

1 NOTC

2 REV. MATTHEW TRAVIS HOUSTON
ABA ID No. 04662784

3 HDSP
PO Box 650

4 Indian Springs, NV 89070-0650

5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

Electronically Filed
Mar 18 2024 09:02 AM
Elizabeth A. Brown
Clerk of Supreme Court

7 MATTHEW TRAVIS HOUSTON ET AL,
8 Plaintiffs - Plaintiff-in-Error-
9 Petitioners - Appellants,

Supreme Court No.(s) including
but not limited to B7636

9 v.

10 MANDALAY BAY CORP., ET AL:

Case No. A-17-758861-C
Dept. 29

11 THE STATE OF NEVADA

Case No. A-19-800219-W
Dept. 19

12 THE STATE OF NEVADA

Case No. A-19-800402-W
Dept. 19

13 CALVIN JOHNSON

Case No. A-22-853203-W
Dept. 17

14 BRIAN P. CLARK

Case No. A-22-856372-C
Dept. 20

15 DANIEL L. SCHWARTZ

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

16 DIANE FERRANTE

Case No. A-22-859815-C
Dept. 24

17 BERNSTEIN & POISSON

Case No. A-22-859817-C
Dept. 14

18 STATE BAR OF NEVADA

Case No. A-22-862155-C
Dept. 27

19 JOSEPH M. LOMBARDO

Case No. A-23-865442-C
Dept. 7

20 ALEXIS M. DUECKER

Case No. A-23-875418-C
Dept. 6

21 NEVADA BOARD OF PAROLE COMMISSIONERS

Case No. A-23-882507-C
Dept. 20

22 AARON D. FORD

Case No. A-23-883015-C
Dept. 4

23 MANDALAY BAY CORP., ET AL

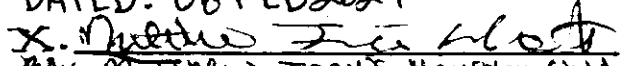
Case No. A-23-883087-C
Dept. 31

24 Defendants-Respondents-Appellees.

"de novo, oral argument and jury trial demand"

DATED: 08 FEB 2024

25 *See the Renewed List of Parties And Demand
for Reparations which shall also suffice as
the Expert List of Witnesses.

26 X. 
27 Rev. Matthew Travis Houston, Chtd.

26 NOTICE OF APPEAL TO AND RESPONSE TO JANUARY 19TH, 2024

27 Notice is hereby given that the innocent man, Matthew Travis Houston,
28 by and through himself in proper person, does now appeal to the
29 Supreme Court of the State of Nevada, the malicious and erroneous
30 opinion of Jennifer L.G. Schwartz entered January 19, 2024. The Court
is hereby reminded that Jennifer L.G. Schwartz is a Defendant in the
above titled actions retroactive from December 31, 2022 to 2024. Under
the Points and Authorities See Attached Memorandum of actual innocence

MEMORANDUM OF
POINTS AND AUTHORITIES PURSUANT
TO EDCR 2.20:
CERTIFICATE OF SERVICE VIA USPS AND
STATEMENT OF FACTS: Kidnapped from his home in

1. Iowa City, Iowa,

2. On July 14, 2021, MATTHEW TRAVIS HOUSTON (hereinafter "Plaintiff-in-Error/
Petitioner-Appellant")

3 was abducted from his hotel room at the Best Western located out of state 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 CAGE was intended so that he could
13 search for, and hopefully, retrieve his service animals. However, the now-dismissed counsel, J.
14 Wood & 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 #C1248374A + #C1237802A; with the first being by J. Wood
19 in the EIGHTH JUDICIAL DISTRICT COURT 21-CR-019840 + 21-CR-035713 and JUSTICE COURT, LAS VEGAS
20 TOWNSHIP. 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 Lion Street #927, in Iowa
23 City, Iowa (52240), irreparable property damage and the destruction of his K-9(s).

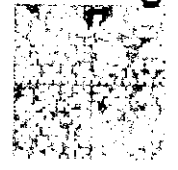
24 Due to crimes both civil and criminal, not to mention the willful omissions of Rosemarie
25 McMorris-Alexander and Dianne Ferrante, SEDAWICK and the prosecutions' most unlawful use
26 of overreaching tactics ~~in~~ their exploitation of the innocent man has put the Petitioner-Appellant
27 into an unmanageable state of duress, homelessness, and extensive incarceration. Neither
28 Anthony M. Goldstein or Alexis M. Dwecker visited the innocent man,
29 as they neglected their duty to respond to Mr. Houston's legal
30 mail or Mr. Houston's legal telephone calls. NRCP 5(b) exemption
see Gluth v. Kangas, supra: -invoked ex parte-

REV. MATTHEW TRAVIS HOUSTON
#1210652

INDSP
PO Box 650
Indian Springs, NV
89070-0650

American Bar Association Member
ABA ID No. 04662784

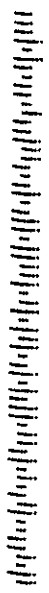
LAS VEGAS NV 890
15 FEB 2024 PM 4



POSTAGE
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Steven D. Grierson,
CLERK OF THE COURT,
~~CLERK OF THE COURT~~
cc. COURT ADMINISTRATION
cc. law clerks)
200 Lewis Ave
Las Vegas, NV
89155

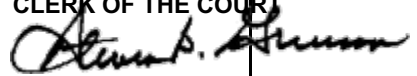
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UNIT 12

FEB 08 2024

HIGH DESERT STATE PRISON



1 ASTA

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4

5

6

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

10

MATTHEW TRAVIS HOUSTON,

11

Plaintiff(s),

12

vs.

