parkville / Parkland Behavioral Health

4 Southaven, Mississippi

5 Dilezords in New Orleans -

6 snowstorms in Memphis, TN

7 Ka Cash in animal control -

8 Clark County, Nevada - Public Defender

9 Bernard Little never got my emails from

10 2017, 2018, 2019, 2020 because I

11 was sending the wrong email.

12 subpoena every email @

13 matthewtravis.houston@gmail.com

14 matthoustonenterprises@gmail.com

15 © Subpoena all Facebook Instagram @topdaughouston

16 Sedgwick has been exploiting me since

17 I woke up from coma. Just ask

18 Karen Schwartz. She caused -MTH

19 evictions from Holiday Royale 1/23/2021

20 South Beach Resort and 4200

21 Paradise, Nuero Restorative and Nevada

22 Community Enrichment Program. Her

23 stealing \$3600 from Sedgwick / Encore

24 and her telephone communications had LVMPD

25 arrest me @ my business @ 555

26 Washington and South Beach Resort.

27 Subpoena all house arrest officers

28 from 2017, 2018 and LVMPD @ Nuero Restorative

29 a key of Rainbow Page number 6 (six) of Page Number 18
Case Number C-21-357927-1 A WRIT OF HABEAS CORPUS

AFFIDAVIT

MATTHEW TRAVIS
amended
HOUSTON 2/15/2022
from

1 ABUSE DEFENCE IS A VALID EXCUSE 11/23/2021

2 HOUSTON'S claims justify his actions based upon

3 his history of victimization and Battered person syndrome

4 History of being assaulted in city jail of Las Vegas

5 and contracting COVID-19 @ CCDC

6 being assaulted @ CCDC

7 survived attack by security @ University of Iowa

8 Hospital when trying to see my team

9 Attacked @ The Vine, Iowa City

10 Attacked @ DC's, Iowa City RISK

11 Attacked @ Gaber's, Iowa City - lady destroyed apartment

12 lady who sold the Johnny Cash to me stole \$, a

13 different female, she damaged apartment & also.

14 Abducted in Las Vegas downtown leaving El Cortez

15 in March 2020. Robbed by females, also attacked

16 by TAXI driver. Transit authority report, iPhone PICS

17 Robbed by 2 w females August 2020, LVMPD report.

18 Dennis W Houston told me I was coronavirus - Spring 2020

19 Lucrecia & Schoenherr attacked me in bathroom -

20 Spring / Summer 2020. Manaketa Police called

21 in October 2019 when I told mother Lucrecia

22 I was ~~attacked~~ ^{attacked} by aunt Patricia Schoenherr

23 Attacked by Anyan Warrior prison gang @

24 TLVCC and numerous other confrontations including

25 the January 2021 - attacked by SWAT / law enforcement

26 in Assumption Parish, St. Charles Parish, Orleans

27 Parish, Thomas Jefferson Parish and ~~others~~

28 and Slidell Louisiana, after insurrection in WA, DC.

29 February 2021 - Parkland Mental Health - South Hill MS

Case Number C-21-357927-1
Page Number 19 (page) seven for a writ of habeas

POINTS AND AUTHORITIES

(and accompanying affidavits)

1 ABUSE OF PROCESS employment of the criminal or
2 civil process for a use other than one which is
3 intended by law; & the improper use of process after it
4 has been issued, that is, a perversion of it."

5 32 A.2d 413, 415

6 "Malicious use of civil process has to do with
7 the wrongful institution of such process, while abuse of civil
8 process is concerned with a perversion of a process
9 after it is issued." Id.

10 - Barron's Law Dictionary 7th Ed. **GROUND**

11 Since surviving Route 91 Mass shooting Sept. 30th

12 2016, SEBOWICK has only added insult to injury

13 More than once they've intentionally ignored

14 my pleas and requests for recovery. Before 9/30/11

15 I had never been evicted. Workers compensation has

16 contributed directly and indirectly to evictions from

17 Holiday Royale, (cause of action = ground)

18 Southbeach Resort, (when wrongfully convicted and

19 4200 Paradise, (became Plaintiff in Error)

20 and RISE AT RIVERFRONT CROSSINGS.

21 SEBOWICK has stolen \$30,000 from my social

22 security, which is ILLEGAL pursuant to the law

23 of bankruptcy. Their scam unnecessarily hindered and

24 delayed my claim for 5 years due not only to

25 SEBOWICK contributing to imprisonments @ CCDC

26 and MDOC, facilities that are inhumane, cruel, risky,

27 and hives for disease and "situations" and causes

28 of further disability not to mention COVID-19. By

29 them hanging MDOC over my head, →

Page Number 3 (three)
Case Number C-21-357927-1

1 they have caused a second wrongful conviction. Furthermore,
2 SEDGWICK is illegally using public and
3 state of Nevada resources to steal
4 from the Social Security Administration,
5 my doctors, my dogs, my public
6 safety first responders, my team of
7 life saving Americans, they are
8 stealing from my competitors, funds of
9 Joe Lombardo for Governor of Nevada
10 and many charitable organizations.

11
12 "The first to speak in court sounds right,
13 until the cross-examination begins."
14 — Pervert, 18th C.
15 When only one side of a case is heard
16 the evidence often seems convincing. Yet
17 when the whole story is told, the initial
18 case often crumbles. (See) PETITION FOR JUDICIAL REVIEW

19 pages 1-12 initially filed as a NOTICE OF APPEAL FEBRUARY 18TH, 2022
20 AMENDED PAGES 5-16: VENIRE FACIAS DE NOVO
21 Proceeding to a second trial is awarded
22 where a finding by the court "is so defective,
23 uncertain, or ambiguous upon its face that no
24 judgement can be rendered upon it."
25 See 41 N.E. 383, 386.

26 Now, if this court would be so kind to read this completely,
27 I'll see the Petitioner can demonstrate a prima facie need for the
28 transcripts, pleadings, and any and all other transcribed material
29 with regards to the above-entitled cases. See page #1, lines 24-25.

Page Number 4 (four)

Case Number C-21-357927-1

1 POINTS AND AUTHORITIES here, not limited to the reasons listed below:
2 The day that Houston was transferred to Las Vegas
3 City Jail to face double-jeopardy charges in Las
4 Vegas Municipal Court # C1248384A and # C1257802A
5 shows this court the failure of counsel in communicating
6 and informing Defendant as to ALL of the terms
7 and conditions per original negotiations having
8 made VOID any and all sorts of verbal and/or
9 or written agreements made between the corrupted
10 prosecution and Defendant. This further shows
11 that Defendant would not have entered any sort of
12 guilty plea to # C-21-357927-1 and would
13 have insisted upon going to trial. See
14 State v. Huebler 128 Nev. 192, 275 P.3d
15 91, 128 Nev. Adv. Rep. 19, 2012 Nev. LEXIS 53
16 (Nev. 2012), cert denied, 568 U.S. 1147, 133 S.
17 Ct. 988, 184 L. Ed. 2d 767, 2013 U.S. LEXIS
18 1009 (U.S. 2013).
19 NRS 34.726 validates Defendant's claim of
20 ineffective assistance of counsel in that it meets
21 procedural requirements having been raised in a
22 timely petition when Defendant had requested to
23 withdraw his plea during a video court appearance
24 prior to December in which the "substitute" judge
25 had appointed Anthony M. Goldstein to represent
26 Houston in determining the prospective motion's validity.
27 Defendant was prejudiced by Bernard Little's failure
28 in applying Houston to Mental Health Court and the
29 delay to Drug Court, interview post-conviction on December 10th.

JUDGEMENT UNDER UNCERTAINTY:

HEURISTICS AND BIASES,* by Amos Tversky and Daniel Kahneman

Many decisions are based on beliefs concerning the likelihood of uncertain events such as the outcome of an election, the guilt of a defendant, or the future value of the dollar. These beliefs are usually expressed in statements such as "I think that...", "chances are...", "it is unlikely that..." and so forth. Occasionally, beliefs concerning uncertain events are expressed in numerical form as odds or subjective probabilities. What determines such beliefs? How do people assess the probability of an uncertain event or the value of an uncertain quantity? This article shows that people rely on a ^{limited} number of heuristic principles which reduce the complex tasks of assessing probabilities and predicting values to simpler judgemental operations. In general, these heuristics are quite useful, but sometimes they lead to severe and systematic errors.

* This article originally appeared in Science, vol. 185, 1974. The research was supported by the Advanced Research Projects Agency of the Department of Defence and was monitored by the Office of Naval Research under contract N00014-73-C-0438 to the Oregon Research Institute, Eugene. Additional support for this research was provided by the Research and Development Authority of the Hebrew University, Jerusalem, Israel.

Page Number 5 (five) PAGE No. 17 of
Case Number C-21-357927-1 PETITION FOR WRIT OF HABEAS CORPUS
ABA No. 04662764

1. Defendant has been overwhelmingly prejudiced in this
2 case, especially with the initial statement made by the
3 prosecution labelling Houston as "a danger to society"
4 and when female judge Tierra Jones, after Ben Little needlessly
5 failed to rebut the false pretences made by R.
6 McMorris, made personal comments further insulting the
7 character of the Defendant after he invoked his
8 5th Amendment rights, especially in considering the
9 fact that prior to the Defendant being in state
10 custody, he had never seen R. McMorris, in
11 person, up close or from afar - nor had he communicated
12 with her over any sort of telephone, e-mail, listening
13 device, social media or otherwise.
14 Petitioner/defendant was denied his constitutional right to defend
15 himself without counsel when the substitute judge appointed Anthony
16 M. Goldstein. See *Hollis v. State*, 95 Nev. 664, 601 P.2d 62, 1979 Nev. LEXIS
17 637 (Nev. 1979). "unreliable" is self-explanatory, see *Buffalo v. State*, 111
18 Nev. 1139, 901 P.2d 647, 111 Nev. Adv. Rep. 127, 1995 Nev. LEXIS 125
19 (Nev. 1995). Tierra Jones and every other individual refusing to
20 take accountability for the current injustices against Petitioner
21 is guilty of violating NRS § 484.219, [renumbered to NRS 484E.010]
22 and should be charged with leaving the scene of a single accident
23 because deliberate indifference is wrong, just as R. McMorris' lies
24 she told on record were. See *Firestone v. State*, 120 Nev. 13, 83
25 P.3d 279, 120 Nev. Adv. Rep. 3, 2004 Nev. LEXIS 3 (Nev. 2004).
26 Furthermore, the credit for presentence incarceration of the
27 Petitioner is inaccurate. See *Griffin v. State*, 122 Nev. 737, 137
28 P.3d 1165, 122 Nev. Adv. Rep. 63, 2006 Nev. LEXIS 70 (Nev. 2006).

29

page #8

1 THE FOURTH (4th) AMENDMENT OF THE CONSTITUTION (U.S.)
2 Fruit of the Poisonous Tree

3 "The 4th Amndt requires that a search and
4 seizure be pursuant to a warrant supported by
5 probable cause. Exceptions to the warrant
6 requirement under Terry include "traffic stops",
7 of which must meet Terry requirements. The 4th Amndt
8 places strict limitations on the state in its exercise
9 of power and authority." - The Crossing, by Michael Connelly.
10 Fringing an injured worker for the second
11 time and interfering with official acts of the pleadings of
12 case #A-17-758261-C, making false claims of
13 supposed "lifetime re-opening rights" as a
14 claim that was catastrophic in nature and
15 never was to have been closed IS NOT a
16 valid exercise of constitutional authority in Nevada
17 or anywhere else in U.S. especially Colorado,
18 Texas and California. Mr. Houston committed none
19 of these 'ABBRIATED STALKING' offences as
20 shown on record by the alleged victim, R.
21 McMorris whom Houston has never even seen -
22 until brought to unfair hearings, has no clue as to
23 where her or her family resides, and it's perfectly
24 legal and the correct way that Houston reported
25 the SEDFWICK scans of D. Ferrante and J. Shackley
26 to LUMPD House ARRESTS as it is Houston who is the
27 victim of their negligent scam of extortion. The state
28 government strangled on Houston's rights to be
29 protected from unlawful search and seizure, his
30 rights as an American citizen and desecrated the
31 American's With Disabilities Act, of 1993. Page #9

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: 2/24/2023

15 Daniel Schwartz daniel.schwartz@lewisbrisbois.com

16 Deyna Soltero deyna.soltero@lewisbrisbois.com

17
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CLERK OF THE COURT

1 **ORDER**
 2 DANIEL L. SCHWARTZ, ESQ.
 3 Nevada Bar No. 05125
 4 BENJAMIN E. ABBOTT, ESQ.
 5 Nevada Bar No. 15692
 6 LEWIS BRISBOIS BISGAARD & SMITH LLP
 7 2300 W. Sahara Avenue, Ste. 900, Box 28
 8 Las Vegas, NV 89102
 9 (702) 830-9042
 10 Fax: (702) 366-9563
 11 E-Mail: Daniel.Schwartz@lewisbrisbois.com
 12 *Attorney for Defendant*
 13 DANIEL SCHWARTZ

8 DISTRICT COURT
 9
 10 CLARK COUNTY, NEVADA

11 MATTHEW TRAVIS HOUSTON,
 12
 13 Plaintiff,
 14
 15 vs.
 16 DANIEL SCHWARTZ, ESQ., an individual,
 17
 18 Defendant.

CASE NO. A-22-858580-C
 Dept. No.: 4

**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**

Hearing Date: 2/7/2023 at 9:00 a.m.

