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Electronically Filed  
03/29/2022

*Elizabeth A. Brown*  
CLERK OF THE COURT

DISTRICT COURT  
CLARK COUNTY, NEVADA

Electronically Filed  
Apr 01 2022 11:09 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

MATTHEW TRAVIS HOUSTON,  
Plaintiff-in-error  
(petitioner-appellant),

CASE NO: A-17-758861-C

DEPT No.: 28 and 29

-vs-

CASE NO: C-21-357927-1

DEPT No: XI

THE STATE OF NEVADA,  
Respondant.

PART II OF  
PERSONAL RESTRAINT PETITION

EMERGENCY NOTICE OF APPEAL TO AND

"RESPONSE TO "ORDER GRANTING IN PART, DENYING"  
IN PART DEFENDANT'S PRO PER MOTION  
TO DISMISS COUNSEL" FROM 2/1/2022:  
HEARING DATE: 04/06/2022  
TIME: 1:30 PM

PLEASE TAKE NOTICE that it is asked of this court,

"why did the Plaintiff-in-error have to become wrongfully  
convicted to fine Benard Little?" Mr. Little submitted

his MOTION TO WITHDRAW AS COUNSEL on October 5<sup>th</sup>,

2021 and during that time a pro se motion to dismiss the  
fraudulent charges was submitted to the clerk. The petitioner-

appellant is in opposition to "the state of being without legal  
significance" of Judge Tierra Jones especially because he still  
has not been provided the name of the "substitute judge"

who appointed Anthony M. Goldstein to properly withdraw petitioner-  
appellant's VOIDED guilty plea. This dereliction of duty has caused  
nothing more than a miscarriage of justice adding insult to injury.

Matthew Travis Houston  
HDSP No. 1210652  
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1 Perhaps a cause of this neglect of duty is the fact  
2 that there are other objective factors showing both  
3 cause and prejudice as there is much more in this  
4 case to blame besides bad lawyering. Additionally, the  
5 claim of ineffective aid of counsel was reinforced by the  
6 Supreme Court of Nevada's dismissal of DIRECT APPEAL  
7 No. B41281 on March 10<sup>th</sup>, 2022. Had either Anthony  
8 M. Goldstein, Jeremy Wood, ~~Benard Little~~ or the attorney  
9 from the cases in Las Vegas Municipal Court adhered to  
10 any sort of principle than the petitioner-appellant  
11 would not have been as prejudiced.

12 Primarily it is the fact that the judge, prosecution  
13 and alleged "victim" in this case are females causing a  
14 sexist bias against the petitioner-appellant who had already, while  
15 in a state of trauma been subjected to a double-jeopardy.  
16 Not only was petitioner-appellant made victim of sexist  
17 bigotry but he became more of the scapegoat to the evil forces of  
18 stereotypical racism after being told by Benard Little that  
19 he would not qualify for aid from the Bail Bond Project.  
20 Social worker Cassandra Diez, also from the Clark County  
21 Public Defender's office was also a hindrance to justice  
22 when she had informed petitioner-appellant that it would be a  
23 conflict of interest if petitioner-appellant authorized Benard  
24 Little or someone from their office to act as a POWER  
25 OF ATTORNEY so that petitioner-appellant could have the  
26 overly-inflated bond paid in full. But why would any of that even  
27 matter to the social worker who would not accept complete  
28 medical records from all of the petitioner-appellant's team of doctors?

1 PLEASE TAKE NOTICE that it is asked of this court,  
2 "is there a state wide conspiracy to conceal the truth  
3 about the exploitation of the injured worker(s) from the  
4 citizens of Nevada?" There surely must be in the case(s)  
5 of Matthew Travis Houston.

6 The temerity of dispute resolution has escalated into the most  
7 extreme sort of prejudice which has been swept under the  
8 rug by those individuals causing a broken system. In this  
9 case involving Daniel Schwartz with potential organized criminal  
10 operations possibly involving Scott Poisson in the State of Florida  
11 and Alexis Plunkett out of the State of Ohio, the theory of  
12 of a conspiracy causing legal, medical and judicial malpractice  
13 against the Plaintiff-in-error has been further validated externally  
14 to the now dismissed counsel with additional shady characters including  
15 but not limited to Karen Schwartz, Lina Sakalauskas, Gene Porter and  
16 both David Jones and Tierra Danielle Jones. External to the  
17 procedural errors causing this illegal incarceration is the fact that  
18 big business was able to coerce LVMPD into acting as a modern  
19 day Gestapo. Therefore, it is asked to this court,

20 "a conspiracy is possible... is it not?" In fact, it  
21 is no conspiracy that Sedgwick's interest off of the petitioner-  
22 appellant is making quite a bit of money when not having to  
23 pay the injured worker(s) their legally and rightfully  
24 entitled benefits.

25 PLEASE TAKE NOTICE of this now amended:

26 "EMERGENCY OPPOSITION OF REMAND

27 AND MOTION TO DISMISS No. C-21-357927-1

28 AND EXNORATE THE PETITIONER-APPELLANT?"

1 To date, the Appellant's "PETITION FOR JUDICIAL REVIEW OF  
2 THE EVENTS OF DECEMBER 6th, 2021" has been ignored by the  
3 courts, even before the illegal arrest of the petitioner-appellant  
4 on July 14th, 2021 because judicial ineptitude and procedural  
5 mishandlements ought NEVER happen. However, due to particular  
6 individual's acts in temerity and carelessness, these errors throw  
7 monkeywrenches into particular parts of the machine therefore  
8 preventing the lawful turnings in the wheels of justice from working  
9 towards the forces of good, and all that it is of. It is hereby  
10 asked to this court, "are these most cruel and inhumane injustices to be  
11 accepted by our judicial system and people of the State of Nevada?"

12 It was asked by the most falsely accused Appellant OFFICIALLY before  
13 the 13th of October, 2021 that this case be opposed and completely dismissed,  
14 as proven by the original motion's pages "1-6" which were put on record  
15 by the clerk when they were stamped "RECEIVED OCT 2021 CLERK  
16 OF COURT". The originals are at the offices of Bernard Little, et al  
17 who neglected their duties in providing this court with truth, contributing to  
18 malpractice and is an additional cause of this wrongful conviction. This error  
19 shows the tendency of judicial officers of Las Vegas to parade the  
20 elements of oppression and facism. As a result the Appellant prays  
21 that prosecutorial malice, misconduct, wanton disregard and careless neglect  
22 be lessened if not completely eliminated while reading of the observations  
23 and the theory of District Attorney Mr. Jim Garrison who is,  
24 most unfortunately no longer with us. May he provide this court  
25 with motivation in a reminder to all of the call of duty in  
26 encouragement to unhinder, repair and more equally balance the  
27 scale of justice in the community of Lost Wages, Nevada  
28 that is still part of the good 'ol' United States of America:

## Interview With District Attorney Jim Garrison

as he is clearly in opposition to government interference:

I was with the artillery supporting the division that took Dachau; I arrived there the day after it was taken, when bulldozers were making pyramids of human bodies outside the camp. What I saw there has haunted me ever since. Because the law is my profession, I've always wondered about the judges throughout Germany who sentenced men to jail for picking pockets at a time when their own government was jerking gold from the teeth of men murdered in gas chambers. I'm concerned about all of this because it isn't a German phenomenon; it's a human phenomenon. It can happen here, because there has been no change and there has been no progress and there has been no increase of understanding on the part of men for their fellow man.

What worries me deeply, and I have seen it exemplified in this case, is that we in America are in great danger of slowly evolving into a proto-facist state. It will be a ~~deeply~~ different kind of facist state from the one of the Germans evolved; theirs grew out of depression and promised bread and work, while ours, curiously enough, seems to be emerging from prosperity. But in the final analysis, it's based on power and on the inability to put human goals and human conscience above the dictates of the state. Its origins can be traced in the tremendous

1 war machine we've built since 1945, the "military-  
2 industrial complex" that Eisenhower vainly warned  
3 us about, which now dominates every aspect of our  
4 life. The power of the states and Congress has  
5 gradually been abandoned to the Executive Department,  
6 because of war conditions; and we've seen the  
7 creation of an arrogant, swollen bureaucratic complex  
8 totally unfettered by the checks and balances of  
9 the Constitution.

10  
11 In a very real and terrifying sense, our Government  
12 is the CIA and the Pentagon, with Congress reduced  
13 to a debating society. Of course, you can't spot  
14 this trend to facism by casually looking around. You  
15 can't look for such familiar signs as the swastika,  
16 because they won't be there. We won't build  
17 Dachaus and Auschwitzes; the clever manipulation of  
18 the mass media is creating a concentration camp of the  
19 mind that promises to be far more effective in keeping  
20 the populace in line. We're not going to wake up one  
21 morning and suddenly find ourselves in gray uniforms  
22 goose-stepping off to work. But this isn't the test.  
23 The test is: What happens to the individual who  
24 dissents? In Nazi Germany he was physically  
25 destroyed; here, the process is more subtle,  
26 but the end results can be the same.

1 I've learned enough about the machinations of the  
2 CIA in the past year to know that this is no  
3 longer the dream world America I once believed  
4 in. The imperatives of the population explosion,  
5 which inevitably will lessen our belief in the  
6 sanctity of the individual human life, combined  
7 with the awesome power of the CIA and the  
8 defense establishment, seem destined to seal the  
9 fate of the America I knew as a child and bring  
10 us into a new Orwellian world where the citizen  
11 exists for the state and where raw power justifies  
12 any and every immoral act. I've always had a  
13 kind of knee-jerk trust in my Government's  
14 basic integrity, whatever political blunders it may  
15 make. But I've come to realize that in Washington,  
16 deceiving and manipulating the public are viewed by  
17 some as the natural prerogatives of office. Huey  
18 Long once said, "Facism will come to America in the  
19 name of anti-facism." I'm afraid, based on my  
20 own experience that facism will come to America  
21 in the name of national security.

22  
23 JFK Lancer, "Jim Garrison's Playboy Interview,  
24 Part Three," accessed 4 Dec. 2012:  
25 <http://www.jfklancer.com/Garrison4.html>  
26

27 What is the reason behind the smoke and mirrors  
28 of the Regional Injustice Center? Invasion or control?  
Page Number 7

(See) EXHIBIT : (pages #49-55)

EMERGENCY MOTION TO OPPOSE REMAND  
AND DISMISS CASE  
IN ITS ENTIRETY

- drawn October 13<sup>th</sup>, 2021 @ C.C.D.C.
- certified by U.S.P.S. October 13<sup>th</sup>, 2021
- recieved by Clerk of the Court October 18<sup>th</sup>, 2021
- was fwd to Clark County Public Pretender instead of filed in case. This warrants equitable tolling. It also shows proceedural error(s).
- shows grounds for emotional distress ~~endured~~ by the Def. since the court incurred error contributed to the cause of ~~an~~ ineffective counsel leading to wrongful conviction as the court failed in responding to Benard Little's motion to WITHDRAW he had submitted on October 5<sup>th</sup>, 2021. These procedural errors greatly prejudiced the Defendant, but perhaps the most significant bias shown towards the Defendant was when he was told on record that he was not eligible nor was he accepted to Mental Health court because he survived fatal traumatic brain injuries and other catastrophic injuries. This in itself is a civil rights lawsuit as the results of this case show that the courts of Clark County, Nevada must view the disabled as inferior.

- to illustrate to the court and for the sake of justice ~~it will now~~ a comparrison and contrast will be shown ~~be~~ of the relationship



2 between potential world conspiracy, and what's witnessed  
-1 as truth. And to ask this court again: Is there  
6 a conspiracy against Matthew Travis Houston or just  
1 ~~THE~~ ~~THESE~~ A WORLDWIDE GOVERNMENT CONSPIRACY  
2 TO CONCEAL THE TRUTH FROM THE PUBLIC?

3 In the short span of six years, twenty-three  
4 English scientists who worked on Star Wars-type  
5 projects have died under questionable circumstances.  
6 All of them had worked on different facets of  
7 electronic warfare, which includes UFO research. A  
8 list of the deceased and the dates and circumstances  
9 of their deaths follows.