13

DANIEL SCHWARTZ,

14

Defendant(s),

15

Case No: A-22-858580-C

Dept No: XVII

16

17

CASE APPEAL STATEMENT

18

1. Appellant(s): Matthew Travis Houston

19

2. Judge: Jennifer Schwartz

20

3. Appellant(s): Matthew Travis Houston

21

Counsel:

22

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

23

24

25

4. Respondent (s): Daniel Schwartz

26

Counsel:

27

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

28

- 1
2 5. Appellant(s)'s Attorney Licensed in Nevada: N/A
3 Permission Granted: N/A
4 Respondent(s)'s Attorney Licensed in Nevada: Yes
5 Permission Granted: N/A
6
7 6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No
8
9 7. Appellant Represented by Appointed Counsel On Appeal: N/A
10
11 8. Appellant Granted Leave to Proceed in Forma Pauperis**: Yes, January 24, 2023
12 **Expires 1 year from date filed (Expired)
13 Appellant Filed Application to Proceed in Forma Pauperis: No
14 Date Application(s) filed: N/A
15
16 9. Date Commenced in District Court: September 19, 2022
17
18 10. Brief Description of the Nature of the Action: TORT - Other
19 Type of Judgment or Order Being Appealed: Unknown
20
21 11. Previous Appeal: Yes
22 Supreme Court Docket Number(s): 86600, 86601, 86602, 86624, 87003, 87402, 87443,
23 87444, 87475, 87670
24
25 12. Child Custody or Visitation: N/A
26
27 13. Possibility of Settlement: Unknown
28

Dated This 12 day of March 2024.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann
Heather Ungermann, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Matthew Travis Houston

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-22-858580-C

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

§
§
§
§
§
§
§
§
§

Location: **Department 17**
 Judicial Officer: **Schwartz, Jennifer**
 Filed on: **09/19/2022**
 Case Number History:
 Cross-Reference Case Number: **A858580**
 Defendant's Scope ID #: **7035801**
 Supreme Court No.: **86600**
87003
87670

CASE INFORMATION

Statistical Closures

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

Case Type: **Legal Malpractice**

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

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number	A-22-858580-C
Court	Department 17
Date Assigned	01/08/2024
Judicial Officer	Schwartz, Jennifer

PARTY INFORMATION

Plaintiff

Houston, Matthew

Lead Attorneys

Pro Se

Defendant

Schwartz, Daniel

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

DATE

EVENTS & ORDERS OF THE COURT

INDEX

EVENTS

09/19/2022



Complaint

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

09/19/2022



Application to Proceed in Forma Pauperis

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

10/10/2022



Motion

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

10/17/2022














Motion to Dismiss

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

CASE SUMMARY

CASE NO. A-22-858580-C

- 11/07/2022  Clerk's Notice of Nonconforming Document
[5] Clerk's Notice of Nonconforming Document
- 11/22/2022  Clerk's Notice of Nonconforming Document and Curative Action
[6] Clerk's Notice of Curative Action
- 11/28/2022  Notice of Intent
[7] Notice of Intention to Enter Default
- 11/29/2022  Clerk's Notice of Hearing
[8] Notice of Hearing
- 12/28/2022  Objection
Filed By: Plaintiff Houston, Matthew
[10] Ex Parte Response to Def. Dan Schwartz's Motion to Dismiss Complaint
- 12/28/2022  Ex Parte Motion
Filed By: Plaintiff Houston, Matthew
[11] Emergency Ex Parte Motion for Leave to File an Amended Complaint "Hearing Requested" "Jury Trials Demanded"
- 12/28/2022  Clerk's Notice of Hearing
[12] Notice of Hearing
- 12/28/2022  Opposition
Filed By: Plaintiff Houston, Matthew
[13] Emergency Ex Parte Opposition to the False Claims of Lewis Brisbois Bisgaard & Smith, et al "Hearing Requested"
- 12/28/2022  Clerk's Notice of Hearing
[14] Notice of Hearing
- 12/29/2022  Ex Parte Motion
Filed By: Plaintiff Houston, Matthew
[15] Emergency Ex Parte Motion for Leave to Add Defendant(s) Tierra Danielle Jones and Christopher D. Burk, Esq "Hearing Requested"
- 12/29/2022  Motion
Filed By: Plaintiff Houston, Matthew
[16] Emergency Motion to Add Defendant(s) Kristina A. Rhodes "Jury Trial Demanded" "De Novo Hearing(s) Requested"
- 12/29/2022  Motion
Filed By: Plaintiff Houston, Matthew
[17] Emergency Motion to Add Defendants' Not Limited to Office to the Public Defender Benard H. Little "Jury Trial Demanded" "De Novo Hearing(s) Requested"
- 12/29/2022  Clerk's Notice of Hearing
[18] Notice of Hearing
- 12/29/2022  Ex Parte Motion
Filed By: Plaintiff Houston, Matthew
[19] Emergency Ex Parte Motion for an Extension of Time to Prepare and File an Opposition