19 This matter, coming before this Honorable Court on February 7, 2023 at 9:00 a.m., on
 20 Plaintiff MATTHEW TRAVIS HOUSTON's ("Plaintiff") Motion to Amended Complaint, with
 21 DANIEL SCHWARTZ, ESQ., of LEWIS BRISBOIS BISGAARD & SMITH LLP, appearing on
 22 behalf of the Defendant DANIEL SCHWARTZ ("Defendant").

Case Procedural History

24 Defendant in this matter moves to dismiss all of Plaintiff's Motion for Leave to File an
 25 Amend Complaint.

26 Plaintiff filed his Complaint against Defendant Daniel Schwartz on September 19, 2022,
 27 seeking reparations and injunctive relief.

**LEWIS
 BRISBOIS
 BISGAARD
 & SMITH LLP**
 ATTORNEYS AT LAW

4892-5695-6239.1

1 Defendant moved this Court to dismiss Plaintiff's Complaint based on failure to state a claim
2 for which relief can be granted pursuant to NRCP 12(b)(5) on October 17, 2022.

3 On December 28, 2022, Plaintiff filed an Ex Parte response to Defendant's Motion to
4 Dismiss, and an Ex Parte Motion for Leave to File an Amended Complaint.

5 Plaintiff filed three Emergency Motions for Leave to add Defendants on December 29, 2022.
6 Plaintiff also filed an Emergency Ex Parte Motion for an Extension of Time to Prepare and File an
7 Opposition to Defendant's Motion to Dismiss.

8 On January 31, 2023, Plaintiff filed a Motion to Amend Complaint. Plaintiff also filed an
9 Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois Bisgaard & Smith.

10 On January 31, 2023 at 9:00 a.m., the Honorable Judge Nadia Krall held a hearing on
11 Plaintiff's Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois, and Plaintiff's
12 Emergency Ex Parte Motion for Leave to File an Amended Complaint. The Defendant was present.
13 The Plaintiff was not present. The Court denied Plaintiff's Emergency Ex Parte Opposition to the
14 False Claims of Lewis Brisbois as moot. The Court noted that Plaintiff's Motion for Leave to File
15 Amended Complaint was filed without an attached proposed Amended Complaint. The Court
16 denied Plaintiff's Emergency Ex Parte Motion for Leave to File an Amended Complaint.

17 On February 7, 2023 at 9:00 a.m., the Honorable Judge Nadia Krall held a hearing on
18 Plaintiff's Emergency Ex Parte Motion for Leave to add Defendants and Plaintiff's Emergency
19 Motion to Add Defendants. The Court denied Plaintiff's Emergency Ex Parte Motion for Leave to
20 add Defendants and Plaintiff's Emergency Motion to Add Defendants as the Plaintiff did not
21 provided an amended complaint.

22 **Plaintiff's Emergency Ex Parte Motion for Leave to add Defendants**

23 This Court, having considered the pleadings and argument of the parties and counsel, noting
24 Plaintiff did not attach a proposed amended complaint, finds that Plaintiff's Emergency Ex Parte
25 Motion for Leave to add Defendants is hereby denied.

26 **Plaintiff's Emergency Motion to Add Defendants**

27 The Court, having considered the pleadings and argument of the parties and counsel, noting
28 Plaintiff did not attach a proposed amended complaint, finds that Plaintiff's Emergency Motion to

1 Add Defendants is hereby denied.

2 **Order**

3 Therefore, it is hereby ORDERED that Plaintiff's Emergency Ex Parte Motion for Leave to
4 add Defendants is DENIED. Pursuant to EJDC Rule 1.30

5 Therefore, it is hereby ORDERED that Plaintiff's Emergency Motion to Add Defendants is
6 DENIED. Pursuant to EJDC Rule 1.30

7 DATED this ____ day of _____, 2023

8 Dated this 24th day of February, 2023

9 

10 **DISTRICT COURT JUDGE**

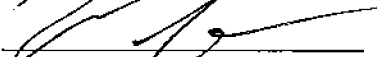
11 **429 4DD 320D 23FE**

Nadia Krall

District Court Judge

12 Respectfully Submitted By:

13 **LEWIS BRISBOIS BISGAARD & SMITH**

14 

15 **DANIEL L. SCHWARTZ, ESQ.**

Nevada Bar No. 05125

16 **LEWIS BRISBOIS BISGAARD & SMITH llp**

17 2300 W. Sahara Avenue, Ste. 900, Box 28

18 Las Vegas, NV 89102

Attorney for Defendant DANIEL L. SCHWARTZ

19

20

21

22

23

24

25

26

27

28

1 BENJAMIN E. ABBOTT, ESQ.
Nevada Bar No. 15692
2 LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Avenue, Ste. 900, Box 28
3 Las Vegas, NV 89102
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4 Fax: (702) 366-9563
E-Mail: Benjamin.Abbott@lewisbrisbois.com
5 *Attorney for Defendant*
DANIEL SCHWARTZ

6
7
8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10
11 MATTHEW TRAVIS HOUSTON,

12 Plaintiff,

13 vs.

14 DANIEL SCHWARTZ, ESQ., an individual,

15 Defendant.

CASE NO. A-22-858580-C

**DEFENDANT DANIEL SCHWARTZ'S
MOTION TO DISMISS PLAINTIFF
MATTHEW HOUSTON'S COMPLAINT**

HEARING REQUESTED


16
17 COMES NOW, Defendant, DANIEL L. SCHWARTZ, ESQ., by and through his counsel
18 of record, LEWIS BRISBOIS BISGAARD & SMITH LLP, and hereby submits this motion to
19 dismiss the claims of Plaintiff TRAVIS HOUSTON for failing to state a claim upon which relief
20 may be granted.

21 This motion is based upon the attached Memorandum of Points and Authorities, the papers
22 and pleadings on file, and any arguments made by counsel that may be taken at the time of hearing
23 on this matter.
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DATED this 8 day of November, 2022.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By 
BENJAMIN E. ABBOTT, ESQ.
Nevada Bar No. 15692
LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Avenue, Ste. 900, Box 28
Las Vegas, NV 89102
Attorney for Defendant DANIEL L. SCHWARTZ,

LEWIS
BRISBOIS
BISGAARD
& SMITH LLP
ATTORNEYS AT LAW

4853-6023-9417.1

2

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I.

3 INTRODUCTION

4 Plaintiff Matthew Travis Houston ("Mr. Houston") is a workers' compensation claimant.
5 Defendant Daniel L. Schwartz, Esq. ("Mr. Schwartz") is an attorney at the law firm Lewis
6 Brisbois Bisgaard Smith, LLP, which represents Mr. Houston's Employer, Encore Event
7 Technologies ("Employer") in Mr. Houston's workers' compensation claim. Mr. Houston's
8 workers' compensation Claim Number is designated as 30166612006-001. Mr. Houston presently
9 has approximately five other lawsuits pending before the Eighth District Judicial Court, designated
10 as Case Numbers A-22-758861-C; A-22-856372-C; A-22-853203-W; A-17-758861-C; and C-21-
11 357927-1. Collectively, Mr. Houston seeks injunctive relief and money damages from each of the
12 approximately 138 named defendants in the amount of \$36,500,000.00, each. The named
13 defendants include Mr. Schwartz, the State of Nevada, Las Vegas Fire and Rescue, multiple Clark
14 County police officers, the University of Iowa, and the City of Maquoketa, just to name a few.

15 Mr. Houston is currently incarcerated. His handwritten Complaint contains incoherent
16 ramblings and various legal phrases such as "double jeopardy" and "fruit of the poisonous tree,"
17 but Mr. Houston has utterly failed to construct a competent Complaint for which relief can be
18 granted. As stated above, Mr. Schwartz is an attorney for the law firm which represents Mr.
19 Houston's Employer in his workers' compensation claim. Mr. Houston's Complaint appears to be
20 nothing more than an attempt at expressing his grievances over his workers' compensation claim.

21 Mr. Houston has failed to delineate any specific causes of action in his Complaint.
22 Moreover, Mr. Houston has not alleged any specific conduct against Mr. Schwartz for which any
23 relief could be granted. Additionally, Mr. Schwartz was never served with Mr. Houston's
24 Complaint. Indeed, Mr. Houston attached a Certificate of Service by Mailing, but this is not a
25 substitute for personal service as required by NRCP Rule 4.2(a). Furthermore, Mr. Houston did
26 not attach a Summons to his Complaint as required by NRCP Rule 4(c)(2). Mr. Houston's
27 Complaint fails to state a claim for relief against Mr. Schwartz such as dismissal is required for the
28 following reasons:

- 1 1. Mr. Houston's Complaint has not stated any specific causes of action upon which his
2 Complaint is based;
- 3 2. Mr. Houston's Complaint lack sufficient factual allegations to state a claim;
- 4 3. Mr. Houston's allegations, if accepted as true, do not provide a basis for injunctive
5 relief or damages.
- 6 4. Mr. Houston has failed to properly serve his Complaint among the Defendant Daniel
7 Schwartz.

8 Mr. Houston has not met the basis of minimal pleading standards in this action. Mr.
9 Houston's Complaint must be dismissed.

10 II.

11 LEGAL STANDARD

12 In reviewing a motion to dismiss pursuant to NRC P 12(b)(5), the "court must construe the
13 pleadings liberally and accept all factual allegations in the complaint as true ... [and] draw every
14 fair inference in favor of the non-moving party. 'A complaint will not be dismissed for failure to
15 state a claim unless it appears beyond a doubt that the plaintiff could prove no set of facts which, if
16 accepted by the trier of fact, would entitle him or her to relief.'" *Blackjack Bonding v. City of Las*
17 *Vegas Mun. Court*, 116 Nev. 1213, 1217, 14 P.3d 1275, 1278 (2000). A plaintiff's factual
18 "allegations must be legally sufficient to constitute the elements of the claim asserted."
19 [emphases added]. *Sanchez v. Wal-Mart Stores, Inc.*, 125 Nev. 818, 823, 221 P.3d 1276, 1280
20 (2009))(quoting *Malfabon v. Garcia*, 111 Nev. 793, 796, 898 P.2d 107, 108 (1995)). Thus, a
21 complaint that is "vague and conclusory" fails to state a claim. *Madera v. State Indus. Ins. Sys.*,
22 114 Nev. 253, 259, 956 P.2d 117, 121 (1998). The Court must determine whether the challenged
23 pleading sets forth allegations sufficient to satisfy the elements of a legally cognizable claim for
24 relief. *Edgar v. Wagner*, 101 Nev. 226, 227, 699 P.2d 110, 111 (1985). However, a complaint
25 should be dismissed if the factual allegations are insufficient to establish the elements of a claim
26 for relief. *Id.*, 101 Nev. at 228, 699 P.2d at 112. Failure to comply with statutory requirements
27 also renders a claim subject to dismissal. *Borger v. District Court*, 120 Nev. 1021, 102, 102 P.3d
28 600 (2004).

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III.

STATEMENT OF FACTS

The following factual allegations in Mr. Houston's Complaint must be accepted as true for the purposes of this Motion pursuant to NRCP 12(b)(5):

1. Mr. Houston claims that, because of Sedgwick and Mr. Schwartz, he was deprived of a proper application to "mental health court," "drug court," and was not deemed competent before plea bargaining and/or sentencing. See Complaint, p. 4.

Mr. Houston does not make any other specific accusations against Mr. Schwartz. However, Mr. Houston claims that "Sedgwick and it's council [sic] Daniel Schwartz are an abatable nuisance and must be held accountable for the damages inflicted upon Houston, and the people of the State of Nevada." Id.

IV.