10

- 11 1. 1982. Professor Keith Bowden: killed in auto crash.
- 12 2. July 1982. Jack Wolfenden: died in glider accident.
- 13 3. November 1982. Ernest Brockway: suicide.
- 14 4. 1983 Stephen Drinkwater: suicide by strangulation.
- 15 5. April 1983. Lieutenant-Colonel Anthony Godley:  
16 missing, declared dead.
- 17 6. April 1984. George Franks: suicide by hanging.
- 18 7. 1985. Stephen Oke: suicide by hanging.
- 19 8. November 1985. Jonathon Wash: suicide by  
20 jumping from a building.
- 21 9. 1986. Dr. John Brittan: suicide by carbon-  
22 monoxide poisoning.
- 23 10. October 1986. Arshad Sharif: suicide by  
24 placing a rope around his neck, tying it to a  
25 tree, and then driving away at high speed. Took  
26 place in Bristol, one hundred miles away from his home  
27 in London.
- 28

- 1 11. October 1986. Vimal Dajhai: suicide by jumping
- 2 from a bridge in Bristol, one hundred miles from
- 3 his home in London.
- 4 12. January 1987. Artar Singh-Gida: missing,
- 5 declared dead.
- 6 13. February 1987. Peter Pepell: suicide by
- 7 crawling under car in garage.
- 8 14. March 1987. David Sands: suicide by
- 9 driving car into café at high speed.
- 10 15. April 1987. Mark Wisner: death by self-strangulation.
- 11 16. April 10, 1987. Stuart Gooding: killed in Cyprus.
- 12 17. April 1987. Shani Warren: suicide by drowning.
- 13 18. May 1987. Michael Baker: killed in auto-crash.
- 14 19. May 1988. Trevor Knight: suicide.
- 15 20. August 1988 Alistair Becham: suicide
- 16 by self-electrocution.
- 17 21. August 1988: Brigadier Peter Ferry,
- 18 suicide by self-electrocution.
- 19 22. Date unknown: Victor Moore;
- 20 (23. Mitchell Ryan Suicide → November 18th, 2014 Houston, brother.
- 21 suicide by hanging. 24. Uncle Rollie Schoenherr, <sup>ruled a</sup> suicide however
- 22 Coincidences? body found in Wisconsin shot up inside a
- 23 truck with its doors locked. Numerous bullets. 25. Uncle Randall Schoenherr,
- 24 2019. Died by being poisoned. Author's Note pages 396-397
- 25 from The Doomsday Conspiracy by
- 26 Sidney Sheldon, 1991. A bit of science will now show
- 27 this court there's absolutely ZERO coincidences in the fact
- 28 that Rosemary McMorris is scamming big insurance:

1 JUDGEMENT UNDER UNCERTAINTY:

2 HEURISTICS AND BIASES,\* by Amos Tversky

3 and Daniel Kahneman

4 \*This article originally appeared in Science, vol. 185,  
5 1974. The research was supported by the Advanced Research  
6 Projects Agency of the Department of Defense and was monitored  
7 by the Office of Naval Research under contract

8 N00014-79-C-0438 to the Oregon Research Institute, Eugene.

9 Additional support for this research was provided by the Research and  
10 Development Authority of the Hebrew University, Jerusalem, Israel.

11

12 Many decisions are based on beliefs concerning the likelihood of  
13 uncertain events such as the outcome of an election, the guilt  
14 of a defendant, or the future value of the dollar. These  
15 beliefs are usually expressed in statements such as "I think  
16 that...", "chances are ~~about~~...", "it is unlikely that...", and so  
17 forth. Occasionally, beliefs concerning uncertain events are  
18 expressed in numerical form as odds or subjective  
19 probabilities. What determines such beliefs? How do people  
20 assess the probability of an uncertain event or the value  
21 of an uncertain quantity? This article shows that people rely  
22 on a limited number of heuristic principles which reduce the complex  
23 tasks of assessing probabilities and predicting values to simpler  
24 judgemental operations. In general, these heuristics are  
25 quite useful, but sometimes they lead to severe and  
26 systematic errors.

27 The subjective assessment of probability resembles the  
28 subjective assessment of physical quantities such as

1 distance or size. These judgements are all based on  
2 data of limited validity, which are processed according  
3 to heuristic rules. For example, the apparent distance  
4 of an object is determined in part by its clarity.  
5 The more sharply the object is seen, the closer it  
6 appears to be. This rule has some validity, because  
7 in any given scene the more distant objects are seen  
8 less sharply than nearer objects. However, the  
9 reliance on this rule leads to systematic errors in the  
10 estimation of distance. Specifically, distances are often  
11 overestimated when visibility is poor because the contours of  
12 objects are blurred. On the other hand, distances are  
13 often underestimated when visibility is good because objects  
14 are seen sharply. Thus, the reliance on clarity as an  
15 indication of distance leads to common biases. Such biases  
16 are found in the intuitive judgement of probability. This  
17 article describes three heuristics that are employed to  
18 assess probabilities and to predict values. Biases to  
19 which these heuristics lead are enumerated, and the  
20 applied and theoretical implications of these observations  
21 are discussed.

## 22 REPRESENTATIVENESS

23 Many of the probabilistic questions for which people are  
24 concerned belong to one of the following types:  
25 What is the probability that object A belongs to class B?  
26 What is the probability that event A originates from  
27 process B? What is the probability that process B  
28 will generate event A?

1 In answering such questions, people typically rely on  
2 the representativeness heuristic, in which probabilities are  
3 evaluated by the degree to which A is representative  
4 of B, that is, by the degree to which A resembles B.  
5 For example, when A is highly representative of B,  
6 the probability that A originates from B is judged  
7 to be high. On the other hand, if A is not  
8 similar to B, the probability that A originates  
9 from B is judged to be low.

10 For an illustration of judgement by representativeness,  
11 consider an individual who has been described by a  
12 former neighbor as follows: "Steve is very shy and  
13 withdrawn, invariably helpful, but with little interest  
14 in people, or in the world of reality. A meek and  
15 tidy soul, he has a need for order and structure,  
16 and a passion for detail." How do people assess  
17 the probability that Steve is engaged in a particular  
18 occupation from a list of possibilities (for example,  
19 farmer, salesman, airline pilot, librarian, or physician)?  
20 How do people order these occupations from most to  
21 least likely? In the representativeness heuristic,  
22 the probability that Steve is a librarian, for example,  
23 is assessed by the degree to which he is representative  
24 of, or similar to, the stereotype of a librarian.  
25 Indeed, research with problems of this type has shown that  
26 people order the occupations by probability and by similarity  
27 in exactly the same way.<sup>1</sup> This approach to the judgement  
28 of probability leads to serious errors, because similarity, or

Page Number 13

1 representativeness, is not influenced by several  
2 factors that should affect judgements of  
3 probability.

4 Insensitivity to prior outcomes. One of the  
5 factors that have no effect on representativeness  
6 but should have a major effect on probability is the  
7 prior probability, or base rate frequency, of the  
8 outcomes. In the case of Steve, for example,  
9 the fact that there are many more farmers than  
10 librarians in the population should enter into any  
11 reasonable estimate of the possibility that Steve  
12 is a librarian rather than a farmer. Considerations  
13 of base-rate frequency, however, do not affect the  
14 similarity of Steve to the stereotypes of librarians  
15 and farmers. If people evaluate possibility of  
16 representativeness, therefore, prior possibilities will  
17 be neglected. This hypothesis was tested in an  
18 experiment where prior probabilities were manipulated.<sup>2</sup>

19 Subjects were shown brief personality descriptions  
20 of several individuals, allegedly sampled at random  
21 from a group of 100 professionals—engineers and  
22 lawyers. The subjects were asked to assess,  
23 for each description, the probability that it belonged  
24 to an engineer rather than a lawyer. In one  
25 experimental condition, subjects were told that the  
26 group from which the descriptions had been drawn  
27 consisted of 70 engineers and 30 lawyers. In  
28 another condition, subjects were told that the

1 group consisted of 30 engineers and 70 lawyers.  
2 The odds that any particular description belongs  
3 to an engineer rather than to a lawyer should  
4 be higher in the first condition, where there is a  
5 majority of engineers, than in the second  
6 condition, where there is a majority of lawyers.  
7 Specifically, it can be shown by applying Bayes'  
8 rule that the ratio of these odds should be  
9  $(.7/.3)^2$ , or 5.44, for each description. In a  
10 sharp violation of Bayes' rule, the subjects  
11 in the two conditions produced essentially the  
12 same probability judgements. Apparently, subjects  
13 evaluated the likelihood that a particular description  
14 belonged to an engineer rather than to a lawyer  
15 by the degree to which this description was  
16 representative of the two stereotypes, with little  
17 or no regard for the prior ~~possibilities~~ of the  
18 probabilities of the categories.

19 The subjects used prior probabilities correctly  
20 when they had no other information. In the  
21 absence of a personality sketch, they judged the  
22 probability that an unknown individual is an engineer  
23 to be .7 and .3, respectively, in the two base-rate  
24 conditions. However, prior probabilities were  
25 effectively ignored when a description was introduced,  
26 even when the description was totally uninformative.  
27 The responses to the description illustrate this  
28 phenomenon.

Dick is a 30-year-old man. He is married with no children. A man of high ability and high motivation, he promises to be quite successful in his field. He is well liked by his colleagues.

This description was intended to convey no information relevant to the question of whether Dick is an engineer or a lawyer. Consequently, the probability that Dick is an engineer should equal the proportion of engineers in the group, as if no description had been given. The subjects, however, judged the probability of Dick being an engineer to be .5 regardless of whether the stated proportion of engineers in the group was .7 or .3. Evidently, people respond differently when given no evidence and when given worthless evidence. When no specific evidence is given, prior probabilities are properly utilized; when worthless evidence is given, prior probabilities are ignored.<sup>3</sup>

Insensitivity to sample size. To evaluate the probability of obtaining a particular result in a sample drawn from a specific population, people typically apply the representativeness heuristic. That is, they assess the likelihood of a sample result, for example, that the average height in a random sample of ten men will be 6 feet, by the similarity of this result to the corresponding



parameter (that is, to the average height in the population of men). The similarity of a simple statistic to a population parameter does not depend on the size of the sample. Consequently, if probabilities are assessed by representativeness, then the judged probability of a sample statistic will be essentially independent of sample size. Indeed, when subjects assessed the distributions of average height for samples of various sizes, they produced identical distributions. For example, the probability of obtaining an average height greater than 6 feet was assigned the same value for samples of 1,000, 100, and 10 men.<sup>4</sup> Moreover, subjects failed to appreciate the role of sample size even when it was emphasized in the formulation of the problem. Consider the following question:

A certain town is served by two hospitals. In the larger hospital about 45 babies are born each day, and in the smaller hospital about 15 babies are born each day. As you know, 50% of all babies are boys. However, the exact percentage varies from day to day. Sometimes it may be higher than 50%, sometimes lower.

For a period of 1 year, each hospital recorded the days on which more than 60% of the babies born were boys.

1 which hospital do you think recorded  
2 more such days?

3 The larger hospital (~~21~~) (21)

4 The smaller hospital (21)

5 About the same (that is,  
6 within 5% of each other) (53)

7  
8 The values in parenthesis are the number of  
9 undergraduate students who chose each answer.

10 Most subjects judged the probability of  
11 obtaining more than 60% boys to be the same in  
12 the small and in the large hospital, presumably  
13 because these events are described by the same  
14 statistic and are therefore equally representative of  
15 the general population. In contrast, sampling  
16 theory entails that the expected number of days  
17 on which more than 60% of the babies are boys is  
18 much greater in the small hospital than in the  
19 large one, because a large sample is less likely  
20 to stray from 50%. This fundamental notion  
21 of statistics is evidently not part of people's  
22 repertoire of intuitions.

23 A similar insensitivity to sample size has  
24 been reported in judgements of posterior probability,  
25 that is, of the probability that a sample has been  
26 drawn from one population rather than from another.  
27 Consider the following example:

Imagine an urn filled with balls of which  $\frac{2}{3}$  are of one color and  $\frac{1}{3}$  of another. One individual has drawn 5 balls from the urn, and found that 4 were red and 1 was white. Another individual has drawn 20 balls and found that 12 were red and 8 were white. Which of the two individuals should feel more confident that the urn contains  $\frac{2}{3}$  red balls and  $\frac{1}{3}$  white balls, rather than the opposite? What odds should each individual give?

In this problem, the correct posterior odds are 8 to 1 for the 4:1 sample and 16 to 1 for the 12:8 sample, assuming equal prior probabilities. However, most people feel that the first sample provides much stronger evidence for the hypothesis that the urn is predominantly red, because the proportion of red balls is larger in the first than in the second sample. Here again, intuitive judgements are dominated by the sample proportion and are essentially unaffected by the size of the sample, which plays a critical role in the determination of the actual posterior odds.<sup>5</sup> In addition, intuitive estimates of posterior odds are far less extreme than the correct values. The underestimation of the impact of evidence has been observed repeatedly in problems of this type.<sup>6</sup> It has been labeled "conservatism."

Misconceptions of chance. People expect that a sequence of events generated by a random process will represent the essential characteristics of that process even when the sequence is short. In considering tosses of a coin for heads or tails, for example, people regard the sequence H-T-H-T-T-H to be more likely than the sequence H-H-H-T-T-T, which does not appear random; and also more likely than the sequence H-H-H-H-T-H, which does not represent the fairness of the coin.<sup>7</sup> Thus, people expect that the essential characteristics of the process will be represented, not only globally in the entire sequence, but also locally in each of its parts. A locally representative sequence, however, deviates systematically from chance expectation: it contains too many alternations and too few runs. Another consequence of the belief in local representativeness is the well-known gambler's fallacy. After observing a long run of red on the roulette wheel, for example, most people erroneously believe that black is now due, presumably because the occurrence of black will result in a more representative sequence than the occurrence of an additional red. Chance is commonly viewed as a self-correcting process in which a deviation in one direction induces a deviation in the opposite direction to restore the equilibrium. In fact, deviations are not "corrected" as a chance process unfolds, they are merely diluted.

1 Misconceptions of chance are not limited to  
2 naive subjects. A study of the statistical  
3 institutions of experienced research psychologists &  
4 revealed a lingering belief in what may be  
5 called "the law of small numbers," according to  
6 which even small samples are highly representative  
7 of the populations from which they are drawn.  
8 The responses of these investigators reflected  
9 the expectation that a valid hypothesis about a  
10 population will be represented by a statistically  
11 significant result in a sample with little regard  
12 for its size. As a consequence, the researchers  
13 put too much faith in the results of small samples  
13 and grossly overestimated the replicability of such  
14 results. In the actual conduct of research, this  
15 bias leads to the selection of samples of inadequate  
16 size and to overinterpretation of findings.