CASE SUMMARY

CASE NO. A-22-858580-C

to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C

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

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

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

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

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

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

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

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

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

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

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

- 03/08/2023  Notice of Intent to Take Default

CASE SUMMARY

CASE NO. A-22-858580-C

Party: Plaintiff Houston, Matthew
[31] Renewed Notice of Intention to Enter Default(s)

03/09/2023



Affidavit of Service

Filed By: Plaintiff Houston, Matthew
Party Served: Defendant Schwartz, Daniel

[32] Emergency Declaration of Matthew Travis Houston and Affidavit of Service

03/09/2023



Notice of Intent to Take Default

Party: Plaintiff Houston, Matthew

[33] Notice of Intention to Enter Default

03/29/2023



Notice of Intent to Take Default

Party: Plaintiff Houston, Matthew

[34] Notice of Intention to Enter Default

04/05/2023



Summons Issued

[35] Summons - Civil (Issued Only)

04/11/2023



Opposition

Filed By: Defendant Schwartz, Daniel

[36] Defendant Daniel Schwartz's Opposition to Plaintiff Matthew Houston's Notice of Intention to Enter Default

04/21/2023



Motion to Compel

Filed By: Plaintiff Houston, Matthew

[37] Emergency Motion to Compel an Answer from Aaron D. Ford, Affidavit of Service as a "Notice of Motion", and Statement of Facts "Hearing Requested"

04/21/2023



Clerk's Notice of Hearing

[38] Notice of Hearing

05/11/2023



Motion

Filed By: Plaintiff Houston, Matthew

[39] Motion Title: Objection to Defendant Daniel L. Schwartz 's Opposition to Plaintiff Matthew Travis Houston's Notice of Intention to Enter Default and Continued Opposition to Defendants Motion to Dismiss "Hearing Requested"

05/11/2023



Clerk's Notice of Hearing

[40] Notice of Hearing

05/12/2023



Order Denying Motion

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

05/16/2023



Notice of Appeal (Criminal)

[42] Emergency Declaration See "Renewed Notice of Appeal; Emergency Statement of Facts Under NRAP 3C, 27E/9th.Cir.2735 and Response to Order to Show Cause Why Mr. Houston is Not a Vexatious Litigant"

05/17/2023



Case Appeal Statement

[43] Case Appeal Statement

05/18/2023



Affidavit of Service

[44] Affidavit of Service

CASE SUMMARY

CASE NO. A-22-858580-C

05/24/2023



Motion

Filed By: Plaintiff Houston, Matthew

[51] Emergency Motion and Order for Transportation (in all Cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under NRAP 3C/27E or, in the Alternative, for Appearance by Telephone or Video Conference "Hearing Requested"

05/24/2023



Clerk's Notice of Hearing

[52] Notice of Hearing

06/12/2023



Order for Production of Inmate

[53] Order for Production of an Inmate Matthew Houston, BAC #1210652

06/29/2023



Motion

Filed By: Plaintiff Houston, Matthew

[54] Emergency Motion to Add Defendant Elham Roohani as Expedited Notice of Intention to Enter Default "Hearing Requested"

06/29/2023



Clerk's Notice of Hearing

[55] Notice of Hearing

06/29/2023



Motion

Filed By: Plaintiff Houston, Matthew

[56] Emergency Motion Under NRAP 27(e) to Add Defendant(s) Not Limited to Linda Sakalauskas and Nevada Attorney for Injured Workers and Renewed Application to Proceed in Forma Pauperis; (NAIW Hereinafter) "Hearing Requested" (Confidential)

06/29/2023



Clerk's Notice of Hearing

[57] Notice of Hearing

06/30/2023



Demand for Jury Trial

Filed By: Plaintiff Houston, Matthew

[58] Demand for Jury Trial and Statement of Facts "Hearing Requested"

07/01/2023



Supplemental

Filed by: Plaintiff Houston, Matthew

[59] Supplemental Civil Rights Complaint Pursuant to 42 U.S.C. 1983, Joinder to A-22-856372-C / A-22-853203-W, Motion to Add Defendant Kelsey Bernstein, and Notice of Motion "Hearing Requested" "Jury Trial Demanded"

07/05/2023



NV Supreme Court Clerks Certificate/Judgment - Dismissed

[60] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed

07/06/2023



Motion

Filed By: Plaintiff Houston, Matthew

[61] Emergency Motion for an Order to Determine the Relationship, if any, Between the Hon. Jennifer Schwartz, Daniel L. Schwartz, and Karen Schwartz aka Benex as a Notice of Motion "Hearing Requested"

07/06/2023



Clerk's Notice of Hearing

[62] Notice of Hearing

07/07/2023
















Audiovisual Transmission Equipment Appearance Consent

[63] Defendant's Notice of Intent to Appear by Simultaneous Audiovisual Transmission Equipment

CASE SUMMARY

CASE NO. A-22-858580-C

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

CASE SUMMARY

CASE NO. A-22-858580-C

08/29/2023



Motion

Filed By: Plaintiff Houston, Matthew

[77] Emergency Motion and Order for Transportation (in all Cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under NRAP 3C/27E, or, in the Alternative, for Appearance by Telephone or Video Conference "Hearing(s) Requested"