LEGAL ARGUMENT AND ANALYSIS

A. PLAINTIFF'S COMPLAINT DOES NOT COMPLY WITH NRCP 8.

"A complaint must set forth sufficient facts to establish all necessary elements of a claim for relief, so that the adverse party has adequate notice of the nature of the claim and relief sought." *Hay v. Hay*, 100 Nev. 196, 198, 678 P.2d 672, 674 (1984). "Dismissal is proper where the allegations are insufficient to establish the elements of a claim for relief." *Stockmeier v. Nev. Dep't of Corr. Psychological Review Panel*, 124 Nev. 313, 316, 183 P.3d 133, 135 (2008)(quoting *Hampe v. Foote*, 118 Nev. 405, 408, 47 P.3d 438, 439 (2002), *overruled in part on other grounds by Buzz Stew, LLC v. City of N. Las Vegas*, 124 Nev. ____, 181 P.3d 670 (2008)).). A plaintiff's factual "allegations must be legally sufficient to constitute the elements of the claim asserted." *Sanchez v. Wal-Mart Stores, Inc.*, 125 Nev. 818, 823, 221 P.3d 1276, 1280 (2009).

Mr. Houston has not alleged any cause of action against Mr. Schwartz. Mr. Houston has not alleged any elements of any cause of action against Mr. Schwartz. Mr. Houston has made vague accusations against Mr. Schwartz and other defendants, including accusations of involvement in a nefarious scheme to con citizens of Nevada out of their money, amid other ramblings. The remainder of Mr. Houston's handwritten Complaint is simply incoherent. Mr.

1 Houston spends two pages ranting about the rock band "Foo Fighters" and the meaning of one of
2 their songs. See Complaint, pp. 6-7.

3 Mr. Houston's Complaint contains other troubling content as well. Mr. Houston appears to
4 declare himself a member of the "National Socialist American Workers' 'Party'" and writes in all-
5 capitalized, bolded letters, the phrase "white lives matter." See Complaint, p. 32. No concrete
6 allegations against Mr. Schwartz have been made. No claims for relief are present. No prayer for
7 relief is stated.

8 **1. Failure To Allege A Claim For Relief Requires Dismissal.**

9 Nevada Courts and other courts within the 9th Circuit Courts have upheld dismissal of
10 complaints for failing to allege an element of the pleaded claim(s) for relief. Addressing a claim
11 of negligence, the Nevada District Court held:

12 Plaintiffs complaint does not sufficiently allege a claim for
13 negligence. In order to establish a claim for negligence, a party
14 must show that (1) the defendant had a duty to exercise [*sic*] due
15 care with respect to the plaintiff; (2) that the defendant breached this
16 duty; (3) that the breach was both the actual and proximate cause of
17 plaintiff's injury; and (4) that the plaintiff was damaged. [...] **Plaintiff has failed to allege what sort of duty Defendant or its**
18 **employees owed to Plaintiff. Without the establishment of such**
19 **a duty, there is no claim for any negligent act.** *Vinci v. Las Vegas*
20 **Sands, Inc.**, 115 Nev. 243, 245, 984 P.2d 750 (1999). And **without**
21 **the establishment of a negligent action there is no cause of action**
22 **for negligent supervision** in this case. As Plaintiff
23 has failed to allege a duty that was owed and breached to Plaintiff,
24 his claim for negligent supervision fails to state a claim upon which
25 relief may be granted.

26 **[emphases added]**. *Perez v. United States Prob. Office*, 2009 U.S. Dist. LEXIS 145669,
27 at *9 (D. Nev. Nov. 24, 2009); see also *Bibiji Inderjit Kaur Puri v. Sopurkh Kaur Khalsa*, 674 F.
28 App'x 679, 690 (9th Cir. 2017)(affirming dismissal with prejudice of negligent misrepresentation
claim based on the plaintiffs' failure to allege a duty); *Shum v. Countrywide Home Loans, Inc.*,
2012 U.S. Dist. LEXIS 145836, at *9 (D. Nev. Oct. 10, 2012)(dismissing claims for contractual
breach of the duty of good faith and fair dealing and tortious breach of the implied duty of good
faith and fair dealing for failing to allege the existence of a valid contract, failing to
allege a duty of good faith or breach of that duty); *Beckman v. Match.com, LLC*, 2017 U.S. Dist.
LEXIS 35562, at *10-11 (D. Nev. Mar. 10, 2017)(dismissal for failure to sufficiently state a

1 negligence claim under Nevada law, because allegations contained in the amended Complaint do
2 not sufficiently establish a duty imposed on the defendant); *L.A. Sheet Metal Workers' Joint*
3 *Apprenticeship Training Comm. v. Walter*, 1998 U.S. App. LEXIS 2049, at *7 n.1 (9th Cir. Feb.
4 10, 1998)(plaintiff's failure to allege fiduciary duty required dismissal of suppression claim);
5 *Ungaro v. Desert Palace*, 732 F. Supp. 1522, 1526-27 (D. Nev. 1989)(dismissal for failure to
6 allege element of violation of mail fraud statute *i.e.*, the violative act was perpetuated "for
7 obtaining money or property by means of false or fraudulent pretenses"); *Carrington Mortg.*
8 *Servs., LLC v. SFR Invs. Pool 1, LLC*, 2017 U.S. Dist. LEXIS 18583, at *17-18 (D. Nev. Feb. 8,
9 2017)(dismissal for failure to sufficiently allege that parties were parties to a contract, a necessary
10 element to both breach of contract claims pled).

11 Mr. Houston's Complaint speaks for itself. There is no cause of action stated. There are no
12 factual allegations to support any legal conclusions. Mr. Houston's Complaint lacks any factual
13 allegations related to the elements of any cause of action. The Complaint fails to comply with
14 NRCP 8 by failing to provide notice of the claims against Mr. Schwartz (there are none),
15 necessitating dismissal pursuant to NRCP 12(b)(5). Dismissal of Mr. Houston's Complaint is
16 required.

17 **B. PLAINTIFF HAS FAILED TO STATE A CLAIM FOR PUNITIVE DAMAGES.**

18 Mr. Houston's Complaint, despite not containing a prayer for relief, nonetheless lists
19 damages in the amount of **thirty-six million five hundred thousand dollars** (\$36,500,000.00)
20 from each named defendant, including Mr. Schwartz. See Complaint, pp. 22-33. This obscene
21 amount can only be construed as a request for punitive damages. No substantive factual
22 allegations can be found within the Complaint that would make this a viable category of damages
23 in this case. In order to recover punitive damages in Nevada, a plaintiff must prove that a
24 defendant, "has been guilty of oppression, fraud or malice, express or implied." NRS 42.005. The
25 Nevada Supreme Court has clarified the "implied malice" component of punitive damages
26 jurisprudence, explaining that it "plainly requires evidence that a defendant acted with a culpable
27 state of mind." *Countrywide Home Loans v. Thitchener*, 124 Nev. Adv. Rep. 64, 192 P.3d 243,
28 255 (2008). Therefore, in order to properly plead punitive damages, a plaintiff must allege the

1 defendant's conduct "exceeded mere recklessness or gross negligence." [emphases added]. *Id.*
2 (emphasis added). "[E]ven unconscionable irresponsibility will not support a punitive damages
3 award." *Maduike v. Agency Rent-a-Car*, 114 Nev. 1, 5, 953 P.2d 24, 26 (1998).

4 In essence, an allegation of punitive damages must be supported by allegations of
5 "malice"¹ or "oppression."² Both definitions of "malice" and "oppression" utilize conscious
6 disregard of a person's rights as the common mental element. *Countrywide Home Loans, Inc.*,
7 *supra* at 242. NRS 42.001(1) defines conscious disregard as "the knowledge of the probable
8 harmful consequences of a wrongful act and a willful and deliberate failure to act to avoid those
9 consequences."

10 Mr. Houston alleges he is entitled to punitive damages in conclusory fashion only. Mr.
11 Houston does not identify any "deliberate" or "egregious" deviations in the standard of care.
12 Allowing Mr. Houston to seek punitive damages in this case would effectively allow him to skirt
13 the \$350,000 non-economic damages cap under NRS 41A.035. The Nevada damages limitation in
14 NRS 41A.035 was overwhelmingly approved by Nevada voters in 2004 as part of tort reform to
15 prevent doctors from fleeing the state due to rising malpractice costs. If Mr. Houston is allowed to
16 tack on punitive damages to his claim, he will have thwarted the sound goal of NRS 41A *et seq.* It
17 is particularly unfair to require Mr. Schwartz to defend a punitive damages claim here where Mr.
18 Houston failed to allege any facts which could demonstrate a culpable state of mind. Mr. Houston
19 has not alleged a factual basis for conduct that would provide for recovery of punitive damages as
20 to Mr. Schwartz or Mr. Houston's Employer. NRS 42.007 provides that an employer may only be
21 responsible for punitive damages in three very specific factual scenarios, not alleged in Mr.
22 Houston's Complaint:

23 [T]he employer is not liable for the exemplary or punitive damages
24 unless:

25 _____
26 ¹ "Conduct which is intended to injure a person or despicable conduct which is engaged in with conscious disregard of
the rights or safety of others," NRS 42.001(3).

27 ² "Despicable conduct that subjects a person to cruel and unjust hardship with a conscious disregard of the rights of
28 the person." NRS 42.001(4).

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(a) The employer had advance knowledge that the employee was unfit for the purposes of the employment and employed the employee with a conscious disregard of the rights or safety of others;

(b) The employer expressly authorized or ratified the wrongful act of the employee for which the damages are awarded; or

(c) The employer is personally guilty of oppression, fraud or malice, express or implied.

If the employer is a corporation, the employer is not liable for exemplary or punitive damages unless the elements of paragraph (a), (b) or (c) are met by an officer, director or managing agent of the corporation who was expressly authorized to direct or ratify the employee's conduct on behalf of the corporation. [...]

NRS 42.007(1). There are no allegations presently pleaded that would support this category of damages against Mr. Schwartz or Mr. Houston's Employer.

V.

CONCLUSION

For the reasons stated above, Defendant Daniel Schwartz respectfully requests that this Honorable Court dismiss Plaintiff Matthew Houston's Complaint.

DATED this 8 day of November, 2022.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By /s/ Benjamin E. Abbott, Esq.
BENJAMIN E. ABBOTT, ESQ.
Nevada Bar No. 15692
LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Avenue, Ste. 900, Box 28
Las Vegas, NV 89102
Attorneys for Defendant DANIEL SCHWARTZ.

**LEWIS
BRISBOIS
BISGAARD
& SMITH LLP**
ATTORNEYS AT LAW

1 **CERTIFICATE OF MAILING**

2 Pursuant to Nevada Rules of Civil Procedure 5(b), I hereby certify that service of
3 the foregoing **DEFENDANT DANIEL SCHWARTZ'S MOTION TO DISMISS PLAINTIFF**
4 **MATTHEW HOUSTON'S COMPLAINT** was made this date by depositing a true and correct
5 copy of the same for mailing, postage prepaid thereon, in an envelope to the following:

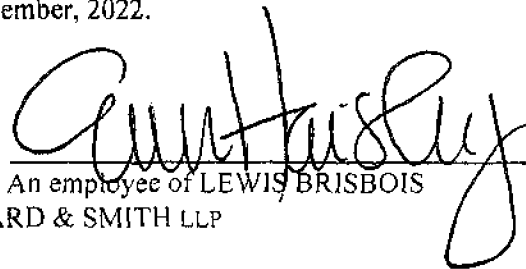
6 LINA SAKALAUSKAS, ESQ.
7 NAIW
8 2200 S RANCHO DR., SUITE 230
9 LAS VEGAS, NV 89101

10 MATTHEW TRAVIS HOUSTON
11 P.O. BOX 0650
12 INDIAN SPRINGS, NV 89070-0650

13 ENCORE EVENT TECHNOLOGIES
14 8850 WEST SUNSET ROAD, 3RD FLOOR
15 LAS VEGAS, NV 89148

16 SEDGWICK CMS
17 ATTN.: DIANE FERRANTE
18 P.O. BOX 14483
19 LEXINGTON, KY 40512

20 DATED this 10th day of November, 2022.

21 
22 An employee of LEWIS BRISBOIS
23 BISGAARD & SMITH LLP

1 COMP
2 MATTHEW TRAVIS HOUSTON, LTD
3 ABA No. 04662784
4 PO Box 650
Indian Springs, NV 89070-0650

eFiled
9/19/2022
RJC

5 DISTRICT COURT
6 CLARK COUNTY, NEVADA
7

8 MTH

Plaintiff

A-22-858580-C
Dept. 4

-v-

12 DANIEL SCHWARTZ, ET AL

COMPLAINT

13 Defendant - Respondents not
14 limited to 1-143

15 The courts will now take notice of the enclosed
16 complaint of 138 pages on this 1st day of
17 September, 2022. WHEREFORE, Plaintiff
18 Matthew Travis Houston prays for reparations not
19 limited to that of injunctive relief. Please see
20 the attached documentation to consolidate with
21 cases including A.22.758861-C and A.22
22 856372-C in department(s) 20 and 29. To validate
23 and further elaborate on the merits of the claims,
24 and portray the utmost seriousness in attention to
25 this pleading, C-17.323614.1 and A.22-853203, W
26 are notated as well.