17 Insensitivity to predictability. People  
18 are sometimes called upon to make such numerical  
19 predictions as the future value of stock, the  
20 demand for a commodity, or the outcome of a  
21 football game. Such predictions are often made by representativeness.  
22 For example, suppose one is given a description of a company  
23 and is asked to predict its future profit. If the  
24 description of the company is very favorable, a very high  
25 profit will appear most representative of that description;  
26 if the description is mediocre, a mediocre performance will  
27 appear most representative. The degree to which

1 the description is favorable is unaffected by the reliability  
2 of that description or by the degree to which it permits  
3 accurate prediction. Hence, if people predict solely in  
4 terms of the favorableness of the description, their  
5 predictions will be insensitive to the reliability of the  
6 evidence and to the expected accuracy of the prediction.

7 This mode of judgement violates the normative statistical  
8 theory in which the extremeness and the range of predictions  
9 are controlled by considerations of predictability. When  
10 predictability is nil, the same prediction should be made in  
11 all cases. For example, if the descriptions of companies  
12 provide no information relevant to profit, than the same value  
13 (such as average profit) should be predicted for all companies.  
14 If predictability is perfect, of course, the values predicted  
15 will match the actual values and the range of predictions  
16 will equal the range of outcomes. In general, the higher the  
17 predictability, the wider the range of predicted values.

18 Several studies of numerical prediction have demonstrated  
19 that intuitive predictions violate this rule, and that subjects  
20 show little or no regard for considerations of predictability.<sup>9</sup>  
21 In one of these studies, subjects were presented with several  
22 paragraphs, each describing the performance of a student teacher  
23 during a particular practice lesson. Some subjects were asked to  
24 evaluate the quality of a lesson described in the paragraph in  
25 percentile scores, relative to a specified population. Other  
26 subjects were asked to predict, also in percentile scores,  
27 the standing of each student teacher 5 years after the practice  
28 lesson. The judgements made under the two conditions were identical.

1 That is, the prediction of a remote criterion (success of a teacher after  
2 5 years) was identical to the evaluation of the information on which  
3 the prediction was based (the quality of the practice lesson). The  
4 students who made these predictions were undoubtedly aware of the  
5 limited predictability of teaching competence on the basis of a single  
6 trial lesson 5 years earlier; nevertheless, their predictions were as extreme  
7 as their evaluations.

8 The illusion of validity. As we have seen, people often predict by  
9 selecting the outcome (for example, an occupation) that is most  
10 representative of the input (for example, the description of a person).  
11 The confidence they have in their prediction depends primarily on the  
12 degree of representativeness (that is, on the quality of the match  
13 between the selected outcome and the input) with little or no regard  
14 for the factors that limit predictive accuracy. Thus, people express  
15 great confidence in the prediction that a person is a librarian when given  
16 a description of his personality which matches the stereotype of  
17 librarians, even if the description is scanty, unreliable, or outdated.

18 The unwarranted confidence which is produced by a good fit between  
19 the predicted outcome and the input information may be called the  
20 illusion of validity. This illusion persists even when the judge is  
22 aware of the factors that limit the accuracy of his predictions. It is  
23 a common observation that psychologists who conduct selection interviews  
24 often experience considerable confidence in their predictions, even when  
25 they know of the vast literature that shows selection interviews to  
26 be highly fallible. The continued reliance on the clinical interview for  
27 selection, despite repeated demonstrations of its inadequacy, amply  
28 attests to the strength of this effect.

29 The internal consistency of a pattern of inputs is a major detriment

1 of one's confidence in predictions based on these inputs. For example,  
2 people express more confidence in predicting the final grade point  
3 average of a student whose first-year record includes many A's  
4 and C's. Highly consistent patterns are most often observed when  
5 the input variables are highly redundant or correlated. Hence,  
6 people tend to have great confidence in predictions based on redundant  
7 input variables. However, an elementary result in the statistics of  
8 correlation asserts that, given input variables of stated validity,  
9 a prediction based on several such inputs can achieve higher  
10 accuracy when they are independent of each other than when they  
11 are redundant or correlated. Thus, redundancy among inputs  
12 decreases accuracy even as it increases confidence, and people are  
13 often confident in predictions that are quite likely to be off the mark.<sup>20</sup>

14 Misconceptions of regression. Suppose a large group of  
15 children has been examined on two equivalent versions of an aptitude  
16 test. If one selects ten children from among those who did best on  
17 one of the two versions, he will usually find their performance on  
18 the second version to be somewhat disappointing. Conversely, if  
19 one selects ten children from among those who did worst on one  
20 version, they will be found, on the average, to do somewhat better  
21 on the other version. More generally, consider two variables  $X$  and  $Y$   
22 which have the same distribution. If one selects individuals whose  
23 average  $X$  score deviates from the means of  $X$  by  $k$  units, then  
24 the average of their  $Y$  scores will usually deviate from the mean of  
25  $Y$  by less than  $k$  units. These observations illustrate a general  
26 phenomenon known as regression toward the mean, which was  
27 first documented by Galton more than 100 years ago.



1 In the normal course of life, one encounters many instances  
2 of regression toward the mean, in the comparison of the height  
3 of fathers and sons, of the intelligence of husbands and wives, or  
4 of the performance of individuals on consecutive examinations.  
5 Nevertheless, people do not develop correct intuitions about this  
6 phenomenon. First, they do not expect regression in many contexts  
7 where it is bound to occur. Second, when they recognize the  
8 occurrence of regression, they often invent spurious casual  
9 explanations for it.<sup>11</sup> We suggest that the phenomenon of  
10 regression remains elusive because it is incompatible with the belief  
11 that the predicted outcome should be maximally representative of the  
12 input, and, hence, that the value of the outcome variable should be  
13 as extreme as the value of the input variable.

14 The failure to recognize the import of regression can have  
15 pernicious consequences, as illustrated by the following observation.<sup>12</sup>  
16 In a discussion of flight training, experienced instructors noted that  
17 praise for an exceptionally smooth landing is typically followed by a  
18 poorer landing on the next try, while harsh criticism after a rough  
19 landing is usually followed by an improvement on the next try. The  
20 instructors concluded that verbal rewards are detrimental to learning,  
21 while verbal punishments are beneficial, contrary to accepted  
22 psychological doctrine. This conclusion is unwarranted because of the  
23 presence of regression toward the mean. As in other cases of  
24 repeated examination, an improvement will usually follow a poor  
25 performance and a deterioration will usually follow an outstanding  
26 performance, even if the instructor does not respond to the  
27 trainee's achievement on the first attempt. Because the  
28 instructors had praised their trainees after good landings and

admonished them after poor ones, they reached the erroneous and potentially harmful conclusion that punishment is more effective than reward.

Thus, the failure to understand the effect of regression leads one to overestimate the effectiveness of punishment and to underestimate the effectiveness of reward. In social interaction, as well as in training, rewards are typically administered when performance is good, and punishments are typically administered when performance is poor. By regression alone, therefore, behavior is most likely to improve after punishment and most likely to deteriorate after reward. Consequently, the human condition is such that, by chance alone, one is most often rewarded for punishing others and most often punished for rewarding them. People are generally not aware of this contingency. In fact, the elusive role of regression in determining the apparent consequences of reward and punishment seems to have escaped the notice of students of this area.

### AVAILABILITY

There are situations in which people assess the frequency of a class or the probability of an event by the ease with which instances or occurrences can be brought to mind. For example, one may assess the risk of heart attack among middle-aged people by recalling such occurrences among one's acquaintances. Similarly, one may evaluate the probability that a given business venture will fail by imagining various difficulties it could encounter. This judgemental heuristic is called availability. Availability is a useful clue for assessing frequency or probability, because instances of large classes are usually recalled better and faster than

instances of less frequent classes. However, availability is affected by factors other than frequency and probability. Consequently, the reliance on availability leads to predictable biases, some of which are illustrated below.

Biases due to the retrievability of instances. when the size of a class is judged by the availability of its instances, a class whose instances are easily retrieved will appear more numerous than a class of equal frequency whose instances are less retrievable. In an elementary demonstration of this effect, subjects heard a list of well-known personalities of both sexes and were subsequently asked to judge whether the list contained more names of men than of women. Different lists were presented to different groups of subjects. In some of the lists the men were relatively more famous than the women, and in others the women were relatively more famous than the men. In each of the lists, the subjects erroneously judged that the class (sex) that had the more famous personalities was the more numerous.<sup>13</sup>

In addition to familiarity, there are other factors, such as salience, which affect the retrievability of instances. For example, the impact of seeing a house burning on the subjective probability of such accidents is probably greater than the impact of reading about a fire in the local paper. Furthermore, recent occurrences are likely to be relatively more available than earlier occurrences. It is a common experience that the subjective probability of traffic accidents rises temporarily when one sees a car overturned by the side of the road.

## Biases due to the effectiveness of a search set.

Suppose one samples a word (of three letters or more) at random from an English text. It is more likely that the word starts with *r* or that *r* is the third letter? People approach this problem by recalling words that begin with *r* (road) and words that have *r* in the third position (car) and assess the relative frequency by the ease with which words of the two types come to mind. Because it is much easier to search for words by their first letter than by their third letter, most people judge words that begin with a given consonant to be more numerous than words in which the same consonant appears in the third position. They do so even for consonants, such as *r* or *k*, that are more frequent in the third position than in the first.<sup>14</sup>

Different tasks elicit different search sets. For example, suppose you are asked to rate the frequency with which abstract words (thoughts, love) and concrete words (door, water) appear in written English. A natural way to answer this question is to search for contexts in which the word could appear. It seems easier to think of contexts in which an abstract concept is mentioned (love in love stories) than to think of contexts in which a concrete word (such as door) is mentioned. If the frequency of words is judged by the availability of the contexts in which they appear, abstract words will be judged as relatively more numerous than concrete words. This bias has been observed in a recent study<sup>15</sup> which showed that the judged frequency of occurrence of abstract words was much higher than that of concrete words, equated in objective frequency. Abstract words were also judged to appear in a much greater variety of contexts than concrete words.

Biases of imaginability. Sometimes one has to assess the frequency of a class whose instances are not stored in memory but can be generated according to a given rule. In such situations, one typically generates several instances and evaluates frequency or probability by the ease with which the relevant instances can be constructed. However, the ease of constructing instances does not always reflect their actual frequency, and this mode of evaluation is prone to biases. To illustrate, consider a group of 10 people who form committees of  $k$  members,  $2 \leq k \leq 8$ . How many different committees of  $k$  members can be formed? The correct answer to this problem is given by the binomial coefficient  $(10/k)$  which reaches a maximum of 252 for  $k=5$ . Clearly, the number of committees of  $k$  members defines a unique group of  $(10-k)$  nonmembers.

One way to answer this question without computation is to mentally construct committees of  $k$  members and to evaluate their number by the ease with which they come to mind. Committees of few members, say 2, are more available than committees of many members, say 8. The simplest scheme for the construction of committees is a partition of the group into disjoint sets. One readily sees that it is easy to construct five disjoint committees of 2 members, while it is impossible to generate even two disjoint committees of 8 members. Consequently, if frequency is assigned by imaginability, or by availability for construction, the small committees will appear more numerous than larger committees, in contrast to the correct bell-shaped function. Indeed, when naive subjects were asked to

1 estimate the number of distinct committees of various sizes,  
2 their estimates were a decreasing ~~more~~ monotonic function of  
3 committee size.<sup>16</sup> For example, the median estimate of  
4 the number of committees of 2 members was 70, while  
5 the estimate for committees of 8 members was 20 (the  
6 correct answer is 45 in both cases).

7     Imaginability plays an important role in the evaluation of  
8 probabilities in real-life situations. The risk involved in an  
9 adventurous expedition, for example, is evaluated by imagining  
10 contingencies with which the expedition is not equipped to cope.  
11 If many such difficulties are vividly portrayed, the expedition  
12 can be made to appear exceedingly dangerous, although the ease  
13 with which disasters are imagined need not reflect their actual  
14 likelihood. Conversely, the risk involved in an undertaking may be  
15 grossly underestimated if some possible dangers are either  
16 difficult to conceive of or simply do not come to mind.

17     Illusory correlation. Chapman and Chapman<sup>17</sup> have  
18 described an interesting bias in the judgement of the frequency  
19 with which two events co-occur. They presented naive judges  
20 with information concerning several hypothetical mental patients.  
21 The data for each patient consisted of a clinical diagnosis and  
22 a drawing of a person made by the patient. Later the judges  
23 estimated the frequency with which each diagnosis (such as  
24 paranoia or suspiciousness) had been accompanied by various  
25 features of the drawing (such as peculiar eyes). The subjects  
26 markedly overestimated the frequency of co-occurrence of  
27 natural associates, such as suspiciousness and peculiar eyes. This  
28 effect was labelled illusory correlation. In their erroneous

1 judgements of the data, to which they had been exposed,  
2 naïve subjects "rediscovered" much of the common, but  
3 unfounded, clinical lore concerning the interpretation of the  
4 draw-a-person test. The illusory correlation effect was  
5 extremely resistant to contradictory data. It persisted  
6 even when the correlation between symptom and diagnosis  
7 was actually negative, and it prevented the judges from  
8 detecting relationships that were in fact present.