10/05/2023



Motion to Vacate

Filed By: Plaintiff Houston, Matthew

[78] Emergency Motion to Vacate Dismissal from July 11,2023 (Order Entered July 13, 2023) Motion for Reconsideration, Rehearing De Novo August 28., 2023) and Notice of Motion under NRAP 27-E, NRCP 59 and NRCP 60 "Hearing Requested"

10/05/2023



Clerk's Notice of Hearing

[79] Notice of Hearing

10/12/2023



Affidavit of Service

[80] Affidavit of Service

10/17/2023



Supplemental

Filed by: Plaintiff Houston, Matthew

[81] Supplemental Civil Rights Complaint by an Inmate as a "Brandies Brief," Meritorious Intervention and Joinder of Appeal Pursuant to NRCP 59 and NRCP 60 "Hearing Requested" "Jury Trials Demanded"

10/17/2023



Affidavit of Service

[84] Affidavit of Service

10/18/2023



Motion

Filed By: Plaintiff Houston, Matthew

[82] Motion for New Trials Under NRCP 60, Emergency Opposition and Emergency Motion and Order for Transportation (in all Cases for Mr. Matthew Travis Houston) of Inmate for Court Appearance under NRCP 24, NRAP 3C / NRCP 20, NRCP 21, NRAP 27E/ 9th.CIR.27.3, or, in the Alternative, for Appearance by Telephone or Video Conference "Hearing Requested" "Oral Argument Requested"

10/18/2023



Clerk's Notice of Hearing

[83] Notice of Hearing

10/31/2023



Order Denying Motion

[85] Order Denying Plaintiff's Emergency Motion to Vacate Dismissal from July 11, 2023 (Order Entered Jly 13, 2023), Motion for Reconsideration, Rehearing De Novo August 28, 2023 and Notice of Motion under NRAP 27-E NRCP 59 and NRCP 60

10/31/2023



Order Denying Motion

[86] Order Denying Plaintiff's Motion for New Trial Under NRCP 60 Emergency Opposition and Emergency Motion and Order for Transportation (in All Cases for Mr. Matthew Travis Houston) of Inmate for Court Appearance NRCP 24, NRAP 3 C/NRAP 27(E)/9th Cir.27.3, or in the Alternative, for Appearance By Telephone of Video Conference

10/31/2023



Notice of Entry of Order

[87] Notice of Entry of Order

11/01/2023



















Notice of Entry of Order

[88] Notice of Entry of Order

CASE SUMMARY


CASE NO. A-22-858580-C


11/11/2023	 Motion Filed By: Plaintiff Houston, Matthew <i>[89] Emergency Motion and Ex Parte Demand for Appointment of Discovery Commissioners in all Case of the Plaintiff Matthew Travis Houston "Hearing Requested" "Oral Argument Requested" "Jury Trials Demanded"</i>
11/11/2023	 Clerk's Notice of Hearing <i>[90] Notice of Hearing</i>
11/13/2023	 Affidavit of Service <i>[91] Affidavit of Service</i>
11/18/2023	 Opposition <i>[92] Opposition to the Perjury and Conspiracy of Rosemarie McMorris-Alexander Et Al as a Response to the Attached Exhibit "One" "Hearing Requested"</i>
11/18/2023	 Clerk's Notice of Hearing <i>[93] Notice of Hearing</i>
11/18/2023	 Motion to Stay Filed By: Plaintiff Houston, Matthew <i>[94] Emergency Motion for Stay and Abeyance Pursuant to Law + Opposition to and Response to the False Claims and Threats Made on the Record by the Office of The District Attorney Et Al on October 25th, 2023 "Hearing Requested"</i>
11/18/2023	 Clerk's Notice of Hearing <i>[95] Notice of Hearing</i>
11/21/2023	 Notice of Appeal <i>[96] Notice of Appeal</i>
11/21/2023	 Notice of Appeal <i>[97] Notice of Appeal</i>
11/22/2023	 Case Appeal Statement <i>[98] Case Appeal Statement</i>
11/22/2023	 Case Appeal Statement <i>[99] Case Appeal Statement</i>
11/27/2023	 Notice of Appeal <i>[100] Notice of Appeal</i>
11/28/2023	 Case Appeal Statement <i>[101] Case Appeal Statement</i>
12/01/2023	 Order <i>[102] Order</i>
12/18/2023	 Affidavit of Service <i>[103] Affidavit of Service</i>
12/22/2023	 Motion


CASE SUMMARY

CASE NO. A-22-858580-C


Filed By: Plaintiff Houston, Matthew
[104] Emergency Motion Under Nev. R. App. P 27(e) for Permission to File Petition to Establish Factual Innocence Pursuant to NRS 34.900 and Opposition to the Perjury and Conspiracy of Defendants Including but Not Limited to Hooks Meng & Clement and Rosemarie McMorris -Alexander et al as a


12/22/2023  Clerk's Notice of Hearing
[105] Notice of Hearing


01/02/2024  Notice of Change of Hearing
[106] Mailed to Plaintiff Matthew Houston