27
28 Total - 138 pages

P. 275

including civil cover sheet
424

STATEMENT of FACTS (pages)

PETITION FOR JUDICIAL REVIEW OF ^{December 6th, 2021}

This court filed a STATEMENT of FACTS; it was received February 17th, 2022:

It is to be known to the court that the only "reason" ~~for the alleged "GPA"~~ after false imprisonment on July 14th, 2021 (before his appointment on July 15th, 2021 at Nevada Retina Specialists w/ Dr. Tyson Ward) was that so he could be released to search and hopefully retrieve his trained seeing eye dogs. Counsel failed to inform HOUSTON of a city jail detainer hold, than informed HOUSTON before he had agreed to negotiations that there was NOT a city jail hold when in fact there was. Double jeopardy.

As Houston was never served with any summons, the traumatic events of July 14th, 2021 were and is a civil and unusual punishment being inflicted upon Houston what with him being denied his medical disability, along with Dr. Quagler, the impoundment of his seeing eye dogs and this tragedy (forcing him to relocate from his home state of Iowa) is further cause of unnecessary hardships and eviction from his out-of-house legal advocacy. (Address 435 S. Linn Street, #927, Iowa City, Iowa 52240). The overreaching tactics used by both Sedgwick and the prosecution forced Houston into an unmanageable state of duress, homelessness, and imprisonment due to R. McMannis' willful omissions and when ignoring claim adjuster Dianne Ferraro's falsehoods and other crimes both civil and criminal.

ABA Member No. 04662784

23. GROUND ONE

WORD COUNT: 165
TOTAL APPROX.: 2,732
Stamped by NDSP: 2/10/22
Stamped by USPS: 2/11/22

INEFFECTIVE AID OF COUNSEL
(PETITIONER WAS FORCED TO FILE HIS OWN DIRECT APPEAL, BEING NEGLECTED)

Thursday
Friday

1 MATTHEW TRAVIS HOUSTON #7035801 e CCDC; pm SE
2 #1210652 @ NDOC - P.O. Box 650 - Indian Springs, NV - 89070
3 EIGHTH JUDICIAL DISTRICT COURT
4 CLARK COUNTY, NEVADA

6 Matthew Travis Houston	Case # C-21-357927-1
7 Appellant	Dept # X FILED
8 vs.	February 25 2022 11:00 AM
9 STATE OF NEVADA	CLERK OF COURT
10 Respondent	"de novo" hearing requested

11 DIRECT APPEAL
12 MOTION DIRECT APPEAL (Supreme Court Nevada)
13 Nevada Appeal No. 184281 dismissed March 10, 2022

14 Comes now, Plaintiff in Error HOUSTON who
15 moves this Honorable Court to impose sanctions
16 upon officials not limited to Tierrarozas, her substitute,
17 Michael P. Villani, Magistrate De la Garza,
18 Scott Poisson, Brian P. Clark, Christopher D. Burk,
19 Erica Josh, Jason Barnus, Andrew Flahive,
20 Daniel Schwartz, Sheriff Joe Lombardo, NDOC C/O
21 Popalauskas and whomever else is to be called
22 by this court in the manifestation of justice, to improve
23 the community of Las Vegas, Nevada and to ensure
24 that all injured workers are properly compensated.

25 THIS Appeal is made upon all papers, pleadings,
26 pleadings, documents on file and newly discovered
27 discovered evidences, to which this court has been
28 attempting to keep hidden from the truth,
29 while demonstrating nothing other than it's inherent venality

CLERK OF THE COURT
FEB 17 2022

COMPLAINT

The Defendant-respondents including Daniel Schwartz have caused

3. Ineffective aid of counsel, as well as prosecutorial (bad court 249) 23.
a. misconduct when ~~they~~ ^{Houston was} ~~deprived~~ ^{deprived} of proper application to (broad-
mental health court, drug court and failure to deem Petitioner (broad-
competent before plea bargaining and / or sentencing & Denial of Competency) 2)

1. They (Dianne Ferronterra) have caused not only further
2 injury upon Houston but his further injured other workers
3 and totally permanently disabled citizens due
4 to their mishandlements, irresponsibility, willful neglect,
5 and other schemes not limited to their illegal
6 extortion of Houston's disability claims which are
7 substantially proven by the events of October 1st, 2021.

8. Sedgwick and its counsel Daniel Schwartz are an abatable
9 nuisance and must be held accountable for the
10 damages inflicted upon Houston and the people of
11 the State of Nevada. In regards to events,

12 Houston has and continues to suffer from BATTERED
13 PERSONS SYNDROME as result of surviving numerous traumas

14 (other than ONE OCTOBER and his 2016 work
15 accident at Mandalay Bay Resort) including:

16 • death of uncle Randall Schoenherr - 2019
17 while illegally incarcerated in NDOC for a dismissed case.

18 • suicide of uncle Rollie Schoenherr - 2017
19 • divorce from abusive spouse in 2014 after learning

20 that his son was NOT his and victim of domestic violence,
21 • suicide of brother Mitchell Ryan Houston - 2014.

22 • witnessed domestic violence between his parents
23 very often as a child in 1984 - 2000.

24 DREAM JOURNAL IN RE JANUARY 26-27, 2023:
25 Last night I was working again, with forklift. Operator was Tripp in

26 Nashville, TN from CREW ONE who kept telling me it's okay to ride on the
27 forklift. Then my right hand was cut off. I woke up to remember

28 how my right hand was smashed in 2013 while working for C-DIVE. I was getting
29 these records for subpoena page # 3 - from Louisiana in January 2021 * - 16
M.T.H.

(page #4 of DIRECT APPEAL)
TO C-21-357927-1

1 AMENDED PETITION FOR JUDICIAL REVIEW

2 in re: July 14th, 2021 - current date of illegal and extensive
3 incarceration at time of this writing being on or about Thursday,
4 January 27th, 2022, after waking up from CPTSD nightmare:

5 The primary factor showing the judicial biases against
6 petitioner is the fact that Terra Jones never responded to
7 petitioner's first PETITION FOR WRIT OF HABEAS prepared while
8 illegally incarcerated at T.C.V.C. during his wrongful conviction
9 of DIST case No. C-17-323614-2, date and depth unknown
10 due to petitioner's current false imprisonment in fish tank.

11 This DEFAULT STATUS of the state of Nevada is further
12 reinforced by the fact that the petitioner's drafts for a
13 2nd PETITION FOR A WRIT OF HABEAS CORPUS, along with the
14 rest of petitioner's correspondence are being withheld by the
15 Clark County Public Defender's office for no reason other
16 than the intentional disregard for injured worker's rights. This
17 bias is proven by numerous case history, one of which being
18 where an industrial work accident causing workers fatality was
19 determined by the courts to compensate only \$10,000 to the
20 surviving family to assist in paying funeral expenses. The tragic
21 death was of an employee of Rhino Staging and happened
22 at MGM Grand Arena, and the case is being served a dated
23 subpoena in A-17-75BB61-1 Dept: 29 (and multiple complaints)

24 As the malicious prosecution of the state has attempted
25 to make an example out of an honest and law-abiding man,
26 the petitioner will now illustrate to this court some
27 accurate and truthful examples that explains how recurring
28 nightmares effect Dave Grohl, as most surely, the family
29 of the Rhino Staging employee is still haunted by the loss of their son.

EXHIBIT - November 25th 2021

1 At just about every Foo Fighters concert, the band
2 plays "Walk," which has some of the
3 most audacious lyrics Grohl - or anyone, really -
4 ever wrote. "Every night when he sings the line
5 "I never want to die," says Smear, "I look at
6 him every time and think of Kurt." Every
7 single time. "Because Kurt was, "I hate
8 myself and I want to die." And that's the
9 opposite-ness of them. And I do so love
10 being with life-lovers."

11 As it happens, Smear is correct about the
12 inspiration behind that song. "It kind of comes
13 from the day after Kurt died," Grohl says,
14 his voice a little softer than usual. "Waking
15 up that morning and realizing, oh, shit, he's not
16 here anymore. I am. Like, I get to wake up
17 and he doesn't. I'm making a cup of coffee.
18 And he can't. I'm gonna turn on the radio.
19 And he won't. That was a big revelation to me."

20 "I think also in life, you get trapped
21 in crisis, where you imagine there's no way out.
22 When really, if you dare to consider that crisis
23 a blip on the radar, it's easier to push
24 through. And yea, I was just like, "I
25 don't want anyone to have that feeling that
26 I had that morning."
27
28

29 EXHIBIT and APPEAL
topdawghouston (R) Page # 1 (Page # 5)

EXHIBIT November 25th 2021

1. But in any case, he really means it.
2. "I'm serious," Grohl says. "I don't
3. want to ~~fooling~~ die! I know it's inevitable,
4. but I don't want to. That's gonna be such
5. a drag." He's silent for a mere moment, and
6. smiles, baring those battered teeth. "I'll
7. fight it as ~~fooling~~ long as I can."
8.

9. = Rolling Stone Magazine
10. October 2021 page #79
11.

12. Let this court's record reflect from page #3, line No. 21,
13. in honor of Appellant's brother Mitchell Ryan Houston, who would
14. have turned the age of 32 on the day that this EXHIBIT
15. was prepared.
16.
17.
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28. DIRECT APPEAL PAGE #6, EXHIBIT
29. top dawghouston® Page #2



MATTHEW TRAVIS
AFFIDAVIT © "BRICK" HOUSTON

edited 11/23/2021
again on 2/15/2022

1 November 22nd 2021

2 ABUSED Defense is a VALID excuse:

3 @ Parkville / Parkland Behavioral Health

4 Southaven, Mississippi

5 Disorders in New Orleans -

6 snowstorms in Memphis, TN

7 Ka Cash in animal control -

8 Clark County, Nevada - Public Defender

9 Bernard Little never got my emails from

10 2017, 2018, 2019, & 20 because I

11 was sending to wrong email -

12 subpoena every email @ /

13 matthewtravishouston@gmail.com

14 mattravishoustonenterprises@gmail.com

15 © Subpoena all Facebook Instagram topdoughouston @

16 Sedgwick has been exploiting me since

17 I wake up from coma. Just ask

18 Karen Schwartz, She caused MTH

19 evictions from NOWLAKY Royale 11/23/2001

20 South Beach Resort and 4200

21 Paradise, NuroRestorative and Nevada

22 Community Enrichment Program - Her

23 stealing \$3600 from Sedgwick / Encore

24 and her telephone communications had LVMPD

25 arrest me @ my business @ 555

26 Washington and South Beach Resort.

27 Subpoena with house arrest officers

28 from 2017, 2018 and LVMPD @ NuroRestorative

29 okay & Rainbow Page Number 6 (six) of Page Number 18

Case Number C-21-357927-1 A WRIT OF HABEAS CORPUS

AFFIDAVIT

MATTHEW TRAVIS
"BACK"
HOUSTON
amended
2/15/2022
from
11/23/2021

1 ABUSE DEFENCE IS A VALID EXCUSE
 2 HOUSTON'S claims justify his actions based upon
 3 his history of victimization and Battered person syndrome
 4 History of being assaulted in city jail of Las Vegas
 5 and contracting COVID-19 @ CDC
 6 being assaulted @ CDC
 7 survived attack by security @ University of Iowa
 8 Hospital when trying to see my team
 9 Attacked @ The Vine, Iowa City
 10 Attacked @ DC's, Iowa City RISK
 11 Attacked @ Gabe's, Iowa City - lady destroyed apartment
 12 lady who sold me Johnny Cash to me stole \$, a
 13 different female, she damaged apartment @ also.
 14 Abducted in Las Vegas downtown leaving El Cortez
 15 in March 2020. Robbed by females 2, also attacked
 16 by TAXI driver. Transit authority report, iPhone PICS
 17 Robbed by 2 w females August 2020, LVMPD report.
 18 Dennis W. Harston told me I was coronavirus - Spring 2020
 19 Lucrecia & Schoenherr attacked me in bathroom -
 20 Spring / Summer 2020. Mankota Police called
 21 in October 2019 when I told mother Lucrecia
 22 I was ^{attacked} ~~robbed~~ by aunt Patricia Schoenherr
 23 Attacked by Anyan Warrior prison gang @
 24 TLCC and numerous other confrontations including
 25 the January 2021 - attacked by SWAT / law enforcement
 26 in Assumption Parish, St. Charles Parish, Orleans
 27 Parish, Thomas Jefferson Parish ~~and~~ ~~address~~
 28 and Slidell, Louisiana, after insurrection in WA, DC.
 29 February 2021 - Parkland Mental Health - South TX
 Case Number C-21-357927-1
 Page Number 7 (2022) SEVEN Page 19 of 19
 for a writ of habeas

POINTS AND AUTHORITIES

(and accompanying affidavits)

1 ABUSE OF PROCESS employment of the criminal or
2 civil process for a use other than one which is
3 intended by law; & the improper use of process after it
4 has been issued, that is, a perversion of it."