9 Availability provides a natural account for the illusory-  
10 correlation effect. The judgement of how frequently  
11 two events co-occur could be based on the strength  
12 of the associative bond between them. When the  
13 association is strong, one is likely to conclude that the  
14 events have been frequently paired. Consequently, strong  
15 associates will be judged to have occurred together frequently.  
16 According to this view, the illusory correlation between  
17 suspiciousness and peculiar drawing of the eyes, for example,  
18 is due to the fact that suspiciousness is more readily  
19 associated with the eyes than with any other part of the body.

20 Lifelong experience has taught us that, in general,  
21 instances of large classes are recalled better and faster than  
22 instances of less frequent classes; that likely occurrences are  
23 easier to imagine than unlikely ones; and that the associative  
24 connections between events are strengthened when the events  
25 frequently co-occur. As a result, man has at his disposal  
26 a procedure (the availability heuristic) for estimating the  
27 numerosity of a class, the likelihood of an event, or the  
28 frequency of co-occurrences, by the ease with which the

relevant mental operations of retrieval, construction, or association can be performed. However, as the preceding examples have demonstrated, this valuable estimation procedure results in systematic errors.

### ADJUSTMENT AND ANCHORING

In many situations, people make estimates by starting from an initial value that is adjusted to yield the final answer. The initial value, or starting point, may be suggested by the formulation of the problem, or it may be the result of a partial computation. In either case, adjustments are typically insufficient.<sup>18</sup> That is, different starting points yield different estimates, which are biased toward the initial values. We call this phenomenon anchoring.

Insufficient adjustment. In a demonstration of the anchoring effect, subjects were asked to estimate various quantities, stated in percentages (for example, the percentage of African countries in the United Nations). For each quantity, a number between 0 and 100 was determined by spinning a wheel of fortune in the subjects' presence. The subjects were instructed to indicate first whether that number was higher or lower than the value of the quantity, and then to estimate the value of the quantity by moving upward or downward from the given number. Different groups were given different numbers for each quantity, and these arbitrary numbers had a marked effect on estimates. For example, the median estimates of the percentage of African countries in the United Nations were 25 and 45 for groups that received 10 and 65,



respectively, as starting points. Payoffs for accuracy did not reduce the anchoring effect.

Anchoring occurs not only when the starting point is given to the subject, but also when the subject bases his estimate on the result of some incomplete computation. A study of intuitive numerical estimation illustrates this effect. Two groups of high school students estimated, within 5 seconds, a numerical expression that was written on the blackboard. One group estimated the product

$$8 \times 7 \times 6 \times 5 \times 4 \times 3 \times 2 \times 1$$

while another group estimated the product

$$1 \times 2 \times 3 \times 4 \times 5 \times 6 \times 7 \times 8$$

To rapidly answer such questions, people may perform a few steps of computation and estimate the product by extrapolation or adjustment. Because adjustments are typically insufficient, this procedure should lead to underestimation. Furthermore, because of the result of the first few steps of multiplication (performed from left to right) is higher in the descending sequence than in the ascending sequence, the former expression should be judged larger than the latter. Both predictions were confirmed. The median estimate for the ascending sequence was 512, while the median estimate for the descending sequence was 2,250. The correct answer is 40,320.

## Biases in the evaluation of conjunctive and disjunctive events.

In a recent study by Bar-Hillel<sup>19</sup> subjects were given the opportunity to bet on one of two events. Three types of events were used: (i) simple events, such as drawing a red marble from a bag containing 50% red marbles and 50% white marbles; (ii) conjunctive events, such as drawing a red marble seven times in succession, with replacement, from a bag containing 90% red marbles and 10% white marbles; and (iii) disjunctive events, such as drawing a red marble at least once in seven successive tries, with replacement, from a bag containing 10% red marbles and 9% white marbles.

In this problem, a significant majority of subjects preferred to bet on the conjunctive event (the probability of which is .48) rather than on the simple event (the probability of which is .50).

Subjects also preferred to bet on the simple event rather than on the disjunctive event, which has a probability of .52. Thus, most subjects bet on the less likely event in both comparisons. This pattern of choices illustrates a

general finding. Studies of choice among gambles and of judgements of probability indicate that people tend to overestimate the probability of conjunctive events<sup>20</sup> and to underestimate the probability of disjunctive events. These biases are readily explained as effects of anchoring. The stated probability of the elementary event (success at any one stage) provides a natural starting point for the estimation of the probabilities of both conjunctive and disjunctive events.

Since adjustment from the starting point is typically insufficient, the final estimates remain too close to the

probabilities of the elementary events in both cases. Note that the overall probability of a conjunctive event is lower than the probability of each elementary event, whereas the overall probability of a disjunctive event is higher than the probability of each elementary event. As a consequence of anchoring, the overall probability will be overestimated in conjunctive problems and underestimated in disjunctive problems.

Biases in the evaluation of compound events are particularly significant in the context of planning. The successful completion of an undertaking, such as the development of a new product, typically has a conjunctive character: for the undertaking to succeed, each of a series of events must occur. Even when each of these events is very likely, the overall probability of success can be quite low if the number of events is large. The general tendency to overestimate the probability of conjunctive events leads to unwarranted optimism in the evaluation of the likelihood that a plan will succeed or that a project will be completed on time. Conversely, disjunctive structures are typically encountered in the evaluation of risks. A complex system, such as a nuclear reactor or a human body, will malfunction if any of its essential components fails. Even when the likelihood of failure in each component is slight, the probability of an overall failure can be high if many components are involved. Because of anchoring, people will tend to underestimate the probabilities of failure in complex systems. Thus,

the direction of the anchoring bias can sometimes be inferred from the structure of the event. The chain-like structure of conjunction leads to overestimation, the funnel-like structure of disjunctions leads to underestimation.

Anchoring in the assessment of subjective probability distributions. In decision analysis, experts are often required to express their beliefs about a quantity, such as the value of the Dow Jones average on a particular day, in the form of a probability distribution. Such a distribution is usually constructed by asking the person to select values of the quantity that correspond to specified percentiles of his subjective probability distribution. For example, the judge may be asked to select a number,  $X_{90}$ , such that his subjective probability that this number will be higher than the value of the Dow Jones average is .90. That is, he should select the value  $X_{90}$  so that he is just willing to accept 9 to 1 odds that the Dow Jones average will not exceed it. A subjective probability distribution for the value of the Dow Jones average can be constructed from several such judgements corresponding to different percentiles.

By collecting subjective probability distributions for many different quantities, it is possible to test the judge for proper calibration. A judge is properly (or externally) calibrated in a set of problems if exactly 11% of the true values of the assessed quantities falls below his stated values of  $X_{11}$ . For example, the true values should fall below  $X_{01}$  for 1% of the quantities and above  $X_{99}$  for

1 1% of the quantities. Thus, the true values should fall in  
2 the confidence interval between  $X_{01}$  and  $X_{99}$  on 98% of  
3 the problems.

4 Several investigators<sup>21</sup> have obtained probability distributions  
5 for many quantities from a large number of judges. These  
6 distributions indicated large and systematic departures from  
7 proper calibration. In most studies, the actual values of the  
8 assessed quantities are either smaller than  $X_{01}$  or greater than  
9  $X_{99}$  for about 30% of the problems. That is, the subjects  
10 state overly narrow confidence intervals which reflect more  
11 certainty than is justified by their knowledge about the  
12 assessed quantities. This bias is common to naive and  
13 to sophisticated subjects, and it is not eliminated by  
14 introducing proper scoring rules, which provide incentives  
15 for external calibration. This effect is attributable,  
16 in part at least to anchoring.

17 To select  $X_{90}$  for the value of the Dow Jones  
18 average, for example, it is natural to begin by thinking  
19 about one's best estimate of the Dow Jones and to adjust  
20 this value upward. If this adjustment—like most others—  
21 is insufficient, then  $X_{90}$  will not be sufficiently extreme. A  
22 similar anchoring effect will occur in the selection of  $X_{10}$ , which  
23 is presumably obtained by adjusting one's best estimate  
24 downward. Consequently, the confidence interval between  $X_{10}$   
25 and  $X_{90}$  will be too narrow, and the assessed probability  
26 distribution will be too tight. In support of this interpretation, it can  
27 be shown that subjective probabilities are systematically altered by a procedure in  
28 which one's best estimate does not serve as an anchor.

Subjective probability distributions for a given quantity (the Dow Jones average) can be obtained in two different ways: (i) by asking the subject to select values of the Dow Jones that correspond to specified percentiles of his probability distribution and (ii) by asking the subject to assess the probabilities that the true value of the Dow Jones will exceed some specified values. The two procedures are formally equivalent and should yield identical distributions. However, they suggest different modes of adjustment from different anchors. In procedure (i), the natural starting point is one's best estimate of the quantity. In procedure (ii), on the other hand, the subject may be anchored on the value stated in the question. Alternatively, he may be anchored on even odds, or a 50-50 chance, which is a natural starting point in the estimation of likelihood. In either case, procedure (ii) should yield less extreme odds than procedure (i).

To contrast the two procedures, a set of 24 quantities (such as the air distance from New Delhi to Peking) was presented to a group of subjects who assessed either  $X_{10}$  or  $X_{90}$  for each problem. Another group of subjects received the median judgement of the first group for each of the 24 quantities. They were asked to assess the odds that each of the given values exceeded the true value of the relevant quantity. In the absence of any bias, the second group should retrieve the odds specified to the first group, that is 9:1. However, if even odds or the stated value serve as anchors, the odds of the second group should be less extreme, that is, closer to 1:1. Indeed, the median odds stated by this group, across all problems, were 3:1.

1 when the judgements of the two groups were tested for external  
2 calibration, it was found that subjects in the first group were  
3 too extreme, in accord with earlier studies. The events that  
4 they defined as having a probability of .10 actually obtained in  
5 24% of the cases. In contrast, subjects in the second  
6 group were too conservative. Events to which they assigned  
7 an average probability of .34 actually obtained in 26% of  
8 the cases. These results illustrate the manner in which the  
9 degree of calibration depends on the procedure of elicitation.  
10

## 11 DISCUSSION

13 This article has been concerned with cognitive biases that  
14 stem from the reliance on judgemental heuristics. These biases  
15 are not attributable to motivational effects such as wishful thinking  
16 or the distortion of judgements by payoffs and penalties. Indeed,  
17 several of the severe errors of judgement reported earlier  
18 occurred despite the fact that subjects were encouraged to  
19 be accurate and were rewarded for the correct answers.<sup>22</sup>

20 The reliance on heuristics and the prevalence of biases  
21 are not restricted to laymen. Experienced researchers are also  
22 prone to the same biases when they think intuitively.  
23 For example, the tendency to predict the outcome that best  
24 represents the data, with insufficient regard for prior  
25 probability, has been observed in the intuitive judgements of  
26 individuals who have had extensive training in statistics.<sup>23</sup>

27 Although the statistically sophisticated avoid elementary  
28 errors, such as the gambler's fallacy, their intuitive judgements

1 are liable to similar fallacies in more intricate and less  
2 transparent problems.

3 It is not surprising that useful heuristics such as  
4 representativeness and availability are retained, even though  
5 they occasionally lead to errors in prediction or estimation.  
6 What is perhaps ~~understanding~~ surprising is the failure of  
7 people to infer from lifelong experience such fundamental  
8 statistical rules as regression toward the mean, or the  
9 effect of sample size on sampling variability. Although  
10 everyone is exposed, in the normal course of life, to numerous  
11 examples from which these rules could have been induced, very  
12 few people discover the principles of sampling and regression on  
13 their own. Statistical principles are not learned from everyday  
14 experience because the relevant instances are not coded appropriately.  
15 For example, people do not discover that successive lines  
16 in a text differ more in average word length than do successive  
17 pages, because they simply do not attend to the average word  
18 length of individual lines or pages. Thus, people do not learn  
19 the relation between sample size and sampling variability, although  
20 the data for ~~learning~~ such learning are abundant.

21 The lack of an appropriate code also explains why people  
22 usually do not detect the biases in their judgements of  
23 probability. A person could conceivably learn whether his  
24 judgements are externally calibrated by keeping a tally of  
25 the proportion of events that actually occur among those  
26 to which he assigns the same probability. However, it is not  
27 natural to group events by their judged probability. In the  
28 absence of such grouping it is impossible for an individual to



1 discover, for example, that only 50% of the predictions to  
2 which he has assigned a probability of .9 or higher actually  
3 came true.

4 The empirical analysis of cognitive biases has implications  
5 for the theoretical and applied role of judged probabilities. Modern  
6 decision theory<sup>24</sup> regards subjective probability as the quantified  
7 opinion of an idealized person. Specifically, the subjective  
8 probability of a given event is defined by the set of bets  
9 about this event that such a person is willing to accept. An  
10 internally consistent, or coherent, subjective probability measure  
11 can be derived for an individual if his choices among bets satisfy  
12 certain principles, that is, the axioms of the theory. The  
13 derived probability is subjective in the sense that different  
14 individuals are allowed to have different probabilities for the  
15 same event. The major contribution of this approach is that  
16 it provides a rigorous subjective interpretation of probability  
17 that is applicable to unique events and is embedded in a  
18 general theory of rational decision.