01/04/2024  Motion
Filed By: Plaintiff Houston, Matthew
[107] Emergency Motion for Injunctive Relief Under NRCP Rule 59 + Rule 60, Declaration of Service and Notice of Hearing on a Nevada Department of Corrections Grievant's Statement Continuation Form


01/04/2024  Clerk's Notice of Hearing
[108] Notice of Hearing

01/04/2024  Motion
Filed By: Plaintiff Houston, Matthew
[109] Petition to Establish Factual Innocence Under Nev R Civ P. 34.900-34.960 and Emergency Motion and Order for Transportation (in All Cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under Nev. R. App., P. 3(C)+27 (c) or in the Alternative for Appearance by Telephone or Video Conference

01/04/2024  Clerk's Notice of Hearing
[110] Notice of Hearing


01/04/2024  Demand
Filed By: Plaintiff Houston, Matthew
[111] Demand for and Order Setting Civil Jury Trial(s) Emergency Interpleadings of Fact and Meritorious Intervention as a "Joinder of Appeal"

01/04/2024  Clerk's Notice of Hearing
[112] Notice of Hearing

01/07/2024  Motion
Filed By: Plaintiff Houston, Matthew
[113] Emergency Motion for Injunctive Relief Under NRCP Rule 59 & Rule 60, Declaration of Service and Notice of Hearing on a Nevada Department of Corrections Grievant's Statement Continuation Form













01/07/2024  Clerk's Notice of Hearing
[114] Notice of Hearing

01/07/2024  Motion
Filed By: Plaintiff Houston, Matthew
[115] Emergency Motion for Appointment of the Unit for the Investigation and Prosecution of Crimes Against Vulnerable Persons

01/07/2024  Clerk's Notice of Hearing
[116] Notice of Hearing


CASE SUMMARY


CASE NO. A-22-858580-C

- 01/08/2024 Administrative Reassignment
Pursuant to Administrative Order 23-05
- 01/08/2024  Notice of Change of Hearing
[117] Notice of Change of Hearing
- 01/08/2024  Notice of Change of Hearing
[118] Notice of Change of Hearing
- 01/08/2024  Notice of Change of Hearing
[119] Notice of Change of Hearing
- 01/16/2024  Not Found Affidavit
[120] Not Found Affidavit
- 01/16/2024  Affidavit of Service
[122] Affidavit of Service
- 01/17/2024  Notice of Change of Hearing
[123] Notice of Change of Hearing
- 02/05/2024  Affidavit of Service
[124] Affidavit of Service
- 02/05/2024  Affidavit of Service
[125] Affidavit of Service
- 02/05/2024  Not Found Affidavit
[126] Not Found Affidavit
- 02/09/2024  Affidavit of Service
[127] Affidavit of Service
- 02/09/2024  Affidavit of Service
[128] Affidavit of Service
- 03/06/2024 Motion to Compel
Filed By: Plaintiff Houston, Matthew
[129] Emergency Motion to Compel Exhibit "G"
- 03/06/2024  Declaration
Filed By: Plaintiff Houston, Matthew
[130] Emergency Declarations of Jason M. Frierson and Roger W. Wenthe
- 03/06/2024 Supplement
Filed by: Plaintiff Houston, Matthew
[131] Supplements to Affidavits of Service and Memorandum of Points and Authorities Pursuant to EDCR 2.20
- 03/07/2024  Motion
Filed By: Plaintiff Houston, Matthew
[132] Emergency Motion to Suzanne Berube Rophus, John Afshar, and Steven B. Wolfson

CASE SUMMARY


CASE NO. A-22-858580-C

03/08/2024  Clerk's Notice of Hearing
[133] Notice of Hearing

03/11/2024  Notice of Appeal
[134] Notice of Appeal


03/12/2024  Case Appeal Statement
Case Appeal Statement

HEARINGS

01/10/2023  **Minute Order** (3:00 AM) (Judicial Officer: Krall, Nadia)
Minute Order - No Hearing Held;
Journal Entry Details:
NRCP 1 and NRCP 1.10 state that the procedures in district court shall be administered to secure efficient, just and inexpensive determinations in every action and proceeding. Pursuant to EDCR 2.23(c), the judge may consider the motion on its merits at any time with or without oral argument, and grant or deny it. Defendant Daniel Schwartz's Motion to Dismiss Pro Se Plaintiff Matthew Travis Houston's Complaint filed on 10/17/2022 and Pro Se Plaintiff Matthew Travis Houston's Emergency Ex Parte Motion for an Extension of Time to Prepare and File an Opposition to Defendant's Motion(s) to Dismiss in Case No A-22-858580-C- and Case No. A-22-856372-C Filed on 12/29/2022. The Court reviewed all of the pleadings and attached exhibits regarding the pleadings on file. COURT ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint filed on 10/17/2022 is CONTINUED for 90 days to 4/12/2023 at 9:00 A.M. to allow Pro Se Plaintiff Matthew Travis Houston additional time to file an Opposition to Defendant Daniel Schwartz's Motion to Dismiss. COURT FURTHER ORDERED, Pro Se Plaintiff Matthew Travis Houston deadline to file an opposition is 3/29/2023 by 5:00 P.M. COURT FURTHER ORDERED, Defendant Daniel Schwartz to file his Reply no later than 4/5/2023 by 5:00 P.M. COURT FURTHER ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Pro Se Plaintiff Matthew Travis Houston's Complaint filed on 10/17/2022 currently scheduled for hearing on 1/11/2023 at 9:00 A.M. is CONTINUED to 4/12/2023 at 9:00 A.M. 04/12/2023 09:00 AM MOTION TO DISMISS CLERK'S NOTE: This minute order was electronically served and mailed to Pro Se Plaintiff at the address on file by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve.//pb/1/10/23.;