5 32 A. 2d 413, 415

6 "Malicious use of civil process has to do with
7 the wrongful institution of such process, while abuse of civil
8 process is concerned with a perversion of a process
9 after it is issued." *Id.*

10 - Barron's Law Dictionary 7th Ed. **GROUND**

11 Since surviving Route 91 Mass shooting **Sept. 30th**

12 2016, SEDGWICK has only added insult to injury.

13 More than once they've intentionally ignored
14 my pleas and requests for recovery. Before 9/30/11

15 I had never been evicted. Workers compensation has

16 contributed directly and indirectly to evictions from

17 Holiday Royale, (cause of action = ground's)

18 Southbeach Resort, (when wrongfully convicted and

19 4200 Paradise, (became Plaintiff in Error),

20 and RISE AT RIVERFRONT CROSSINGS.

21 SEDGWICK has stolen \$30,000 from my social

22 security, which is ILLEGAL pursuant to the law

23 of bankruptcy. Their scam unnecessarily hindered and

24 delayed my claim for 5 years due not only to

25 SEDGWICK contributing to imprisonments @ CCDC

26 and MDOC, facilities that are inhumane, cruel, risky,

27 and hives for disease and "situations" and causes

28 of further disability not to mention COVID-19. By

29 them hanging MDOC over my head, →

Page Number 3 (three)
Case Number C-21-357927-1

1 they have caused a second wrongful conviction. Furthermore,
2 SEDGWICK is illegally using public and
3 state of Nevada resources to steal
4 from the Social Security Administration,
5 my doctors, my dogs, my public
6 safety first responders, my team of
7 life saving / medicals. They are
8 stealing from my campaign funds of
9 Joe Lombardo for Governor of Nevada
10 and many charitable organizations.

11
12 "The first to speak in court sounds right,
13 until the cross-examination begins."

14 - Proverbs 18:17
15 When only one side of a case is heard,
16 the evidence often seems convincing. Yet
17 when the whole story is told, the initial
18 case often crumbles. (See) PETITION FOR JUDICIAL REVIEW

19 pages 7-12 initially filed as a NOTICE OF APPEAL FEBRUARY 18TH, 2022

20 AMENDED
PAGES 5-16: VENIRE FACIAS DE NOVO

21 Proceeding to a second trial is awarded
22 where a finding by the court "is so defective,
23 uncertain, or ambiguous upon its face that no
24 judgement can be rendered upon it."

25 See 41 N.E. 383, 386.

26 Now, if this court would be so kind to read this completely,
27 I'll see that the Petitioner can demonstrate a prima facie need for the
28 transcripts, pleadings, and any and all other transcribed material
29 with regards to the above-entitled cases. See page #1, lines 24-25.

Page Number 4 (four)

Case Number C-21-357927-1

1 POINTS AND AUTHORITIES are not limited to the reasons listed below
2 The day that Houston was transferred to Las Vegas
3 City Jail to face double-jeopardy charges in Las
4 Vegas Municipal Court # C1748384A and # C1257802A
5 shows this court the failure of counsel in communicating
6 and informing Defendant as to ALL of the terms
7 and conditions per original negotiations having
8 made, VOID any and all sorts of verbal and/or
9 or written agreements made between the corrupted
10 prosecution and Defendant. This further shows
11 that Defendant would not have entered any sort of
12 guilty plea to # C-21-357927-1 and would
13 have insisted upon going to trial. See
14 State v. Huebler 128 Nev. 192, 275 P. 3d
15 91, 128 Nev. Adv. Rep. 19, 2012 Nev. LEXIS 53
16 (Nev. 2012), cert denied, 568 U.S. 1147, 133 S.
17 Ct. 988, 184 L. Ed. 2d 767, 2013 U.S. LEXIS
18 1009 (U.S. 2013).
19 NRS 34.726 validates Defendant's claim of
20 ineffective assistance of counsel in that it meets
21 procedural requirements having been raised in a
22 timely petition when Defendant had requested to
23 withdraw his plea during a video court appearance
24 prior to December in which the "substitute" judge
25 had appointed Anthony M. Goldstein to represent
26 Houston in determining the prospective motion's validity.
27 Defendant was prejudiced by Bernard Little's failure
28 in applying Houston to Mental Health Court and the
29 delay to Drug Court, interview post-conviction on December 10th.

JUDGEMENT UNDER UNCERTAINTY:

HEURISTICS AND BIASES,* by Amos Tversky and Daniel Kahneman

Many decisions are based on beliefs concerning the likelihood of uncertain events such as the outcome of an election, the guilt of a defendant, or the future value of the dollar. These beliefs are usually expressed in statements such as "I think that...", "chances are...", "it is unlikely that..." and so forth. Occasionally, beliefs concerning uncertain events are expressed in numerical form as odds or subjective probabilities. What determines such beliefs? How do people assess the probability of an uncertain event or the value of an uncertain quantity? This article shows that people rely on a ^{limited} number of heuristic principles which reduce the complex tasks of assessing probabilities and predicting values to simpler judgemental operations. In general, these heuristics are quite useful, but sometimes they lead to severe and systematic errors.

* This article originally appeared in Science, vol. 185, 1974. The research was supported by the Advanced Research Projects Agency of the Department of Defence and was monitored by the Office of Naval Research under contract N00014-73-C-0438 to the Oregon Research Institute, Eugene. Additional support for this research was provided by the Research and Development Authority of the Hebrew University, Jerusalem, Israel.

1. Defendant has been overwhelmingly prejudiced in this
2 case, especially with the initial statement made by the
3 prosecution labelling Houston as "a danger to society"
4 and when female judge Tierra Jones, after Ben Little negligently
5 failed to rebut the false pretences made by R.
6 McMarris, made personal comments further insulting the
7 character of the Defendant after he invoked his
8 5th Amendment rights, especially in considering the
9 fact that prior to the Defendant being in state
10 custody, he had never seen R. McMarris, in
11 person, up close or from afar - nor had he communicated
12 with her over any sort of telephone, e-mail, listening
13 device, social media or otherwise.
14 Petitioner/defendant was denied his constitutional right to defend
15 himself without counsel when the substitute judge appointed Anthony
16 M. Goldstein. See *Hollis v. State*, 95 Nev. 664, 601 P.2d 62, 1979 Nev. LEXIS
17 637 (Nev. 1979). "unreliable" is self-explanatory, see *Buffalo v. State*, 111
18 Nev. 1139, 901 P.2d 647, 111 Nev. Adv. Rep. 127, 1995 Nev. LEXIS 125
19 (Nev. 1995). Tierra Jones and every other individual refusing to
20 take accountability for the current injustices against Petitioner
21 is guilty of violating NRS § 484.219, (renumbered to NRS 4B4E.010)
22 and should be charged with leaving the scene of a single accident
23 because deliberate indifference is wrong, just as R. McMarris' lies
24 she told on record were. See *Firestone v. State*, 120 Nev. 13, 83
25 P.3d 279, 120 Nev. Adv. Rep. 3, 2004 Nev. LEXIS 3 (Nev. 2004).
26 Furthermore, the credit for presentence incarceration of the
27 Petitioner is inaccurate. See *Griffin v. State*, 122 Nev. 737, 137
28 P.3d 1165, 122 Nev. Adv. Rep. 63, 2006 Nev. LEXIS 70 (Nev. 2006).

29

page #8

1 THE FOURTH (4th) AMENDMENT OF THE CONSTITUTION (U.S.)
2 FRUIT OF THE POISONOUS TREE

3 "The 4th Amndt requires that a search and
4 seizure be pursuant to a warrant supported by
5 probable cause. Exceptions to the warrant
6 requirement under Terry include "traffic stops",
7 of which must meet Terry requirements. The 4th Amndt
8 places strict limitations on the state in its exercise
9 of power and authority." - The Crossing, by Michael Connelly.
10 Framing an injured worker for the second
11 time and interfering with official acts of the pleadings of
12 case #A-17-768261-C, making false claims of
13 supposed "lifetime re-opening rights" to a
14 claim that was catastrophic in nature and
15 never was to have been closed is NOT a
16 valid exercise of constitutional authority in Nevada
17 or anywhere else in U.S.A. especially Colorado,
18 Texas and California. Mr. Houston committed none
19 of these 'ABBRIATED STALKING' offences as
20 shown on record by the alleged victim, R.
21 McMorris whom Houston has never even seen -
22 until brought to unfair hearings, has no clue as to
23 where her or her family resides, and it's perfectly
24 legal and the correct way that Houston reported
25 the SEVERE WICK scores of D. Ferrante and J. Shadley
26 to LIVED HOUSE ARRESTS; as it is Houston who is the
27 instigator of their negligent scam of extortion. The state
28 government trampled on Houston's rights to be
29 protected from unlawful search and seizure, his
30 rights as an American citizen and desecrated the
31 American's With Disabilities Act, of 1993. Page #9

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: 2/24/2023

15 Daniel Schwartz daniel.schwartz@lewisbrisbois.com

16 Deyna Soltero deyna.soltero@lewisbrisbois.com

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28

ORIGINAL

NITD + JOIN + WILL
Name: Matthew Travis Houston
Address: 22010 Cold Creek Road
Po Box 650 Indian Springs, NV 89070
Telephone: (702) 879-6789
Email Address: matthewtravishouston@gmail.com
In Proper Person

Electronically Filed
03/08/2023

Matthew J. Quinn
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

MATTHEW TRAVIS HOUSTON
Plaintiff, Petitioner-appellant
and the Plaintiff in Error,
vs. DANIEL L. SCHWARTZ d/b/a
LEWIS BRISBOIS BISGAARD & SMITH LLP
BRIAN P. CLARK *CLERK*
Defendant(s) ET AL

A-22-856372-C Dept. XX
CASE No.: A-22-853203-W
DEPT: XI Case No. A-22-858580-C
CASE NO.: C-21-357927-1 Dept. 4
DEPT: XI
CASE NO.: C-17-323614-1
DEPT: XIX
CASE NO.: A-17-758861-C
DEPT(S): 17, XVIII and 29

NOW SEE: A-22-758861-C

RENEWED NOTICE OF INTENTION TO ENTER DEFAULT(S)

TO: (Defendant's Name) Brian P. Clark, Defendant herein;

PLEASE TAKE NOTICE, that unless you answer or otherwise plead to Plaintiff's
Complaint on file within three (3) days of your receipt of this Notice of Intention to Enter
Default, the Plaintiff will enter default against the Defendant and request the Court to enter
judgment against the Defendant by default. Now See No. 3016661201-0001.
Renewed to No. 30166612006-001 thanks to
Benjamin E. Abbott before October 14th, 2022.

DATED this 20 day of June, 2022

Submitted By: (Signature) Matthew Travis Houston

Printed Name: Matthew Travis Houston
ABA No. 4662784

- 2:19-cv- 01371- JAD- DJA
- 2:19-cv- 01472- APG- DJA
- 2:21-cv- 00499- JAD- DJA

RECEIVED
JUN 23 2022
CLERK OF THE COURT

©Clark County Family Law Self-Help Center
September 2014

1
(P.5)

Notice of Intention to Enter Default
ALL RIGHTS RESERVED

B-1

RENEWED this 22nd day of December, 2022. X *Matthew Travis Houston*

REVEREND MATTHEW TRAVIS HOUSTON, CHTD
437

RECEIVED

JAN 15 2023

CLERK OF THE COURT

Def
No. 4
BPC

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EMERGENCY DECLARATION OF
REVEREND MATTHEW TRAVIS HOUSTON, CHARTERED, AS AN
EX PARTE EMERGENCY "NOTICE OF MOTION"
FROM 10-26-2022 RENEWED 12-22-2022

TO: CLARK MCCOURT, LLC (et al)

FROM: HOUSTON #1210652

Being as you again FAILED TO APPEAR after being served
NOTICE OF HEARING before scheduled appearance for 12.21.2022,
again. As you neglected to dispute the meritorious
truth of the complaint(s) filed in EJDC
Case # A-22-856372-C, to which you
provided the court(s) with letters showing
your unaccountable behavior, and your
invalid excuses not to attend October 12,
2022, a meritorious defense in the
above titled case is impossible to

portray. YOUR DESTRUCTION OF ~~THE~~ CHURCH
HAS DAMAGED MANY MORE THAN ITS FOUNDER & SAVIOR.

Not only has your unaccountable acts
of negligence in failing to appear on
December 8-10, 2019, in original case #

A-17-758861-C, your default is retroactive
from 9-30-2016, which unfortunately
resulted in the destruction of my LAW OFFICE ☹️...

Filed and conviction and
Attached are emergency notices substantiating
your inaction, resulting in my current wrongful
and damaged housing crisis. No innocent human
being should be subjected to these inhumane
and torturous acts, as you already know.