19 It should perhaps be noted that, while subjective  
20 probabilities can sometimes be inferred from preferences among  
21 bets, they are normally not formed in this fashion. A person  
22 bets on team A rather than team B because he believes that  
23 team A is more likely to win; he does not infer this  
24 belief from his betting preferences. Thus, in reality,  
25 subjective probabilities determine preferences among bets and are not  
26 derived from them, as in the axiomatic theory of rational  
27 decision.<sup>25</sup>

28 The inherently subjective nature of probability has led many students  
Page Number 41

1 to the belief that coherence, or internal consistency, is the  
2 only valid criterion by which judged probabilities should be  
3 evaluated. From the standpoint of the formal theory of  
4 subjective probability, any set of internally consistent  
5 probability judgements is as good as any other. This criterion  
6 is not entirely satisfactory, because an internally consistent set  
7 of subjective probabilities can be incompatible with other beliefs  
8 held by the individual. Consider a person whose subjective  
9 probabilities for all possible outcomes of a coin-tossing game  
10 reflect the gambler's fallacy. That is, his estimate of the  
11 probability of tails on a particular toss increases with the  
12 number of consecutive heads that preceded that toss. The  
13 judgements of such a person could be internally consistent and  
14 therefore acceptable as adequate subjective probabilities according  
15 to the criterion of the formal theory. These probabilities,  
16 however, are incompatible with the generally held belief that a  
17 coin has no memory and is therefore incapable of generating  
18 sequential dependencies. For judged probabilities to be considered  
19 adequate, or rational, internal consistency is not enough. The  
20 judgements must be compatible with the entire web of beliefs held  
21 by the individual. Unfortunately, there can be no simple formal  
22 procedure for assessing the compatibility of a set of probability  
23 judgements with the judge's total system of beliefs. The rational  
24 judge will nevertheless strive for compatibility, even though  
25 internal consistency is more easily achieved and assessed. In  
26 particular, he will attempt to make his probability judgements  
27 compatible with his knowledge about the subject matter, the laws  
28 of probability, and his own judgemental heuristics and biases.

## SUMMARY

This article described three heuristics that are employed in making judgements under uncertainty: (i) representativeness, which is usually employed when people are asked to judge the probability that an object or event A belongs to class or process B; (ii) availability of instances or scenarios, which is often employed when people are asked to assess the frequency of a class or the plausibility of a particular development; and (iii) adjustment from an anchor, which is usually employed in numerical prediction when a relevant value is available. These heuristics are highly economical and usually effective, but they lead to systematic and predictable errors. A better understanding of these heuristics and of the biases to which they lead could improve judgements and decisions in situations of uncertainty.

## CONCLUDING NOTES AND ATTACHED EXHIBIT

WHEREFORE, the Plaintiff-in-error-petitioner-appellant prays that a competent reader of this document (preferably the judge who is to NOT be biased) has had some time to let this all sink in while these pleadings seem to be lost within the bureaucratic ineptitude and temerity of Clark County and the careless State of Nevada. In observing the next few pages further proof substantiating grounds from page No. 1 will illustrate just how dereliction of duty added insult to injury.

1 Pages of the EXHIBIT numbered 45-48 are  
2 original documents showing proof that ~~Wm~~ David Kelly #7143,  
3 Capital Police <sup>#C6056</sup> Montero, Radenta Blacic, Rosemary McMorris-  
4 Alexander, Jonathan Shockley, Sheriff Joe Lombardo,  
5 Tierra Danielle Jones, Bernard Little, Jeremy Wood,  
6 Cassandra Diez, Michael P. Villani, Steven B. Wolfson,  
7 Kristina A. Rhoades, David M. Jones, Laura Goodman,  
8 Elli Roohani, Darin F. Imlay, Detective F. Edge #8645  
9 and other bad actors not limited to LVMPD Robert Jones  
10 #9920 all knew and were made fully aware that the  
11 Plaintiff-in-error-Petitioner-appellant was in no sort of  
12 way deemed to be competent by the court as result  
13 of those bad actors conspiring to commit (as proven by  
14 the false arrest and void plea) coercion, legal malpractice,  
15 and other crimes against Matthew Travis Houston.

16 The question to justice is why would David Kelly,  
17 Montero, F. Edge, Kristina A. Rhoades and other individuals  
18 mix up their false allegations to the court while  
19 misinterpreting the Nevada Revised Statutes to ruin  
20 the life of the totally permanently disabled advocate  
21 for injured workers? Apparently this court must  
22 believe that the rich MUST get richer while the poor  
23 must suffer into debtor's prison and other cruel and  
24 unusual punishments, especially when the court illegally  
25 denied Houston his First Amendment Right To Petition  
26 the courts for redress of grievances even before the clerk  
27 denied the filing of his initial habeas petition March, 7<sup>th</sup> 2022  
28 and demanded \$270.<sup>00</sup>. How is Joe Biden gonna pay that?

"where we go one, one go all"

# Social Security Administration

## Important Information

notice to principle is  
notice to the agency  
notice to the agency  
is notice to principle

Social Security Administration  
P.O. Box 17707  
Baltimore, MD 21235-7707  
Date: November 24, 2021



0026976 00026976 2 AB 0.461 1117MCTTS1EI T135 P4



MATTHEW TRAVIS HOUSTON  
C/O CLARK COUNTY  
DETENTION CTR  
330 S CASINO CTR BLVD  
LAS VEGAS NV 89101-6102

Thank you so much L.V.M.P.O.  
for destroying the law office in  
Iowa ss CITY, Iowa of the  
FBI BRICK HOUSTON  
LAW FIRM

\* PLEASE TAKE NOTICE \* OF

MY TRUE A.K.A., WHICH THE READER OF THIS DOCUMENT  
CAN OBSERVE IN THE CIRCUIT OF THE DISTRICT OF NEVADA...  
We are sending you this letter in both a standard print version and a large  
print version. You will receive them in separate envelopes.

Good news! We are writing to tell you about a program that helps people  
receiving disability benefits to go to work. It also may help people who are  
already working to earn more money.

**Ticket to Work and Self-Sufficiency** is the name of the program. It was  
established by Congress and is run by Social Security. It may help you get a  
job if you want one or help you get a better job. Enclosed with this letter is  
your Ticket to Work. The Ticket to Work is a very important paper that you  
should keep in a safe place.

And don't worry. The Ticket to Work and Self-Sufficiency Program is  
**voluntary**. You do not have to take part in this program to keep receiving  
your disability benefits. But, if you want to work, we have many special rules  
to help you. These special rules may help you keep some of your cash benefits  
and will let you keep your Medicaid or Medicare coverage while you work.

### How The Program Works

You can take the enclosed Ticket to Work to any of the Employment  
Networks we have approved to help you or to a State vocational  
rehabilitation (VR) agency. When you and an Employment Network or State  
VR agency agree to work together, they will help you with services and  
supports to get and keep a job.

It won't cost you anything. Social Security will pay any Employment  
Network or State VR agency that helps you go to work.

And this is very important. If you are working with an Employment Network  
or State VR agency and you meet certain other requirements, **we will not**  
**begin a medical review to decide if you are still disabled.** For more  
information, please read the enclosed pamphlet.

Page Number 45

OF NOTICE OF APPEAL TO AND RESPONSE TO ORDER GRANTING IN  
PART, DENYING IN PART DEFENDANT'S PROPER MOTION TO DISMISS COUNSEL  
FROM 2/1/2022.

See Next Page

0026976-02010XTWQ08974-TTS1EIPRES 21117 10000000000000



## **How To Find An Employment Network Or State VR Agency**

If you are interested, you can get a list of Employment Networks or find the State VR agency in your area by calling toll-free 1-866-968-7842 (TTY 1-866-833-2967) Monday through Friday from 8:00AM - 8:00PM, EST.

On the Internet, you can search for Employment Networks and State VR agencies by visiting [www.choosework.net](http://www.choosework.net) and selecting "Find Help." You may receive a call from an Employment Network or State VR agency in your area to see if you are interested in the program.

## **If You Have Questions**

If you have any questions about this program, please call toll-free 1-866-968-7842 (TTY 866-833-2967).

For general questions about Social Security benefits, please visit Social Security's website at [www.socialsecurity.gov](http://www.socialsecurity.gov). You also may call Social Security toll-free at 1-800-772-1213 (TTY 1-800-325-0778), or you may write or visit any Social Security office. They also can give you information about other employment supports that help people with disabilities go to work.

If you visit a Social Security office, please bring this letter and your Ticket to Work with you.

## **Health Care Options**

Need health insurance or know someone who does? Visit [www.HealthCare.gov](http://www.HealthCare.gov) or call 1-800-318-2596 to get more information. If you are deaf or hard of hearing, you may call (TTY) 1-855-889-4325.

## **Suspect Social Security Fraud?**

If you suspect Social Security fraud, please visit <http://oig.ssa.gov/r> or call the Inspector General's Fraud Hotline at 1-800-269-0271 (TTY 1-866-501-2101).

*Social Security Administration*

Enclosure(s):

Ticket to Work

Your Ticket To Work (SSA Publication No. 05-10061)

Page Number 46

Social Security Administration  
**Retirement, Survivors, and Disability Insurance**  
Important Information

BNC#: 21B1528J20793  
MATTHEW T HOUSTON  
C/O CLARK COUNTY  
DETENTION CTR  
330 S CASINO CTR BLVD  
LAS VEGAS NV 89101-6102

(FORM SSA-4926-SM-D)

**Your New Benefit Amount**

BENEFICIARY'S NAME: MATTHEW T HOUSTON

Your Social Security benefit will increase by 5.9% in 2022 because of a rise in the cost of living. You can use this letter as proof of your benefit amount if you need to apply for food, rent, or energy assistance. You can also use it to apply for bank loans or for other business. Keep this letter with your important financial records.

<b>How Much You Will Get</b>	
Your monthly benefit before deductions	\$1,375.00
<b>Deductions:</b>	
Medicare Medical Insurance (If you did not have Medicare as of November 18, 2021 or if someone else pays your premium, we show \$0.00)	\$0.00
Medicare Prescription Drug Plan (We will notify you if the amount changes in 2022. If you did not elect withholding as of November 1, 2021, we show \$0.00)	\$0.00

U.S. Federal tax withholding	\$0.00
Voluntary Federal tax withholding (If you did not elect voluntary tax withholding as of November 18, 2021, we show \$0.00)	\$0.00
After we take any other deductions, you will receive the payment you are due for December 2021 on or about January 3, 2022.	<b>\$1,375.00</b>

The information above shows your monthly benefit amount before and after deductions. Please remember, we will pay you in the month following the month for which it is due.

The Treasury Department requires Federal benefit payments to be made electronically. If you still receive a paper check, please visit the Department of the Treasury's Go Direct website at ***www.godirect.gov*** to request electronic payments.

If you disagree with any of these amounts, you must file an appeal with us within 60 days from the date you receive this letter. We will assume you got this letter 5 days after the date of the letter, unless you show us that you did not get it within the 5-day period. The fastest and easiest way to file an appeal is to visit ***https://secure.ssa.gov/iApp/NMD/start*** online.

### **If You Have Questions**

- Visit us at ***www.ssa.gov*** online.
- Call us toll-free at **1-800-772-1213** (TTY **1-800-325-0778**).
- Contact your nearest Social Security office.

SUITE 150  
1250 S BUFFALO DR  
LAS VEGAS NV 89117

{eventually we'll  
get to Part III} A.M.T.H.-



RECEIVED

MAR 14 2022

CLERK OF THE COURT

Americans w/ Disability  
Act of 1990, 1993

FILED

MAR 15 2022

CLERK OF COURT

MATTHEW TRAVIS HOUSTON, P.C.

1. S. Main St #300

LV, NV 89101

10/13/

2021

EIGHTH JUDICIAL

LV, NV

Clark County, NV

DISTRICT  
COURT

Hearing: 4/06/2022

Time: 1:30 PM

Houston, Def et al

C-21-357927

21-CR-019840

NEVADA Plan.

21-CR-033713

C1237802A + C1248304A

EMERGENCY MOTION TO

OPPOSE REMAND AND

DISMISS CASE IN

ITS ENTIRETY.

RECEIVED  
OCT 18 2021

For the 5th year; since 9/30/  
2016, Houston is disabled from

catastrophic 45' fall @ Mandalay

Bay Resort. He survived 10/1/2017.

He is surviving the illegal

deprivation of his ka unit

Johnny Cash and the puppy

he was training, until 7-14-2021. His

dogs must be returned ASAP.

10/13/2021 p#2

1 Houston is indigent again  
2 as a result of the false  
3 reports made by his work  
4 comp, which lasts until  
5 age 76. This court  
6 must attach this criminal  
7 case to every single case  
8 in which he is the victim,  
9 and grant motion to toll  
10 everything since 9/30/2016  
11 so that his personal injury  
12 lawsuit may finally be  
13 settled.  
14

15 Lastly, Houston is contributor  
16 to Foundation For Humco and a  
17 good Samaritan, and volunteers w/  
18 legal Aid of Southern NY, and  
19 must be able to complete  
20 his paralegal classes @  
21 Blackstone, edu, and does  
22 not have to utilize public  
23 defender resources because of  
24 conflict of interest, judicial bias, etc.  
25  
26 Dec. order per. of perjury. M.T.H., P.C.