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

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

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

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


EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-22-858580-C


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

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

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

03/28/2023 **Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Plaintiff / Inmate's - Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference Under NRAP 78(e)
Granted; Plaintiff / Inmate's - Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference Under NRAP 78(e)

03/28/2023 **Motion** (9:00 AM) (Judicial Officer: Krall, Nadia)
Plaintiff / Inmate's Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27(e)
Granted; Plaintiff / Inmate's Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27(e)

03/28/2023  **All Pending Motions** (9:00 AM) (Judicial Officer: Krall, Nadia)
Matter Heard;
Journal Entry Details:
PLAINTIFF / INMATE'S - EMERGENCY MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR IN THE ALTERNATIVE FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE UNDER NRAP 78(E) . . . PLAINTIFF / INMATE'S EX PARTE MOTION FOR AN EXTENSION OF TIME TO PREPARE AND FILED AN OPPOSITION TO DEFENDANT'S MOTION(S) TO DISMISS IN CASE NO. A-22-858580-C AND CASE NO. A-22-856372-C UNDER NRAP 27(E) Mr. Schwartz confirmed Plaintiff has not yet received anything in response to his Motion to Dismiss. COURT ORDERED, Plaintiff / Inmate's - Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference Under NRAP 78(e) GRANTED; Plaintiff / Inmate's Ex Parte Motion for an Extension of Time to Prepare and Filed an Opposition to Defendant's Motion(s) to Dismiss in Case No. A-22-858580-C and Case No. A-22-856372-C Under NRAP 27(e) GRANTED; the 4/12/23 hearing on Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint CONTINUED; and the Court will prepare an Order with the Opposition date, Reply date, and new hearing date. COURT FURTHER ORDERED, Defendant's appearance via IN-PERSON with Transport Order or appearance via telephone or video conference. CLERK'S NOTE: This minute order was electronically served by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve; this minute order was also served by First Class U.S. Mail postage full prepaid to Plaintiff at High Desert State Prison.//pb/3/29/23.;

CASE SUMMARY

CASE NO. A-22-858580-C

05/12/2023	<p> Minute Order (3:00 AM) (Judicial Officer: Krall, Nadia) Minute Order - No Hearing Held; Journal Entry Details: <i>The Court reviewed all of the pleadings and attached exhibits regarding the pleadings on file. COURT ORDERED, Plaintiff/Inmate's Emergency Motion to Compel an Answer from Aaron D. Ford, Affidavit of Service as a Notice of Motion and Statement of Facts shall be DENIED as MOOT; pursuant to the Nevada Rules of Civil Procedure Defendant's Motion to Dismiss is an appropriate responsive pleading; and the hearing date of May 24, 2023 shall be VACATED. CLERK'S NOTE: This minute order was electronically served by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve; this minute order was also served by First Class U.S. Mail postage full prepaid to Plaintiff Matthew Houston at High Desert State Prison./pb/5/12/23.;</i></p>
05/24/2023	<p>CANCELED Motion to Compel (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated Plaintiff/Inmate's Emergency Motion to Compel an Answer from Aaron D. Ford, Affidavit of Service as a "Notice of Motion" and Statement of Facts</i></p>
07/11/2023	<p>Motion to Dismiss (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint per 1/10/23 minute order Granted With Prejudice; Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint</i></p>
07/11/2023	<p>Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Plaintiff's- Motion Title: Objection to Defendant Daniel L. Schwartz 's Opposition to Plaintiff Matthew Travis Houston's Notice of Intention to Enter Default and Continued Opposition to Defendants Motion to Dismiss Off Calendar; Plaintiff's- Motion Title: Objection to Defendant Daniel L. Schwartz 's Opposition to Plaintiff Matthew Travis Houston's Notice of Intention to Enter Default and Continued Opposition to Defendants Motion to Dismiss</i></p>
07/11/2023	<p> All Pending Motions (9:00 AM) (Judicial Officer: Krall, Nadia) Matter Heard; Journal Entry Details: <i>DEFENDANT DANIEL SCHWARTZ'S MOTION TO DISMISS PLAINTIFF MATTHEW HOUSTON'S COMPLAINT . . . PLAINTIFF'S- MOTION TITLE: OBJECTION TO DEFENDANT DANIEL L. SCHWARTZ 'S OPPOSITION TO PLAINTIFF MATTHEW TRAVIS HOUSTON'S NOTICE OF INTENTION TO ENTER DEFAULT AND CONTINUED OPPOSITION TO DEFENDANTS MOTION TO DISMISS MATTER TRAILED due to audio difficulties. MATTER RECALLED. All parties present as before. MATTER TRAILED as Mr. Houston seems to be muted. MATTER RECALLED. All parties present as before. Arguments made by Mr. Aicklen regarding Motion to Dismiss, noting that Defendant Mr. Schwartz represented the Worker's Compensation company. Mr. Houston explained there being newly discovered evidence and requested leave to amend the Complaint. Mr. Aicklen added that the Complaint does not allege Defendant Mr. Schwartz had anything to do with Mr. Houston's incarceration. COURT stated its FINDINGS and ORDERED, Defendant Daniel Schwartz's Motion to Dismiss Plaintiff Matthew Houston's Complaint GRANTED WITH PREJUDICE; COURT FINDS amendment to be futile; all future hearings VACATED; and Mr. Aicklen to prepare the Order.;</i></p>
07/18/2023	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Judge Plaintiff/Inmate's Emergency Motion and Order for Transportation (In All Cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under NRAP 3C/27E or, in the Alternative, for Appearance by Telephone or Video Conference</i></p>
08/15/2023	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Judge Plaintiff/Inmate's- Emergency Motion For An Order To Determine the Relationship, if any, between the Hon. Jennifer Schwartz, Daniel L. Schwartz, and Karen Schwartz aka Genex as a Notice of Motion</i></p>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-22-858580-C