Case Number A-17-758861-C

X

REV. M. T. HOUSTON, CHTD
Nº 1210652
Po Box 650
INDIAN SPRINGS, NV
89070

RECEIVED
FEB 15 2023
CLERK OF THE COURT

EJDC
Attn: Law Clerk(s)
200 Lewis Avenue
Las Vegas, NV
89155

Legal Mail
ABA ID Nº 01662784
439

LAS VEGAS NV 890
13 FEB 2023 PM 3 L

89101-830000
89101-830000



Heather J. Smith
CLERK OF THE COURT

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MISC
Name: Matthew Travis Houston #1210652
Address: PO Box 650
Indian Springs, NV 89070
Telephone: _____
Email Address: _____
In Proper Person

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Matthew Houston
Plaintiff,
vs.
Daniel Schwartz
Defendant.

CASE NO.: A-22 -858580-C
DEPT: IV

Emergency Declaration of Matthew Travis Houston
and
Affidavit of Service

Title of Document

Respectfully submitted by:

PREPARED BY CLERK #27

(Your signature) _____

(Your name) _____

Plaintiff / Defendant In Proper Person

EMERGENCY OF DECLARATION
OF
MATTHEW TRAVIS HOUSTON AND

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF CLARK)

ss:

No. 1210652 Plaintiff, Matthew Travis Houston, NDoc
being duly sworn, says: That at all times herein affiant was and is over 18

years of age, not a party to nor interested in the proceeding in which this affidavit is

made. That affiant received 1 copy(ies) of the Summons and Complaint, 1 on

the 15th day of December 20 22 and served the same on the 24th day of December

20 22 by:

(Affiant must complete the appropriate paragraph)

1. Delivering and leaving a copy with the Defendant _____ at (state address) _____

2. Serving the Defendant _____ by personally delivering and leaving a copy with
_____, a person of suitable age and discretion residing at the Defendant's usual
place of abode located at (state address) _____

[Use paragraph 3 for service upon agent, completing (a) or (b)]

3. Serving the Defendant _____ by personally delivering and leaving a copy at
(state address) _____

(a) With _____ as _____, an agent lawfully designated by statute to accept
service of process;

(b) With _____, pursuant to NRS 14.020 as a person of suitable age and
discretion at the above address, which address is the address of the
resident agent as shown on the current certificate of designation filed with
the Secretary of State.

Personally depositing a copy in a mail box of the United States Post Office,
enclosed in a sealed envelope, postage prepaid (Check appropriate method):

- Ordinary mail
- Certified mail, return receipt requested
- Registered mail, return receipt requested

RECEIVED

JAN 15 2023

CLERK OF THE COURT

1 Daniel L. Schwartz d/b/a LOUIS BRISBOIS BISGAARD & SMITH, LLP
2 addressed to the Defendant Mr. Schwartz at Defendant's last known address which is

3 (state address) _____ 2300 W. Sahara Avenue, Suite 900
4 Las Vegas, NV Box No. 28
89102

5 I declare under penalty of perjury under the law of the State of Nevada that the
6 foregoing is true and correct.

7 EXECUTED this 24th day of December, 2022.

8 Matthew Travis Houston

9 Signature of person making service

10 REV. MATTHEW TRAVIS HOUSTON, CHTD

11 ABA No. 4662784

12 Cell No. 12D-3 @ HDSP

13 22010 Cold Creek Road

14 PO Box 650

15 Indian Springs, NV

16 89070-0650

REV. M. T. HOUSTON, CHFD

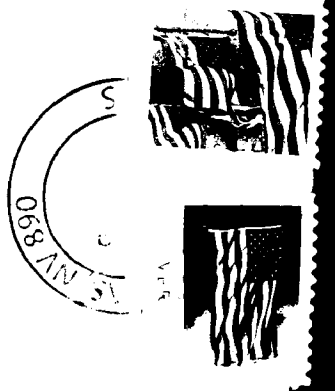
Nº 1210652
Po Box 650

Indian Springs, NV

890780650

RECEIVED
FEB 15 2023
CLERK OF THE COURT

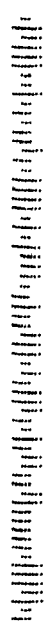
EJDC
Attn: Law Clerk (S)
200 Lewis Avenue
Las Vegas, NV
89155



Legal Mail

ABA Nº 04662784

9510188500 0075



1 NITD

2 Name: Matthew Travis Houston

3 Address: 22010 Cold Creek Road

4 Po Box 650 - Indian Springs, NV 89070

5 Telephone: (702) 879-6789

6 Email Address: mathoustonenterprises@gmail.com

7 In Proper Person

Electronically Filed

03/09/2023

Heather S. Jamin

CLERK OF THE COURT

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 MATTHEW TRAVIS HOUSTON,

11 Plaintiff,

12 v. SEOGWEL CMS
13 FREEMAN Co., ENCORE EVENT TECHNOLOGY
14 LEWIS, BRISBOIS, BSLARRO & SMITH, LLP,
15 CLARK McCOURT, LLC; Brian P. Clark and

16 Defendant(s) Daniel L. Schwartz, et al.

CASE NO: A-22-758861-C

DEPT. 29

CASE NO.: A-22-858580-C

DEPT: 4

CASE NO.: A-22-856372-C

DEPT: 20

CASE NO: A-17-758861-C

DEPT.(S): 17, 18 and 29

17 NOTICE OF INTENTION TO ENTER DEFAULT

18 TO: (Defendant's Name) Daniel L. Schwartz, Defendant herein;

19 PLEASE TAKE NOTICE, that unless you answer or otherwise plead to Plaintiff's
20 Complaint on file within three (3) days of your receipt of this Notice of Intention to Enter
21 Default, the Plaintiff will enter default against the Defendant and request the Court to enter
22 judgment against the Defendant by default.

23 DATED this 18th day of November, 2022

24 Submitted By: (Signature) Matthew Travis Houston

Printed Name: Matthew Travis Houston

ABA Member No. 04662784

CLERK OF THE COURT

RECEIVED
JAN 15 2023

Clark County Family Law Self-Help Center
September 2014

EMERGENCY DECLARATION AND EXHIBIT OF REVEREND
MATTHEW TRAVIS HOUSTON, CHARTERED
A-17-758861-C

SUMM
MATTHEW TRAVIS HOUSTON
No 1210652
Po Box 650
Indian Springs, NV 89070-0650
(702) 889-6789

DISTRICT COURT
CLARK COUNTY, NEVADA

MATTHEW TRAVIS HOUSTON,

Plaintiff(s),

-vs-

DANIEL SCHWARTZ, ET AL,
D/B/A LEWIS BRISBOIS
BISGAARD & SMITH, LLP
Defendant(s).

CASE No. A-17-758861-C
DEPT No. 29

CASE NO. A-22-858580-C
DEPT. NO. 4

EMERGENCY EX PARTE
MOTION TO REOPEN CASE
No. A-17-758861-C
"HEARING REQUESTED"

EMERGENCY SUMMONS - CIVIL
"HEARING REQUESTED"

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.
READ THE INFORMATION BELOW.

TO THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against
you for the relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:
 - (a) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.
 - (b) Serve a copy of your response upon the attorney whose name and address is shown below.

CLERK OF THE COURT

NOV 14 2022

RECEIVED

EMERGENCY MOTION TO REOPEN A-17-758861-C'

" HEARING REQUESTED "

- 2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and failure to so respond will result in a judgment of default against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.
- 3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
- 4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators each have 45 days after service of this Summons within which to file an Answer or other responsive pleading to the Complaint.

STEVEN D. GRIERSON
CLERK OF COURT

Submitted by:

By: [Signature] **NOV 23 2022**
Deputy Clerk Date

Matthew Travis Houston
Matthew Travis Houston
No 1210652
Po Box 650
Indian Springs, NV 89070-0650
c: (714) 916-7431
p: (610) 762-4143
cs: (702) 762-1347

Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

NOTE: When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure 4(b).

Recovery of compensatory and punitive damages after the Defendant's injuries to Plaintiff's law office; causation of ~~injuries~~ ~~the~~ false arrests, wrongful convictions and other injury of Plaintiff. SEE ESDC #A-22-758861-C, and also the destruction of Plaintiff's service animals after 7-14-2021, and malicious prosecution.

Case #: A-17-758861-C

A-22-858580-C
Department 4

Date: 12-2-2022

To: Matthew Houston (Pro Se Plaintiff)

Default is being returned to you by the Eighth Judicial District Court Clerk's office for the following reason(s):

Daniel L. Schwartz has not been brought in properly as a new party to this case. Please seek legal assistance/direction as to how to properly bring in new designate defendants. (no Amended Complaint filed and no order granting filing of an Amended complaint)

There is not filed proof of service on : Daniel L. Schwartz on Complaint or Amended Complaint (that has not been filed yet)

The Order for Service by Publication requires mailing; no proof of mailing a copy of the Summons and Complaint is on file in the Clerk's office. Please file a certificate of mailing.

The date of service on the Default does not match the date of service on file.

No date of service on the Default.

Not eligible for Default until _____; please resubmit at that time.

Party name(s) on Default does not match the name(s) on the Complaint.

Court filed Order closing case on _____. Need to contact Department to find out what needs to be done to have case Re-opened.

Default must state same documents and claim served as stated on filed proof of service.

The name of the party served on the Affidavit must match the name exactly as it appears on the caption of the complaint and on the Default. You must file an Amended Affidavit of Service to correct.

***** PLEASE BE ADVISED THAT ALL DEFAULT (S)/ DISMISSALS ISSUED BY DEPUTY CLERK NEED TO BE ELECTRONICALLY SUBMITTED USING THE CORRESPONDING DOCUMENT CODE *****

RETURN THIS DOCUMENT WHEN YOU RESUBMIT THE DEFAULT

If you have any questions, please contact Specialty Clerk at 671-0521

EMERGENCY DECLARATION OF MATTHEW TRAVIS HOUSTON:
Please take notice that this page is a joke making fun
of politics and demonstrating the effects of systematic
racism. Plaintiff utilizes CAVEAT OF N.R.S. "STAGEHANDS EXEMPTION
201.254 invoking this INNAGURATION - IN - RE - A.22.858580.6
and the AMERICAN NAZI PARTY IN THE "STATE" OF
NEVADA DEPARTMENT OF CORRECTIONS ON A
GRIEVANT'S ~~STATEMENT~~ STATEMENT CONTINUATION FORM. NOW SEE:

DAS FUHRER'S SON, BENJAMIN E. ABBOTT PRESENTS:

NAME: MATTHEW TRAVIS HOUSTON I.D. NUMBER: 1210652
(Institution of BROKEN ELECTRICITY) CHTD.
INSTITUTION: OF RACISM UNIT #: 3.A.2-12D-3

JAMES SCALLYWAG SEE
GRIEVANCE #: A.W. "BEAN" GRIEVANCE LEVEL: EXHAUSTED

(Institution of BROKEN TOILET(S))
GRIEVANT'S STATEMENT CONTINUATION: PG. 13 OF 14
DAS FUHRER'S - A

JULY 5TH 2022 → DECEMBER 22ND 2022

NATIONAL SOCIALIST AMERICAN WORKER'S

§ "PARTY" § UNIT 12 CASEWORKERS
ARE NOW PADIA AND LOPEZ

1) HOW DOES ONE DEFINE THE STATE
OF A GOVERNMENT?

a. what is the state of "being" in today's
(your) government? §§ 36.5 million DEMANDED §*

b. what is the state of Caseworker #12's
"WARNER" 's participation in his/hers/it's
GOVERNMENT?

WHITE LIVES MATTER

*§ FROM #12 "WARNER" § (SCIENCE = MATTER)
VS.

SUBLIMINAL
MESSAGING

ATHEISM
SCIENCE

THE HOLY SPIRIT -
(COULD BE SCIENTIFIC MATTER)

NOW SEE THE WARNER BROTHERS (AKA (VANS WARPED)
TOUR WARNER)

REMEDY: FOR "BROTHER" WARNER (AND HOUSTON)

TO BE A MAN AND RESPOND TO ME JUST ONE TIME.