Affidavit #1 P. #3

\* Cert. of Service \* 10/13/2021  
via U.S. P.S.  
(Self explanatory, NRS, etc.)

It's certifiably  
correct that Defendant  
was illegally arrested  
on 7/14/2021  
and his puppies were

Stolen from them.

Houston's wallet was stolen  
on Sept. 11, 2021 also,  
and his current state of  
trauma since 9/30/2016  
is at least survivable,  
thanks to our considerate  
and understanding community.

Dec. under pen. of perjury.

X ~~me~~

M.T.H. 10/13/2021

AFFIDAVIT Pt. #2

Not that our judicial system  
cares about my pro se law firm,  
but the illegal arrest and  
malicious prosecution caused, (in  
addition to the dog hopping of kg  
Johnny Cash and little Luke Dog,  
an eviction of Houston's  
law office in Iowa City, Iowa,  
@ 435 S. Lin St #927.

So now about a thousand  
EXHIBITS are ~~sent~~ in  
storage, and his house  
plants most likely were not  
able to be watered!

It is a mystery why the  
judicial system of Clark County  
thinks that it's OK to

make an ultimately  
successful and disabled  
entrepreneur become indigent,  
homeless, bankrupted, divorced,  
and expect him to be  
able to file non-  
impaired documents of truth.

M.T.H.  
10/13/2021

cover note

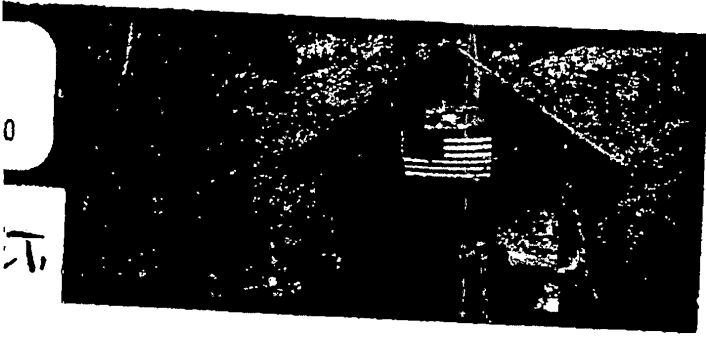
1 to the clerk:

10/13/2021

2  
3 Attached is emergency motion  
4 of opposition to remand,  
5 Houston has been  
6 permanently totally disabled  
7 since 9/30/2016 and  
8 is again indigent, and this  
9 whole letter, motion,  
10 affidavit of truth, must  
11 be attached to his  
12 employment discrimination claim  
13 in re IATSE 720, his injury  
14 lawsuit which was butchered  
15 by the attorneys he had too  
16 many other problems. I would  
17 think the courts would  
18 appreciate Houston's  
19 efforts at restoring justice  
20 to the great State of  
21 Nevada, and that the  
22 courts would appreciate  
23 advocacy for of one man  
24 being illegally deprived of his  
25 service animals. -M.T. H., P.C.  
26

LAS VEGAS NV 890

13 OCT 2021 PM 5 L



EIGHTH JUDICIAL DIST. COURT  
ATTN: CLERK S. GRIERSON  
Regional Injustice Center  
200 Lewis Ave

LV, NV 89101  
891014630000

PAGE NUMBER 6 of 6

W  
Saster.

P.5

is.

ty.

wperos,  
squacki,  
naquolite, et al.

Matthew Houston #1210652

HOSP

PO Box 650

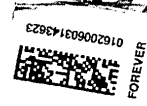
Indian Springs, NV

89070-0650

LAS VEGAS NV 890

9 MAR 2022 PM 3 L

2



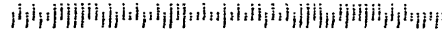
DEPUTY OF THE CLERK  
ATTN: HEATHER UNGERMANN  
CLERK OF THE COURT  
STEVEN D. GRIERSON

IN RE: C-21-357927-1

Regional Justice Center  
200 Lewis Ave, 3rd Floor  
Las Vegas, NV

89155-1160

000005-101EB



CLERK OF THE COURT

MAR 14 2022

RECEIVED

UNIT 12

MAR 03 2022

HIGH DESERT STATE PRISON

Matthew Houston No. 1210652

H.O.S.P. P.O. Box 650

Indian Springs, NV 89070-0650



Las Vegas P&DC 69199

FRI 25 MAR 2022 PM

ATTN: Heather Ungermann, Deputy Clerk  
in re case No. A-17-738661-C  
in re order to  
in re order No. C-21-357927-1

Clerk, S. Grierson

Regional Justice Center

200 Lewis Ave, 3rd Floor

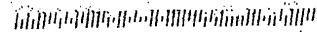
Las Vegas, NV

89155-1160

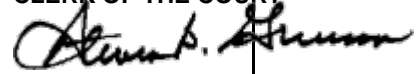
\* legal mail \*

and

\* OFFICIAL BUSINESS \*







1 ASTA

2  
3  
4  
5  
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
7 **STATE OF NEVADA IN AND FOR**  
8 **THE COUNTY OF CLARK**  
9

10 MATTHEW HOUSTON,

11 Plaintiff(s),

12 vs.

13 MANDALAY BAY CORP. dba MANDALAY  
14 BAY RESORT & CASINO,

15 Defendant(s),

Case No: A-17-758861-C

Dept No: XXIX

16  
17 **CASE APPEAL STATEMENT**  
18

19 1. Appellant(s): Matthew Travis Houston

20 2. Judge: David M. Jones

21 3. Appellant(s): Matthew Travis Houston

22 Counsel:

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

26 4. Respondent (s): Mandalay Bay Corp. dba Mandalay Bay Resort & Casino

27 Counsel:

28 Brian P. Clark  
7371 Prairie Falcon Rd., Suite 120

Las Vegas, NV 89128

5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes  
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis\*\*: Yes, October 22, 2019  
\*\**Expires 1 year from date filed* (Expired)

Appellant Filed Application to Proceed in Forma Pauperis: No  
Date Application(s) filed: N/A

9. Date Commenced in District Court: July 24, 2017

10. Brief Description of the Nature of the Action: NEGLIGENCE - Premises Liability

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 80562, 84417, 84418

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 30 day of March 2022.

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

**CASE SUMMARY****CASE NO. A-17-758861-C**

**Matthew Houston, Plaintiff(s)**  
**vs.**  
**Mandalay Bay Corp, Defendant(s)**

§  
§  
§  
§  
§  
§  
§  
§

Location: **Department 29**  
 Judicial Officer: **Jones, David M**  
 Filed on: **07/24/2017**  
 Case Number History:  
 Cross-Reference Case Number: **A758861**  
 Supreme Court No.: **80562**  
**84417**  
**84418**

**CASE INFORMATION****Statistical Closures**

02/06/2020 Stipulated Dismissal

Case Type: **Negligence - Premises Liability**

Case  
Status: **02/06/2020 Dismissed**

**DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number A-17-758861-C  
 Court Department 29  
 Date Assigned 12/13/2019  
 Judicial Officer Jones, David M

**PARTY INFORMATION****Plaintiff Houston, Matthew***Lead Attorneys*

**Poisson, Scott**  
*Retained*  
 702-877-4878(W)

**Defendant Mandalay Bay Corp**

**Clark, Brian P**  
*Retained*  
 702-474-0065(W)

**DATE****EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

07/24/2017



Complaint

Filed By: Plaintiff Houston, Matthew  
 [1]

07/24/2017



Demand for Jury Trial

Filed By: Plaintiff Houston, Matthew  
 [2]

07/24/2017



Initial Appearance Fee Disclosure

Filed By: Plaintiff Houston, Matthew  
 [3] Initial Appearance and Fee Disclosure

07/24/2017



Summons Electronically Issued - Service Pending

[4] Summons (Electronically Issued)

07/31/2017

















Proof of Service

Filed by: Plaintiff Houston, Matthew  
 [5]

# CASE SUMMARY

CASE NO. A-17-758861-C

08/14/2017	 Answer to Complaint Filed by: Defendant Mandalay Bay Corp <i>[6] Defendant Mandalay Bay Resort and Casino's Answer to Plaintiff's Complaint</i>
08/14/2017	 Initial Appearance Fee Disclosure Filed By: Defendant Mandalay Bay Corp <i>[7]</i>
10/20/2017	 Commissioners Decision on Request for Exemption - Granted <i>[8] Commissioner's Decision on Request for Exemption</i>
10/31/2017	 Arbitration File <i>[9]</i>
12/28/2017	 Joint Case Conference Report Filed By: Plaintiff Houston, Matthew <i>[10]</i>
02/13/2018	 Scheduling Order <i>[11]</i>
02/14/2018	 Order Setting Civil Jury Trial <i>[12] Order Setting Civil Jury Trial and Calendar Call</i>
06/28/2018	 Stipulation and Order Filed by: Defendant Mandalay Bay Corp <i>[13] Stipulation and Order re: Handling and Use of Confidential Information</i>
10/09/2018	 Amended Order Setting Jury Trial <i>[14] Amended Order Setting Civil Jury Trial and Calendar Call</i>
10/11/2018	 Stipulation and Order to Extend Discovery Deadlines Filed By: Plaintiff Houston, Matthew <i>[15] Stipulation and Order to Continue Discovery Dates (First Request)</i>
10/12/2018	 Notice of Entry of Order Filed By: Plaintiff Houston, Matthew <i>[16]</i>
01/07/2019	Case Reassigned to Department 18 <i>Judicial Reassignment - From Judge Villani to Judge Holthus</i>
01/16/2019	 Notice of Rescheduling <i>[17] Notice of Rescheduling Date and Time for Calendar Call/5-Week Trial Stack</i>
02/15/2019	 Motion to Extend Discovery Filed By: Plaintiff Houston, Matthew <i>[18] Emergency Motion to Extend Discovery Deadlines and Continue Trial Date on Order Shortening Time (Second Extension Request)</i>
03/07/2019	 Opposition to Motion Filed By: Defendant Mandalay Bay Corp

# CASE SUMMARY

CASE NO. A-17-758861-C

[19] *Opposition to Plaintiff's Emergency Motion to Extend Discovery Deadlines and Continue Trial on Order Shortening Time (Second Request)*

07/30/2019



Order Scheduling Status Check

[20]

08/29/2019



Motion to Dismiss Counsel

Party: Plaintiff Houston, Matthew

[21] *Motion to Withdraw Counsel + Bar Complaint*

09/18/2019



Motion to Compel

Filed By: Plaintiff Houston, Matthew

[22] *Emergency Motion to Compel*

09/19/2019



Application to Proceed in Forma Pauperis

Filed By: Plaintiff Houston, Matthew

[23] *Application to Proceed Informa Pauperis (Confidential)*

09/19/2019



Motion to Extend

[24] *Emergency Motion to Extend Discovery Guidelines and Delay Re-Scheduled Trial Date on Order Extending Time (Amended)*

10/10/2019



Motion to Compel

Filed By: Defendant Mandalay Bay Corp

[25] *Defendant's Motion to Compel Settlement; Hearing Requested*

10/10/2019



Clerk's Notice of Hearing

[26] *Notice of Hearing*

10/15/2019



Writ of Mandamus

Filed by: Plaintiff Houston, Matthew

[27] *Emergency Writ of Mandamus / Motion to Compel Motion to Resume Case to Public Record*

10/15/2019



Supplemental

Filed by: Plaintiff Houston, Matthew

[28] *Supplemental Amendment Defendant(s) Writ of Truth Motion for Tolling*

10/22/2019



Order to Proceed In Forma Pauperis

[29] *Order to Proceed in Forma Pauperis (Confidential)*

11/14/2019



Order to Show Cause

Filed by: Defendant Mandalay Bay Corp

[30] *Order Compelling Matthew Houston to Appear Before the Court to Show Cause Why He Should Not be Compelled to Dismiss His Action Following Settlement*

11/15/2019



Notice

Filed By: Plaintiff Houston, Matthew

[31] *Notice Regarding Plaintiff's Last-Known Contact Information*

11/18/2019

















Certificate of Service

Filed by: Defendant Mandalay Bay Corp

[32]
