08/16/2023	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Judge</i> <i>Plaintiff/ Inmate's - Emergency Motion to Add Defendant Elham Roohani as an Expedited Notice of Intention to Enter Default</i></p>
08/16/2023	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Judge</i> <i>Plaintiff/ Inmate's - Emergency Motion Under NRAP 27(e) to Add Defendant(s) Not Limited to Linda Sakalauskas and Nevada Attorney for Injured Workers and Renewed Application to Proceed in Forma Pauperis ; NAIW Hearing after</i></p>
09/27/2023	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated</i> <i>Reoccurring Emergency Motion and Order to Transportation (in all cases of Mr. Matthew Travis Houston) of Inmate for Court Appearance Under NRAP 3 C/27E or in the Alternative, for Appearance by Telephone or Video Conference</i></p>
11/07/2023	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated</i> <i>Emergency Motion to Vacate Dismissal from July 11,2023 (Order Entered July 13, 2023) , Motion for Reconsideration, Rehearing De Novo August 28., 2023) and Notice of Motion Under NRAP 27-E NRCP 59 and NRCP 60</i></p>
11/29/2023	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated</i> <i>Motion for New Trials Under NRCP 60 Emergency Opposition and Emergency Motion and Order for Transportation (in All Cases for Mr. Matthew Travis Houston) of Inmate for Court Appearance NRCP 24, NRAP 3 C/NRAP 27(e)/ 9TH CIR. 27.3, or in the Alternative for Appearance by Telephone or Video Conference</i></p>
12/05/2023	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated</i> <i>Emergency Motion and Ex Parte Demand for Appointment of Discovery Commissioner s in all Case of the Plaintiff Matthew Travis Houston</i></p>
01/09/2024	<p>CANCELED Opposition (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated</i> <i>Opposition to the Perjury and Conspiracy of Rosemarie McMorris -Alexander et al as a Response to the Attached Exhibit "One"</i></p>
01/09/2024	<p>CANCELED Motion to Stay (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated</i> <i>Emergency Motion for Stay and Abeyance Pursuant to Law + Opposition to and Response to the False Claims and Threats Made on the Record by the Office of The District Attorney et al on October 25 th, 2023</i></p>
02/01/2024	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Judge</i> <i>Emergency Motion Under Nev. R. App. P 27(e) for Permission to File Petition to Establish Factual Innocence Pursuant to NRS 34.900 and Opposition to the Perjury and Conspiracy of Defendants Including but Not Limited to Hooks Meng & Clement and Rosemarie McMorris - Alexander et al as a Response</i></p>
02/01/2024	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Judge</i> <i>Emergency Motion for Injunctive Relief Under NRCP Rule 59 + Rule 60, Declaration of Service and Notice of Hearing on a Nevada Department of Corrections Grievant's Statement Continuation Form</i></p>
02/01/2024	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Judge</i> <i>Petition to Establish Factual Innocence Under Nev R Civ P. 34.900-34.960 and Emergency Motion and Order for Transportation (in All Cases of Mr. Matthew Travis Houston) of Inmate</i></p>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-22-858580-C

for Court Appearance Under Nev. R. App., P. 3(C)+27 (c) or in the Alternative for Appearance by Telephone or Video Conference

02/01/2024	CANCELED Hearing (9:00 AM) (Judicial Officer: Krall, Nadia) <i>Vacated - per Judge</i> <i>Demand for and Order Setting Civil Jury Trial(s) Emergency Interpleadings of Fact and Meritorious Intervention as a "Joinder of Appeal"</i>
02/06/2024	CANCELED Motion (9:00 AM) (Judicial Officer: Schwartz, Jennifer) <i>Vacated - per Judge</i> <i>Emergency Motion for Injunctive Relief Under NRCP Rule 59 & Rule 60, Declaration of Service and Notice of Hearing on a Nevada Department of Corrections Grievant's Statement Continuation Form</i>
02/06/2024	CANCELED Motion (9:00 AM) (Judicial Officer: Schwartz, Jennifer) <i>Vacated - per Judge</i> <i>Emergency Motion for Appointment of the Unit for the Investigation and Prosecution of Crimes Against Vulnerable Persons</i>
04/04/2024	Motion (9:00 AM) (Judicial Officer: Schwartz, Jennifer) <i>Emergency Motion to Compel Exhibit "G"</i>