Original: Attached to Grievance
Pink: Inmate's Copy

This page symbolizes the neglect
of government workers and NDOC
employees (No. 127 Caseworker "WARNER" @ 12B6. HOSP
who neglected Plaintiff's re-entry to society, ruined his 6
month review and denied Plaintiff's birth certificate, house
arrest and release to Casa Grande Transitional Housing @ DOC-3097 (01/02)
Case Number A-22-858580-C
448

32

A.22.858580.C
A.22.856372.C
A.22.758861.C

REV. M. T. HOUSTON, CHFD
N^o 1210652
Po Box 650

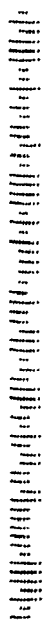
Indian Springs, NV

890780650

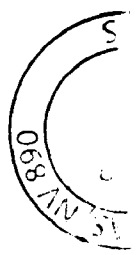
RECEIVED
FEB 15 2023
CLERK OF THE COURT

EJDC
Attn: Law Clerk (S)
200 Lewis Avenue
Las Vegas, NV
89155

951018800 0073



Legal Mail
ABA N^o 04662784



To: Matthew Houston #1201652 (Pro Per Plaintiff)

Default is being returned to you by the Eighth Judicial District Court Clerk’s office for the following reason(s):

- An appearance or Answer was filed on _____
- There is filed proof of service on Defendant Daniel L. Schwartz is not Pursuant to NRCP Rule 4(c) that a non - party who is has no interest in case/law must serve new case documents. Need an Order granting plaintiff to serve by mailing.
- The Order for Service by Publication requires mailing; no proof of mailing a copy of the Summons and Complaint is on file in the Clerk’s office. Please file a certificate of mailing.
- The date of service on the Default does not match the date of service on file.
- No date of service on the Default.
- Not eligible for Default until _____; please resubmit at that time.

***** PLEASE BE ADVISED THAT ALL DEFAULT (S)/ DISMISSALS ISSUED BY DEPUTY CLERK NEED TO BE ELECTRONICALLY SUBMITTED USING THE CORRESPONDING DOCUMENT CODE *****

RETURN THIS DOCUMENT WHEN YOU RESUBMIT THE DEFAULT
If you have any questions, please contact Specialty Clerk at 671-0521

1 DFLT

2 (Your Name) Matthew Travis Houston

3 (Address) PO Box 650
4 22010 Cold Creek Road
5 Indian Springs, NV 89070-0650

6 (Telephone) 702-879-6789

7 (Email Address) matthewtravishouston@gmail.com and

8 In Proper Person matthoustonenterprises@gmail.com

9 DISTRICT COURT
10 CLARK COUNTY, NEVADA

11 MATTHEW TRAVIS HOUSTON,

12 Plaintiff,
13 v. SEDGWICK CMS, FREEMAN CO.,
14 ENCORE EVENT TECHNOLOGIES,
15 LEWIS, BRISBOIS, BISGAARD &
16 SMITH, LLP, CLARK MCCOURT, LLC;
17 Brian P. Clark and Daniel L. Schwartz, et al,
18 Defendant(s)

19 A-22-858580-C

20 CASE NO.: ~~A 22 758861-A~~

21 DEPT NO.: 4 29

22 **DEFAULT**

23 It appearing from the files and records in the above entitled action that (name of
24 Defendant), Daniel L. Schwartz, Defendant herein, being duly served with a copy of
25 the Summons and Complaint on the 18 day of October, 2021 ^{MTX} that more than 45
26 days, exclusive of the date of service, having expired since service upon the Defendant; that no
27 answer or other appearance having been filed and no further time having been granted, the default
28 of the above-named Defendant for failing to answer or otherwise plead to Plaintiff's Complaint is
29 hereby entered.

30 STEVEN D. GRIERSON, CLERK OF COURT

31 By: _____
32 Deputy Clerk Date

33 Submitted By: Matthew Travis Houston

34 (check one) Plaintiff / Defendant in Proper Person

35 Matthew Travis Houston

36 ABA No. 04662784

REV. M. T. HOUSTON, CHFD

No 1210652
Po Box 650

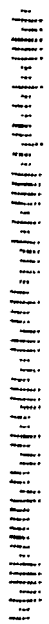
Indian Springs, NV

89070 0650

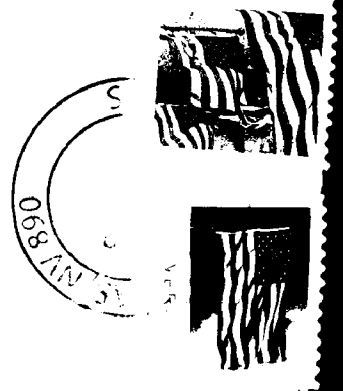
RECEIVED
FEB 15 2023
CLERK OF THE COURT

EJDC
Attn: Law Clerk (S)
200 Lewis Avenue
Las Vegas, NV
89155

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Legal Mail
ABA No 04662784





**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd Fl.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

INMATE CORRESPONDENCE

March 24, 2023

Re: A-22-858580-C / Department 4

Matthew Houston, Plaintiff(s)

vs.

Daniel Schwartz, Defendant(s)

- A court order is required to complete the request.
- Documents are sealed. A court order is required to reproduce. **(PSI)**
- Documents requested are not in the court file at this time.
- Transcripts have not been filed. A court order is required.
- Copies are \$.50 per page or by court order.
- Consult your law library for this information.
- District Court does/does not show any outstanding District Court warrants under the above referenced defendant name.
- Other: Cannot use Same summons for two different cases. Need to prepare summon for each case number.

Cordially yours,
DC Criminal Desk #27
Deputy Clerk of the Court

SUMM
Matthew Travis Houston
No. 1210652 @ NDOC
PO BOX 650
Indian Springs, NV
89070-0650

DISTRICT COURT
CLARK COUNTY, NEVADA

MATTHEW TRAVIS HOUSTON,

Plaintiff(s),

-vs- REDENTA BLACIC,
ROSEMARIE MCMORRIS-ALEXANDER,
DANIEL L. SCHWARTZ, BRIAN P. CLARK,
CLARK MCCOURT, LLC; LEWIS, BRISBENS, BYLAND
& SMITH, LLP; ET AL-Defendant(s).

[REDACTED]

[REDACTED]

CASE NO. A-22-858580-C

DEPT. NO. 4

[REDACTED]

CASE NO. A-22-859815-C

[REDACTED]
DEPT. NO. 24

SUMMONS - CIVIL

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS. READ THE INFORMATION BELOW.

TO THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against you for the relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is served on you, exclusive of the day of service, you must do the following:

(a) File with the Clerk of this Court, whose address is shown below, a formal written response to the Complaint in accordance with the rules of the Court, with the appropriate filing fee.

(b) Serve a copy of your response upon the attorney whose name and address is shown below.

CLERK OF THE COURT

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CLERK OF THE COURT

SUMM Civil/7/23/2009

2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and failure to so respond will result in a judgment of default against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.
3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators each have 45 days after service of this Summons within which to file an Answer or other responsive pleading to the Complaint.

STEVEN D. GRIERSON
CLERK OF COURT

Submitted by:

Matthew Travis Houston
 Matthew Travis Houston
 ABA No. 04662784
 Po Box 650
 Indian Springs, NV 89070-0650

By: _____
 Deputy Clerk Date

Regional Justice Center
 200 Lewis Avenue
 Las Vegas, NV 89155

NOTE: When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure 4(b).

SEE EJDC ~~ACC~~[#] A-17-758861-C
 and the events of September 30, 2016, which resulted in damages not limited to the destruction of my service animals after July 14, 2021, and \$36,500,000.00 + damages against my law offices and career in the entertainment business. Repairs are demanded from individuals and entities not limited to FREEMAN COMPANIES, IATSE #720 and ENCORE EVENTS TECHNOLOGIES.
 False imprisonment is a crime. 2

Matthew Austin
CLERK OF THE COURT

1 NITD
2 Name: MATTHEW TRAVIS HOUSTON
3 Address: N# 1210652 PO Box 650
Indian Springs, NV 89070
4 Telephone: (714) 916-7431
5 Email Address: matthewtravisHouston
In Proper Person @gmail.com

6 DISTRICT COURT
CLARK COUNTY, NEVADA

7
8 MATTHEW TRAVIS HOUSTON

9 Plaintiff,

CASE NO.: A-22-858580-C

DEPT: 4

10 vs.

11 DANIEL L. SCHWARTZ

Defendant.

12 NOTICE OF INTENTION TO ENTER DEFAULT

13 TO: (Defendant's Name) DANIEL L. SCHWARTZ, Defendant herein;

14 PLEASE TAKE NOTICE, that unless you answer or otherwise plead to Plaintiff's
15 Complaint on file within three (3) days of your receipt of this Notice of Intention to Enter
16 Default, the Plaintiff will enter default against the Defendant and request the Court to enter
17 judgment against the Defendant by default.
18

19 DATED this 20 day of February, 2023

20 Submitted By: (Signature) Matthew Travis Houston

21 Printed Name: MATTHEW TRAVIS HOUSTON

22 ABA No. 04662784

23 RECEIVED

FEB 22 2023

CLERK OF THE COURT

EMERGENCY
PROOF OF SERVICE :

STATE OF NEVADA
DEPARTMENT OF CORRECTIONS
INMATE ACCOUNT TRANSACTION
REQUEST

Date: September 1st, 2022 NO 2529451

To: Inmate services

I hereby authorize my account to be charged in the amount
of \$.....(.....Dollars).

Please pay to.....NDOC.....

Signature.....Matthew Travis Houston.....

Print name.....Matthew Travis Houston.....

ID No.....1210652.....Institution.....HDSP.....

Approved by.....[Signature].....

Transfer	Purchase Order	Postage	Other
		<u>LEGAL</u> <u>to EJDC</u>	

White
Canary
Pink

Inmate Services
Institution Copy
Inmate

DOC 509 (Rev.2/06)

COMPLAINT IN RE
DANIEL SCHWARTZ, ET AL
→ SENIOR JUDGE JAMES CROCKETT ←
ATTN MR. CROCKETT: Please read the
back side of this piece of paper too
and I pray for your meritorious
intervention. -M.T.H.
Page No 1-B

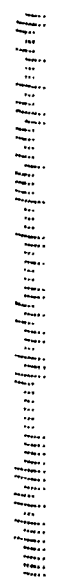
REV. MATTHEW TRAVIS HOUSTON, CHTD
No 1210652
PO Box 650
Indian Springs, NV 89070

LAS VEGAS NV 890
21 FEB 2023 PM 3 L

RECEIVED
FEB 22 2023
CLERK OF THE COURT

ESTD
200 LEWIS AVENUE
PO BOX 551601
Las Vegas, NV
89155-1601

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ABA No 04662784

1 **SUMM**
2 REV. MATTHEW TRAVIS HOUSTON, CHTD
3 ABA # 04662784
4 PO Box 65c
5 Indian Springs, NV
6 89070-065c

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9 MATTHEW TRAVIS HOUSTON,

10 Plaintiff(s),

CASE NO. A-22-858580-C

DEPT. NO. 4

11 -VS-
12 DANIEL L. SCHWARTZ;
13 OFFICE OF THE DISTRICT ATTORNEY
14 D/B/A KRISTINA A. RHOADES, ESQ

15 Defendant(s).

16 **SUMMONS - CIVIL**

17 **NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU**
18 **WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.**
19 **READ THE INFORMATION BELOW.**

20 **TO THE DEFENDANT(S):** A civil Complaint has been filed by the Plaintiff(s) against
21 you for the relief set forth in the Complaint.

- 22 1. If you intend to defend this lawsuit, within 20 days after this Summons is
23 served on you, exclusive of the day of service, you must do the following:
- 24 (a) File with the Clerk of this Court, whose address is shown below, a
25 formal written response to the Complaint in accordance with the rules
26 of the Court, with the appropriate filing fee.
 - 27 (b) Serve a copy of your response upon the attorney whose name and
28 address is shown below.

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- 1 2. Unless you respond, your default will be entered upon application of the
2 Plaintiff(s) and failure to so respond will result in a judgment of default
3 against you for the relief demanded in the Complaint, which could result in
4 the taking of money or property or other relief requested in the Complaint.
5 3. If you intend to seek the advice of an attorney in this matter, you should do
6 so promptly so that your response may be filed on time.
7 4. The State of Nevada, its political subdivisions, agencies, officers,
8 employees, board members, commission members and legislators each
9 have 45 days after service of this Summons within which to file an Answer
10 or other responsive pleading to the Complaint.

11
12
13 Submitted by:

14 Matthew Travis Houston
15
16 REV. MATTHEW TRAVIS HOUSTON, CHTD
17 ABA No 04662784
18 P.O. Box 650
19 Indian Springs, NV
20 89070-0650

STEVEN D. GRIERSON
CLERK OF COURT

By: [Signature] APR 05 2023
Deputy Clerk Date

Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

21 NOTE: When service is by publication, add a brief statement of the object of the
22 action. See Nevada Rules of Civil Procedure 4(b).

23 The object of this action is for reparations
24 to be made to the Plaintiff, Matthew Travis Houston,
25 resulting from damages inflicted upon his person,
26 family and associates by individuals and entities
27 not limited to the Office of the District Attorney
28 of Clark County, Nevada, Taleen Pandukht, Wayne
Jake Merbeck, John T. Jones, Jr. and Kristina A. Rhoades.