# CASE SUMMARY

CASE NO. A-17-758861-C

12/09/2019	 Motion Filed By: Plaintiff Houston, Matthew <i>[37] Plaintiff's Motion for Opposition of Def(s) Motion to Compel Settlement</i>
12/10/2019	 Notice of Department Reassignment <i>[33]</i>
12/11/2019	 Motion for Sanctions Filed By: Plaintiff Houston, Matthew <i>[34] Preliminary Motion for Sanctions to be Imposed Upon Counsel of Defendant(s); Hearing Requested</i>
12/13/2019	 Peremptory Challenge Filed by: Defendant Mandalay Bay Corp <i>[35] Defendant's Peremptory Challenge of Judge</i>
12/13/2019	 Notice of Department Reassignment <i>[36]</i>
12/20/2019	 Clerk's Notice of Hearing <i>[38] Notice of Hearing</i>
12/30/2019	 Opposition to Motion Filed By: Defendant Mandalay Bay Corp <i>[39] Defendant's Opposition to Plaintiff's Preliminary Motion for Sanctions to be Imposed Upon Counsel of Defendant(s)</i>
01/13/2020	 Motion for Sanctions Filed By: Defendant Mandalay Bay Corp <i>[40] Defendant's Motion for Sanctions Based on Nevada Rules of Civil Procedure, Rule 11; Hearing Requested</i>
01/13/2020	 Clerk's Notice of Hearing <i>[41] Notice of Hearing</i>
01/13/2020	 Certificate of Service Filed by: Defendant Mandalay Bay Corp <i>[42]</i>
01/22/2020	 Filing Filed By: Plaintiff Houston, Matthew <i>[45] Plaintiff's Amendment to Previously Filed Motion for Tolling Filed October 15th, 2019; Hearing Requested</i>
01/30/2020	 Order of Dismissal and Order Closing Case <i>[43] Order Dismissing Case and Order Closing Case (1/31/20 Per Dept Issued OSCC)</i>
01/30/2020	 Notice of Entry of Order Filed By: Defendant Mandalay Bay Corp <i>[44] Notice of Entry of Order Dismissing Case and Order Closing Case</i>
02/05/2020	 Notice of Appeal Filed By: Plaintiff Houston, Matthew <i>[46] Notice of Appeal; Hearing Demanded</i>









# CASE SUMMARY

CASE NO. A-17-758861-C

02/06/2020	 Order to Statistically Close Case <i>[47] Civil Order to Statistically Close Case</i>
02/07/2020	 Case Appeal Statement Filed By: Plaintiff Houston, Matthew <i>[48]</i>
02/10/2020	 Order to Statistically Close Case <i>[49] Civil Order to Statistically Close Case</i>
02/10/2020	 Motion Filed By: Plaintiff Houston, Matthew <i>[50] Letter of Motion to Fix Errors; Motion for New Trial and Attachment to Notice of Appeal; "Hearing Requested"</i>
02/12/2020	 Clerk's Notice of Hearing <i>[51] Notice of Hearing</i>
02/21/2020	 Notice of Change of Hearing <i>[52]</i>
03/10/2020	 Motion <i>[53] Emergency Motion for Judicial Substitution</i>
05/18/2020	 Order Denying Motion Filed By: Defendant Mandalay Bay Corp <i>[54] Order Denying Motion to Fix Errors; Motion for New Trial and Attachment to Notice of Appeal</i>
05/18/2020	 Notice of Entry of Order Filed By: Defendant Mandalay Bay Corp <i>[55] Notice of Entry of Order Denying Motion to Fix Errors; Motion for New Trial and Attachment to Notice of Appeal</i>
12/01/2021	 NV Supreme Court Clerks Certificate/Judgment - Affirmed <i>[56] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed</i>
01/12/2022	 Motion to Dismiss Counsel Party: Plaintiff Houston, Matthew <i>[59] Amended Complaint's and Motion to Dismiss Counsel and Appoint Standby Counsel</i>
01/12/2022	 Clerk's Notice of Hearing <i>[60] Notice of Hearing</i>
01/19/2022	 Motion to Interplead Filed By: Defendant Mandalay Bay Corp <i>[61] Defendant's Motion to Interplead Settlement Proceeds</i>
01/20/2022	 Clerk's Notice of Hearing <i>[62] Notice of Hearing</i>
01/20/2022	 Certificate

# CASE SUMMARY

CASE NO. A-17-758861-C

	<p>Filed By: Defendant Mandalay Bay Corp  <i>[63] Certificate of Service</i></p>
02/01/2022	<p> Request  <i>[64] Requesting Order Setting Hearing Motion to Dismiss Counsel</i></p>
02/28/2022	<p> Order Denying Motion            Filed By: Defendant Mandalay Bay Corp  <i>[65] Order Denying Motion to Amend Complaint and Motion to Dismiss Counsel and Appoint Stand-By Counsel</i></p>
02/28/2022	<p> Order            Filed By: Defendant Mandalay Bay Corp  <i>[66] Order Granting Defendant's Motion to Interplead Settlement Proceeds</i></p>
03/02/2022	<p> Notice            Filed By: Defendant Mandalay Bay Corp  <i>[67] Notice of Entry of Order Denying Motion to Amend Complaint and Motion to Dismiss Counsel and Appoint Stand-By Counsel</i></p>
03/02/2022	<p> Notice            Filed By: Defendant Mandalay Bay Corp  <i>[68] Notice of Entry of Order Granting Defendant's Motion to Interplead Settlement Proceeds</i></p>
03/02/2022	<p> Motion to Intervene  <i>[69] Movant Bernstein &amp; Poisson's Motion to Intervene Pursuant to NRCP 24</i></p>
03/03/2022	<p> Clerk's Notice of Hearing  <i>[70] Notice of Hearing</i></p>
03/08/2022	<p> Notice of Mailing            Filed By: Plaintiff Houston, Matthew  <i>[71] Notice of Mailing</i></p>
03/17/2022	<p> Notice of Appeal            Filed By: Plaintiff Houston, Matthew  <i>[72] Notice of Appeal</i></p>
03/17/2022	<p> Notice of Appeal  <i>[73] Notice of Appeal and Plaintiff's Response to Movant Bernstein &amp; Poisson's Motion to Intervene on 3/2/22</i></p>
03/17/2022	<p> Notice of Appeal  <i>[74] Notice of Appeal</i></p>
03/21/2022	<p> Case Appeal Statement  <i>[75] Case Appeal Statement</i></p>
03/21/2022	<p> Case Appeal Statement  <i>[76] Case Appeal Statement</i></p>
03/21/2022	<p> Case Appeal Statement  <i>[77] Case Appeal Statement</i></p>



# CASE SUMMARY

CASE NO. A-17-758861-C

03/29/2022



Notice of Appeal

Filed By: Plaintiff Houston, Matthew

*[78] Emergency Notice of Appeal to and Response to "Order Granting in Party, Denying in Part Defendant's Pro Per Motion to Dismiss Counsel " form 2-1-2022*

03/30/2022



Case Appeal Statement

*Case Appeal Statement*

## **DISPOSITIONS**

01/30/2020

**Order of Dismissal With Prejudice** (Judicial Officer: Jones, David M)

Debtors: Matthew Houston (Plaintiff)

Creditors: Mandalay Bay Corp (Defendant)

Judgment: 01/30/2020, Docketed: 01/30/2020

05/18/2020

**Sanctions** (Judicial Officer: Jones, David M)

Debtors: Matthew Houston (Plaintiff)

Creditors: Brian P Clark, ESQ. (Other)

Judgment: 05/18/2020, Docketed: 05/19/2020

Total Judgment: 200.00

## **HEARINGS**

04/03/2019

**CANCELED Calendar Call** (9:00 AM) (Judicial Officer: Villani, Michael)

*Vacated*

04/10/2019



**Motion to Extend Discovery** (9:00 AM) (Judicial Officer: Holthus, Mary Kay)

*Plaintiff Matthew Houston's Emergency Motion to Extend Discovery Deadlines And Continue Trial Date On Order Shortening Time (Second Extension Request)*

Withdrawn;

Journal Entry Details:

*Mr. Clark indicated the instant case was set for mediation on May 17, 2019. Further, Mr. Clark indicated parties were working on agreement for discovery. Following colloquy, Court advised parties to get together and decide how they wanted to proceed. Mr. Clark noted if they could come to terms he would submit a stipulation. COURT ORDERED, Plaintiff Matthew Houston's Emergency Motion to Extend Discovery Deadlines and Continue Trial Date On Order Shortening Time (Second Extension Request was hereby WITHDRAWN. ;*

04/15/2019

**CANCELED Jury Trial** (9:00 AM) (Judicial Officer: Villani, Michael)

*Vacated*

08/28/2019

**CANCELED Calendar Call** (9:00 AM) (Judicial Officer: Villani, Michael)

*Vacated*

09/09/2019

**CANCELED Jury Trial** (10:00 AM) (Judicial Officer: Holthus, Mary Kay)

*Vacated*

09/18/2019



**Status Check: Settlement Documents** (9:00 AM) (Judicial Officer: Holthus, Mary Kay)

**09/18/2019, 10/23/2019, 11/13/2019**

Matter Continued;

Matter Continued;

Matter Heard;

Matter Continued;

Matter Continued;



Matter Heard;

Journal Entry Details:

*Upon Court's inquiry, Mr. Clark indicated parties were not done settling case and did a release of all claims; however, they just needed a Stipulation and Order for Dismissal signed. Mr. Clark noted they were having difficulties with Plaintiff. Mr. Kerbow informed the Court after Plaintiff signed the release he wanted to back out, re-negotiate settlement and terminate Mr. Kerbow's firm. Court indicated they would need to get Plaintiff there; however, Mr. Clark*






# CASE SUMMARY

CASE NO. A-17-758861-C

	<p><i>noted Plaintiff was currently in Ohio and was just released from High Desert Correctional facility. Following colloquy, Mr. Kerbow noted he had served Plaintiff with Motion. Mr. Clark indicated they submitted all settlement documents with the Motion. Court noted it would request Plaintiff's presence in 30 days and if he didn't show, then the Court would order Plaintiff to appear. Mr. Clark noted there was a Motion on calendar for November 13, 2019; therefore, COURT ORDERED, the instant matter CONTINUED to that same date. 11/13/19 9:00 AM CONTINUED: STATUS CHECK: SETTLEMENT DOCUMENTS;</i></p> <p>Matter Continued;</p> <p>Matter Continued;</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>Defense Counsel indicated they were waiting on settlement documents to come back. Mr. Kerbow indicated Deft. was incarcerated and there was an issue with notarization noting documents were coming back unnotarized. Mr. Kerbow advised he would be driving out on Saturday to see if he could resolve it. COURT ORDERED, matter CONTINUED for 30 days. 10/23/19 9:00 AM CONTINUED: STATUS CHECK: SETTLEMENT DOCUMENTS;</i></p>
11/13/2019	<p><b>Motion to Compel</b> (9:00 AM) (Judicial Officer: Jones, David M)</p> <p><b>11/13/2019, 01/29/2020</b></p> <p><i>Defendant's Motion to Compel Settlement</i></p> <p>Matter Continued;</p> <p>Minute Order Dated 12-10-19</p> <p>Granted;</p> <p>Matter Continued;</p> <p>Minute Order Dated 12-10-19</p> <p>Granted;</p>
11/13/2019	<p> <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Holthus, Mary Kay)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>STATUS CHECK: SETTLEMENT DOCUMENTS...DEFENDANT'S MOTION TO COMPEL SETTLEMENT Upon Court's inquiry, Mr. Kerbow indicated technically his office was off the instant case due to client terminating them. Court advised no Motion to Withdraw or Remove was filed. Court explained if Mr. Kerbow was technically attorney of record, then Plaintiff didn't have an opportunity to respond to the Motion to Compel; therefore, Plaintiff could think he still had counsel. Mr. Clark stated at the time he filed the Motion, Mr. Kerbow was still counsel of record. COURT DIRECTED counsel to advise Deft. he had time to file Opposition. Mr. Clark reminded the Court, at the last hearing it ordered Mr. Houston to be present. Court indicated it would issue an Order to show cause and give Mr. Houston 30 days to appear; further, Court noted Mr. Houston may be having medical issues. COURT ORDERED, Defendant's Motion to Compel Settlement be CONTINUED for 30 days; FURTHER ORDERED, Mr. Kerbow was out, and an Order to Show Cause shall issue. Following colloquy, Mr. Clark noted he already issued two settlement checks; however, he would void those two checks and issue a new one to interplead with the Court. COURT FURTHER ORDERED, Status check SET. 12/11/19 9:00 AM CONTINUED: DEFENDANT'S MOTION TO COMPEL SETTLEMENT... STATUS CHECK: ORDER TO SHOW CAUSE ;</i></p>
12/10/2019	<p> <b>Minute Order</b> (1:45 PM) (Judicial Officer: Holthus, Mary Kay)</p> <p>Minute Order - No Hearing Held;</p> <p>Journal Entry Details:</p> <p><i>Due to statements made by Mr. Houston directed toward Judge Holthus that preclude her from providing a fair and impartial adjudication of this matter pursuant to NRCJC 2.11(1), this case shall be randomly reassigned. The motion that is currently set in DC 18 on Wednesday, December 11, 2019 will be reset in accordance with the reassignment. CLERK'S NOTE: The above minute order has been distributed to: Matthew Houston, 1009 Cardinal Drive, Maquoketa, Iowa 52060; and Brian Clark, Esq. (bpc@clarkmccourt.com) //12-10-19/ dy;</i></p>
01/29/2020	<p><b>Status Check</b> (9:00 AM) (Judicial Officer: Jones, David M)</p> <p><i>Status Check: Order to Show Cause</i></p> <p>Minute Order Dated 12-10-19</p> <p>Moot;</p>
01/29/2020	<p><b>Motion for Sanctions</b> (9:00 AM) (Judicial Officer: Jones, David M)</p>