DATE

FINANCIAL INFORMATION

Plaintiff Houston, Matthew	
Total Charges	24.00
Total Payments and Credits	24.00
Balance Due as of 3/12/2024	0.00

DISTRICT COURT CIVIL COVER SHEET

Clark

County, Nevada

A-22-858580-C

Case No. _____

Dept. 4

(Assigned by Clerk's Office)

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

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

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

Civil Case Filing Types

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

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

May 5th 2022
Date

[Signature]
Signature of initiating party or representative

See other side for family-related case filings.

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Legal Malpractice

COURT MINUTES

January 10, 2023

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

January 10, 2023 3:00 AM Minute Order

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

COURT CLERK: Pharan Burchfield

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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

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

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

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

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

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

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

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

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Legal Malpractice

COURT MINUTES

January 31, 2023

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

January 31, 2023 9:00 AM All Pending Motions

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

COURT CLERK: Pharan Burchfield
 Kimberly Liening

RECORDER: Melissa Burgener

REPORTER:

PARTIES

PRESENT: Schwartz, Daniel L Attorney

JOURNAL ENTRIES

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

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

DISTRICT COURT
CLARK COUNTY, NEVADA

Legal Malpractice

COURT MINUTES

February 07, 2023

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

February 07, 2023 9:00 AM All Pending Motions

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

COURT CLERK: Pharan Burchfield
Kimberly Lienen

RECORDER: Melissa Burgener

REPORTER:

PARTIES

PRESENT: Schwartz, Daniel Defendant
Schwartz, Daniel L Attorney

JOURNAL ENTRIES

- PLAINTIFF'S - EMERGENCY EX PARTE MOTION FOR LEAVE TO ADD DEFENDANT(S)
TIERRA DANIELLE JONES AND CHRISTOPHER D BURK ESQ. . . . PLAINTIFF'S - EMERGENCY
MOTION TO ADD DEFENDANT(S) KRISTINA A. RHODES . . . PLAINTIFF'S - EMERGENCY
MOTION TO ADD DEFENDANT(S) NOT LIMITED TO OFFICE TO THE PUBLIC DEFENDER
BENARD H. LITTLE

COURT NOTED that there being no attached proposed Amended Complaint to the Motions. COURT
stated its FINDINGS and ORDERED, Plaintiff's Emergency Ex Parte Motion for Leave to Add
Defendants Tierra Danielle Jones and Christopher D Burk Esq. DENIED; Plaintiff's Emergency
Motion to Add Defendant Kristina A. Rhodes DENIED; Plaintiff's Emergency Motion to Add
Defendants Not Limited to Office to the Public Defender Benard H. Little DENIED; and Mr.
Schwartz to prepare the Order

DISTRICT COURT
CLARK COUNTY, NEVADA

Legal Malpractice

COURT MINUTES

March 28, 2023

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

March 28, 2023 9:00 AM All Pending Motions

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

COURT CLERK: Pharan Burchfield

RECORDER: Melissa Burgener

REPORTER:

PARTIES

PRESENT: Schwartz, Daniel Defendant
 Schwartz, Daniel L Attorney

JOURNAL ENTRIES

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

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Legal Malpractice

COURT MINUTES

May 12, 2023

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

May 12, 2023 3:00 AM Minute Order

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

COURT CLERK: Pharan Burchfield

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

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

COURT ORDERED, Plaintiff/Inmate's Emergency Motion to Compel an Answer from Aaron D. Ford, Affidavit of Service as a Notice of Motion and Statement of Facts shall be DENIED as MOOT; pursuant to the Nevada Rules of Civil Procedure Defendant's Motion to Dismiss is an appropriate responsive pleading; and the hearing date of May 24, 2023 shall be VACATED.

CLERK'S NOTE: This minute order was electronically served by Courtroom Clerk, Pharan Burchfield, to all registered parties for Odyssey File & Serve; this minute order was also served by First Class U.S. Mail postage full prepaid to Plaintiff Matthew Houston at High Desert State Prison.//pb/5/12/23.

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



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

MATTHEW TRAVIS HOUSTON #1210652
P.O. BOX 650
INDIAN SPRINGS, NV 89070

DATE: March 12, 2024
CASE: A-22-858580-C

RE CASE: MATTHEW TRAVIS HOUSTON vs. DANIEL SCHWARTZ

NOTICE OF APPEAL FILED: March 11, 2024

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
 - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- Order
- Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

*****Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

Certification of Copy

State of Nevada }
County of Clark } SS:

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

NOTICE OF APPEAL TO AND RESPONSE TO JANUARY 19TH, 2024
"DISCOVERY HEARING REQUESTED"; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; CIVIL COVER SHEET; DISTRICT COURT MINUTES; NOTICE OF
DEFICIENCY

MATTHEW TRAVIS HOUSTON,

Plaintiff(s),

vs.

DANIEL SCHWARTZ,

Defendant(s),

Case No: A-22-858580-C

Dept No: IV

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 12 day of March 2024.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