REV. MATTHEW TRAVIS HOUSTON, CHFD
No 1210652
PO Box 650
Indian Springs, NV
89070-0650

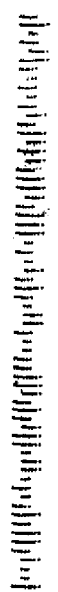
LAS VEGAS
16 MAR 2023

FILED UNDER SINGLE PENSION
MARCH 15 2023

UNIT 3A/B

AKA No 04662784

89101-630000



DECLARATION OF
MATTHEW TRAVIS HOUSTON
AS AN
EMERGENCY
LETTER OF MOTION

AND RESPONSE TO MINUTE
ORDER FROM JANUARY 10TH,

2023: The court will take
notice that ~~retroactively~~ and
legally, upwards of 7 years of
oppositions have been filed
in this action, most

namingly on March 07th,
2023, an AFFIDAVIT OF
SERVICE was filed under

SHERIFF CIVIL No.:
23001175

and is being filed in
actions not limited to
multijurisdictional litigation and
EJDC # A-22-858580-C

(currently Department
No 4, to be heard by
Judge Nadia Krall)

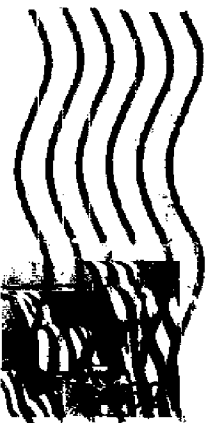
EIGHTH JUDICIAL DISTRICT COURT
ATTN: Law Clerk(s) Department 4 and 2
also
JUSTICE COURT, LAS VEGAS TOWNSHIP
200 Lewis Avenue
Las Vegas, NV
89155

RECEIVED
APR 04 2023
CLERK OF THE COURT

REV. MATTHEW TRAVIS Housford, CHTP
NE 1210652
PO Box 650
Indian Springs, NV
89070-0650

LAS VEGAS NV 890

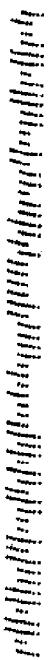
29 MAR 2023 PM 5 L



Department No 4
Attn: Clerk of the Court
Regional Justice Center
200 Lewis Avenue, 3rd Floor
PO Box 551160
Las Vegas, NV

89155-1160

951553999



Case No: A-22-858500-C

ABA No: 04662784

UNIT 3 A/P
MAR 27 2000
HONOLULU, HI 96813



1 DANIEL L. SCHWARTZ, ESQ.
Nevada Bar No. 05125
2 BENJAMIN E. ABBOTT, ESQ.
Nevada Bar No. 15692
3 LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Avenue, Ste. 900, Box 28
4 Las Vegas, NV 89102
(702) 830-9042
5 Fax: (702) 366-9563
E-Mail: Daniel.Schwartz@lewisbrisbois.com
6 E-Mail: Benjamin.Abbott@lewisbrisbois.com
Attorney for Defendant
7 DANIEL SCHWARTZ

8
9 **DISTRICT COURT**
10 **CLARK COUNTY, NEVADA**

11
12 MATTHEW TRAVIS HOUSTON,

CASE NO. A-22-858580-C

13 Plaintiff,

**DEFENDANT DANIEL SCHWARTZ'S
OPPOSITION TO PLAINTIFF
MATTHEW HOUSTON'S NOTICE OF
INTENTION TO ENTER DEFAULT**

14 vs.

15 DANIEL SCHWARTZ, ESQ., an individual,

16 Defendant.

17
18
19 COMES NOW, Defendant, DANIEL L. SCHWARTZ, ESQ., by and through his counsel
20 of record, LEWIS BRISBOIS BISGAARD & SMITH LLP, and hereby submits this Opposition to
21 Plaintiff MATTHEW TRAVIS HOUSTON's Notice of Intention to Enter Default.

22 This Opposition is based upon the attached Memorandum of Points and Authorities, the
23 papers and pleadings on file, and any arguments made by counsel that may be taken at the time of
24 hearing on this matter.

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DATED this 10 day of April, 2023.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By 

BENJAMIN E. ABBOTT, ESQ.
Nevada Bar No. 15692
LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Avenue, Ste. 900, Box 28
Las Vegas, NV 89102
*Attorney for Defendant DANIEL L. SCHWARTZ,
ESQ.*

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**

3 **STATEMENT OF FACTS**

4 On or around September 19, 2022, Plaintiff Matthew Travis Houston (“Plaintiff”) filed his
5 Complaint against Defendant Daniel Schwartz (“Defendant”) and approximately 143 other
6 defendants for injunctive relief and money damages in the amount of \$36,500,000.00 per
7 defendant. A brief list of some of the named defendants include Mr. Schwartz, the State of
8 Nevada, Las Vegas Fire and Rescue, multiple Clark County police officers, the University of
9 Iowa, and the City of Maquoketa. There is no record of a declaration of service for this original
10 complaint. Defendant moved this Court to dismiss Plaintiff’s Complaint based on failure to state a
11 claim for which relief can be granted pursuant to NRCP 12(b)(5) on October 17, 2022.

12 On December 28, 2022, Plaintiff filed an Ex Parte response to Defendant’s Motion to
13 Dismiss, and an Ex Parte Motion for Leave to File an Amended Complaint. Plaintiff filed three
14 Emergency Motions for Leave to add Defendants on December 29, 2022. Plaintiff also filed an
15 Emergency Ex Parte Motion for an Extension of Time to Prepare and File an Opposition to
16 Defendant’s Motion to Dismiss.

17 On January 31, 2023, Plaintiff filed a Motion to Amend Complaint. Plaintiff also filed an
18 Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois Bisgaard & Smith. On
19 January 31, 2023 at 9:00 a.m., the Honorable Judge Nadia Krall held a hearing on Plaintiff’s
20 Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois, and Plaintiff’s Emergency
21 Ex Parte Motion for Leave to File an Amended Complaint. The Defendant was present. The
22 Plaintiff was not present. The Court denied Plaintiff’s Emergency Ex Parte Opposition to the
23 False Claims of Lewis Brisbois as moot. The Court noted that Plaintiff’s Motion for Leave to File
24 Amended Complaint was filed without an attached proposed Amended Complaint. The Court
25 denied Plaintiff’s Emergency Ex Parte Motion for Leave to File an Amended Complaint.

26 On February 7, 2023 at 9:00 a.m., the Honorable Judge Nadia Krall held a hearing on
27 Plaintiff’s Emergency Ex Parte Motion for Leave to add Defendants and Plaintiff’s Emergency
28 Motion to Add Defendants. The Court denied Plaintiff’s Emergency Ex Parte Motion for Leave to

1 add Defendants and Plaintiff's Emergency Motion to Add Defendants as the Plaintiff did not
2 provided an amended complaint.

3 On February 20, 2023, Plaintiff filed a Notice of Intention to Enter a Default "unless
4 [Defendant] answer or otherwise plead to Plaintiff's Complaint on file...."

5 **II.**

6 **ARGUMENT**

7 **A.**

8 **Legal Standard**

9 A default or default judgment may be set aside pursuant to N.R.C.P. 55(c) and a final
10 default judgment may be set aside pursuant to NRCP 60(b).

11 Nevada Rule of Civil Procedure 55(c) provides as follows:

12 *Setting Aside a Default or a Default Judgment.* The court may set
13 aside an entry of default for good cause, and it may set aside a final
14 default judgment under Rule 60(b).

15 Nevada Rule of Civil Procedure 60(b) provides as follows:

16 *Grounds for Relief From a Final Judgment, Order, or Proceeding.*
17 On motion and just terms, the court may relieve a party or its legal
18 representative from a final judgment, order, or proceeding for the
19 following reasons:

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

A motion under Rule 60(b) must be made within a reasonable time. See, N.R.C.P. 60(c).

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B.

Plaintiff Cannot Obtain A Default Because The Defendant Has Appeared.

Under Nevada Rule of Civil Procedure 55(c), a party may request that the clerk enter default against an opposing party who has failed to plead or otherwise defend within the time allowed by the rules or court order. As stated above, the Defendant has appeared. The Defendant filed a Motion to Dismiss on October 17, 2022. Plaintiff, having received a copy of the Defendant's Motion to Dismiss, filed an Ex Parte response on December 28, 2022. Additionally, the Defendant appeared at hearings on January 31, 2023 and February 7, 2023.


It is unknown why the Plaintiff filed a Notice of Intent to Enter Default. The Plaintiff filed the Notice on February 20, 2023. By this point, Plaintiff knows that Defendant has appeared. The Plaintiff had received a copy of Defendant's Motion to dismiss and filed an opposition. Plaintiff has not provided any evidence in support of his intention to file a default. There is no basis upon which Plaintiff's default should be granted. Defendant respectfully requests that Plaintiff's notice of intention to enter default be DENIED.

CONCLUSION

For the reasons stated above, Defendant Daniel Schwartz respectfully requests that this Honorable Court deny Plaintiff Matthew Houston's Notice of Intention to Enter Default.

DATED this 10 day of April, 2023.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By 
BENJAMIN E. ABBOTT, ESQ.
Nevada Bar No. 15692
LEWIS BRISBOIS BISGAARD & SMITH LLP
2300 W. Sahara Avenue, Ste. 900, Box 28
Las Vegas, NV 89102
Attorneys for Defendant DANIEL SCHWARTZ,

1 **CERTIFICATE OF MAILING**

2 Pursuant to Nevada Rules of Civil Procedure 5(b), I hereby certify that service of
3 the foregoing **DEFENDANT DANIEL SCHWARTZ'S OPPOSITION TO PLAINTIFF**
4 **MATTHEW HOUSTON'S NOTICE OF INTENTION TO ENTER DEFAULT** was made
5 this date by depositing a true and correct copy of the same for mailing, postage prepaid thereon, in
6 an envelope to the following:

7 LINA SAKALAIUSKAS, ESQ.
8 NEVADA ATTORNEY FOR INJURED WORKERS
9 2200 S. RANCHO DRIVE, STE. 230
LAS VEGAS, NV 89102

10 MATTHEW TRAVIS HOUSTON
11 P.O. BOX 0650
INDIAN SPRINGS, NV 89070-0650

12 ENCORE EVENT TECHNOLOGIES
13 ATTN: RISK MANAGEMENT
14 8850 W. SUNSET ROAD, 3RD FLOOR
LAS VEGAS, NV 89148

15 SEDGWICK CMS
16 ATTN.: DIANE FERRANTE
17 P.O. BOX 14483
LEXINGTON, KY 40512

18 DATED this 11th day of April, 2023.

19
20 

21 An employee of LEWIS BRISBOIS
22 BISGAARD & SMITH LLP

1 OPI - IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
 2 STATE OF NEVADA IN AND FOR THE
 3 COUNTY OF CLARK
 4

5 MATTHEW TRAVIS HOUSTON,) Case No. A-22-858580-C;
 6 Plaintiff-Petitioner,) Department No. 4
 7 DANIEL L. SCHWARTZ,) Case No. A-22-856372-C
 8 BRIAN P. CLARK dba) Department No. 20
 9 LEWIS BRISBOIS BISGAARD) Case No. A-22-853203-W
 10 & SMITH LLP, CLARK COUNTY, NV) (SEE C-21-357927 I)
 11 ~~CALVIN JOHNSON, ET AL AND~~) Dept. No. XI → now dept. N^o 17
 12 ACTING WARDEN JEREMY BEAN, ET AL) Case No. A-22-859815-C
 13 DIANNE FERRANTE,) Department No. 24
 14 BERNSTEIN & POISSON, LLP) Case No. A-22-859817-C
 15 AND CHRISTOPHER D. BURK) Department No. 14

16 ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE
 17 OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONE OR VIDEO
 18 CONFERENCE

19 Based upon the above motion, I find that the presence of Plaintiff-Petitioner
 20 Matthew Travis Houston is necessary for the hearing that ⁶⁾ are scheduled in this
 21 case on the ^{15, 16th and 17th} 20 day of June, 2022, at

22 9 AM. Also for ~~July 6th, 14th, 15th and 16th of 2022.~~
 23 ~~July 6th, 14th, 15th and 16th of 2022.~~

24 THEREFOR, IT IS HEREBY ORDERED that, Acting Warden Jeremy Bean
 25 Pursuant to NRS 209.274, Warden Calvin Johnson
 26 of High Desert State Prison is hereby commanded to have

27 Matthew Travis Houston transported to appear before me at a hearing
 scheduled for November 15, 16 and 17th (then July) 20 at 9 AM at the RJC "aka"

(Clark County Courthouse), Upon completion of the hearing(s)

RECEIVED
 MAR 20 2023
 CLERK OF THE COURT
 RECEIVED
 NOV 28 2022
 CLERK OF THE COURT

**PLEADING
CONTINUES
IN NEXT
VOLUME**