# CASE SUMMARY


CASE NO. A-17-758861-C

	<p>Events: 12/11/2019 Motion for Sanctions  <i>Plaintiff's Preliminary Motion for Sanctions to be Imposed Upon Counsel</i>  Moot;</p>
01/29/2020	<p><b>Motion</b> (9:00 AM) (Judicial Officer: Jones, David M)  <i>Plaintiff's Motion for Opposition of Def(s) Motion to Compel Settlement</i>  Moot;</p>
01/29/2020	<p><b>Motion for Sanctions</b> (9:00 AM) (Judicial Officer: Jones, David M)  <i>Defendant's Motion for Sanctions Based on Nevada Rules of Civil Procedure, Rule 11</i>  Moot;</p>
01/29/2020	<p> <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Jones, David M)  Matter Heard;  Journal Entry Details:  <b>PLAINTIFF'S PRELIMINARY MOTION FOR SANCTIONS TO BE IMPOSED UPON COUNSEL...</b> Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT. STATUS CHECK: ORDER TO SHOW CAUSE... Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT. DEFENDANT'S MOTION TO COMPEL SETTLEMENT... Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT. PLAINTIFF'S MOTION FOR OPPOSITION OF DEF(S) MOTION TO COMPEL SETTLEMENT... Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT. DEFENDANT'S MOTION FOR SANCTIONS BASED ON NEVADA RULES OF CIVIL PROCEDURE, RULE 11... Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT.;</p>
03/12/2020	<p> <b>Motion for New Trial</b> (8:30 AM) (Judicial Officer: Jones, David M)  Events: 02/10/2020 Motion  <i>Plaintiff's Letter of Motion to Fix Errors; Motion for New Trial and Attachment to Notice of Appeal</i>  Motion Denied;  Journal Entry Details:  <i>Plaintiff not present. Mr. Clark indicated he had not been served with today's motion. Court noted it did not have jurisdiction over the appeal and indicated the Law Clerk would make a copy of the motion for counsel. Mr. Clark advised he saw the motion in Odyssey and it would have cost him \$450.00 to print it out. Colloquy. At the request of Mr. Clark, COURT ORDERED, request for \$200.00 in attorney's fees GRANTED to Mr. Clark for his appearance. FURTHER, Plaintiff's Motion DENIED. Mr. Clark to prepare both orders.;</i></p>
04/23/2020	<p> <b>Minute Order</b> (3:00 AM) (Judicial Officer: Jones, David M)  Minute Order - No Hearing Held;  Journal Entry Details:  <i>Pursuant to Administrative orders 20-01 through 20-13, COURT ORDERED, the matter scheduled on April 29, 2020 is rescheduled to Chambers calendar on the same day. Parties need not appear. CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File &amp; Serve. /mt;</i></p>
04/29/2020	<p> <b>Motion</b> (3:00 AM) (Judicial Officer: Jones, David M)  Events: 03/10/2020 Motion  <i>Plaintiff's Emergency Motion for Judicial Substitution</i>  Motion Denied;  Journal Entry Details:  <b>COURT ORDERED, motion DENIED.;</b></p>
02/16/2022	<p> <b>Motion to Dismiss</b> (9:00 AM) (Judicial Officer: Jones, David M)  <i>Amended Complaint's and Motion to Dismiss Counsel and Appoint Standby Counsel</i></p>

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-17-758861-C**

	<p>Denied; Journal Entry Details: <i>Mr. Clark present via BlueJeans. Court noted is seems because Mr. Houston is housed at the Clark County Detention Center he believes he has a right to legal counsel in a civil matter and the Court has to appoint standby counsel for him if he showed a basis on a mental issue. COURT FINDS no basis to appoint standby counsel and no basis to allow him to amend his Complaint. Court noted the Court of Appeals upheld this Court's ruling and on February 23rd there is a Motion to Interplead set for hearing. As such, COURT ORDERED, Amended Complaint's and Motion to Dismiss Counsel and Appoint Standby Counsel DENIED. Mr. Clark to prepare the order. ;</i></p>
02/23/2022	<p> <b>Motion to Interplead</b> (9:00 AM) (Judicial Officer: Jones, David M) <i>Defendant's Motion to Interplead Settlement Proceeds</i> Granted; Journal Entry Details: <i>There being no opposition, COURT ORDERED, Motion GRANTED. Mr. Clark to prepare the Order.;</i></p>
04/06/2022	<p><b>Motion to Intervene</b> (3:00 AM) (Judicial Officer: Jones, David M) Events: 03/02/2022 Motion to Intervene <i>Movant Bernstein &amp; Poisson's Motion to Intervene Pursuant to NRCP 24</i></p>

DATE	FINANCIAL INFORMATION												
	<p><b>Defendant</b> Mandalay Bay Corp</p> <table> <tr> <td>Total Charges</td><td>673.00</td></tr> <tr> <td>Total Payments and Credits</td><td>673.00</td></tr> <tr> <td><b>Balance Due as of 3/30/2022</b></td><td><b>0.00</b></td></tr> </table> <p><b>Plaintiff</b> Houston, Matthew</p> <table> <tr> <td>Total Charges</td><td>313.50</td></tr> <tr> <td>Total Payments and Credits</td><td>313.50</td></tr> <tr> <td><b>Balance Due as of 3/30/2022</b></td><td><b>0.00</b></td></tr> </table>	Total Charges	673.00	Total Payments and Credits	673.00	<b>Balance Due as of 3/30/2022</b>	<b>0.00</b>	Total Charges	313.50	Total Payments and Credits	313.50	<b>Balance Due as of 3/30/2022</b>	<b>0.00</b>
Total Charges	673.00												
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Total Charges	313.50												
Total Payments and Credits	313.50												
<b>Balance Due as of 3/30/2022</b>	<b>0.00</b>												

## DISTRICT COURT CIVIL COVER SHEET

Department 17

Clark County, Nevada

Case No. \_\_\_\_\_

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone): Matthew Houston	Defendant(s) (name/address/phone): Mandalay bay Corp dba Mandalay Bay Resort & Casino
Attorney (name/address/phone): Scott S. Poisson Esq. 702-256-4566 320 S. Jones Blvd Las Vegas, NV 89107	Attorney (name/address/phone): Unknown

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

<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input checked="" type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Torts</b> <b>Other Torts</b> <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
<b>Probate</b> <b>Probate</b> (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <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	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <b>Civil Writ</b> <input 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		<b>Other Civil Filing</b> <b>Other Civil Filing</b> <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.

07/20/2017

Date

Signature of initiating party or representative

See other side for family-related case filings.

1 **ORD**

2 BRIAN P. CLARK  
3 Nevada Bar No. 4236  
4 CLARK MCCOURT  
5 7371 Prairie Falcon Road, Suite 120  
6 Las Vegas, Nevada 89128  
7 Telephone: (702) 474-0065  
8 Facsimile: (702) 474-0068  
9 bpc@clarkmccourt.com  
10 Attorneys for Defendants

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9 MATTHEW HOUSTON,

10 Plaintiff,

11 v.

12 MANDALAY BAY CORP dba MANDALAY  
13 BAY RESORT AND CASINO, and DOES I  
14 through 100; and ROE CORPORATIONS 101  
15 through 200.

16 Defendants.

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

17 **ORDER DENYING MOTION TO AMEND COMPLAINT AND MOTION TO DISMISS**  
18 **COUNSEL AND APPOINT STAND-BY COUNSEL**

19 Plaintiff's motion to amend complaint and motion to dismiss counsel and appoint stand-by  
20 counsel, filed January 12, 2022, came on for hearing before the District Court on February 16, 2022.  
21 Appearing on behalf of Defendant Mandalay Bay Corp (via BlueJeans) was Brian P. Clark of the  
22 law firm Clark McCourt. No appearance, in person or via BlueJeans, was made by Plaintiff  
23 Matthew Houston.

24 Having received, reviewed and considered Plaintiff's motions, and having reviewed the  
25 history and prior orders of this case,

26 **THE COURT FINDS** that Plaintiff Matthew Houston is currently incarcerated.

27 **THE COURT FURTHER FINDS** pursuant to the Order Dismissing Case And Closing  
28 Case entered January 30, 2020, that this case has been dismissed.

///

///

**THE COURT FURTHER FINDS** that Plaintiff Matthew Houston’s appeal of the January 30, 2020 order dismissing this action was denied by the Nevada Court of Appeals’ Order Of Affirmance issued October 26, 2021.

**THE COURT FURTHER FINDS** that there is no constitutional right to counsel in a civil case; this being a civil case, there is no basis in the law for the appointment of stand-by counsel (especially in a civil case that has been dismissed) and the court would have no authority to grant the requested relief.

**THEREFORE,**

**IT IS HEREBY ORDERED** that Plaintiff Matthew Houston's Motion To Amend Complaint And Motion To Dismiss Counsel And Appoint Stand-By Counsel, is **DENIED**.


**Dated this 28th day of February, 2022**



Submitted by:

CLARK MCCOURT

**489 888 0A38 56F6**  
**David M Jones**  
**District Court Judge**

  
 Brian P. Clark  
 7371 Prairie Falcon Road, Suite 120  
 Las Vegas, NV 89128  
 Attorney for Defendant

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5	
6 Matthew Houston, Plaintiff(s)	CASE NO: A-17-758861-C
7 vs.	DEPT. NO. Department 29
8 Mandalay Bay Corp,	
9 Defendant(s)	

10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

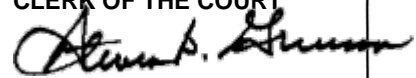
12 This automated certificate of service was generated by the Eighth Judicial District  
13 Court. The foregoing Order Denying Motion was served via the court's electronic eFile  
14 system to all recipients registered for e-Service on the above entitled case as listed below:

15 Service Date: 2/28/2022

16 Lukas McCourt	lmccourt@clarkmccourt.com
17 Brian Clark	bpc@clarkmccourt.com
18 Jack Bernstein	jack@vegashurt.com
19 Scott Poisson	scott@vegashurt.com
20 Nicole Garcia	ngarcia@murchisonlaw.com
21 Tyler Ure	ture@murchisonlaw.com
22 Rody Scott	rscott@clarkmccourt.com
23 Ryan Kerbow	ryan@vegashurt.com
24 Jessica Flores	jessicaf@vegashurt.com

25  
26  
27  
28





1 NOTC  
2 BRIAN P. CLARK  
3 Nevada Bar No. 4236  
4 CLARK MCCOURT  
5 7371 Prairie Falcon Road, Suite 120  
6 Las Vegas, Nevada 89128  
7 Telephone: (702) 474-0065  
8 Facsimile: (702) 474-0068  
9 bpc@clarkmccourt.com  
10 Attorneys for Defendants

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DISTRICT COURT  
CLARK COUNTY, NEVADA

MATTHEW HOUSTON,  
Plaintiff,

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

v.

MANDALAY BAY CORP dba MANDALAY  
BAY RESORT AND CASINO, and DOES I  
through 100; and ROE CORPORATIONS 101  
through 200.

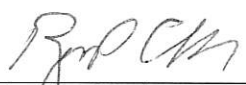
Defendants.

**NOTICE OF ENTRY OF ORDER  
DENYING MOTION TO AMEND  
COMPLAINT AND MOTION TO  
DISMISS COUNSEL AND APPOINT  
STAND-BY COUNSEL**

PLEASE TAKE NOTICE that an ORDER DENYING MOTION TO AMEND  
COMPLAINT AND MOTION TO DISMISS COUNSEL AND APPOINT STAND-BY COUNSEL  
was filed on February 28, 2022. A copy of that Order is attached hereto.

DATED this 28<sup>th</sup> day of February, 2022.


CLARK MCCOURT

  
\_\_\_\_\_  
Brian P. Clark  
Nevada Bar No. 4236  
7371 Prairie Falcon Road, Suite 120  
Las Vegas, NV 89128  
Attorneys for Mandalay Bay

**CERTIFICATE OF SERVICE**

I certify that on the 2<sup>nd</sup> day of March, 2022, I served a true and correct copy of  
**NOTICE OF ENTRY OF ORDER DENYING MOTION TO AMEND COMPLAINT AND  
MOTION TO DISMISS COUNSEL AND APPOINT STAND-BY COUNSEL**, on the following  
parties/individuals via the court's electronic filing and service provider, Odyssey.

Matthew Houston  
Inmate No.# 1210652  
High Desert State Prison  
P. O. Box 650  
Indian Springs, Nevada 89070-0650  
Plaintiff

  
An employee of Clark McCourt

1 **ORD**  
2 BRIAN P. CLARK  
3 Nevada Bar No. 4236  
4 CLARK MCCOURT  
5 7371 Prairie Falcon Road, Suite 120  
6 Las Vegas, Nevada 89128  
7 Telephone: (702) 474-0065  
8 Facsimile: (702) 474-0068  
9 bpc@clarkmccourt.com  
10 Attorneys for Defendants

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

9 MATTHEW HOUSTON,

10 Plaintiff,

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

11 v.

12 MANDALAY BAY CORP dba MANDALAY  
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14 through 100; and ROE CORPORATIONS 101  
15 through 200.

Defendants.

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17 COUNSEL AND APPOINT STAND-BY COUNSEL**

18 Plaintiff's motion to amend complaint and motion to dismiss counsel and appoint stand-by  
19 counsel, filed January 12, 2022, came on for hearing before the District Court on February 16, 2022.  
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22 Matthew Houston.

23 Having received, reviewed and considered Plaintiff's motions, and having reviewed the  
24 history and prior orders of this case,

25 **THE COURT FINDS** that Plaintiff Matthew Houston is currently incarcerated.

26 **THE COURT FURTHER FINDS** pursuant to the Order Dismissing Case And Closing  
27 Case entered January 30, 2020, that this case has been dismissed.

28 ///

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**THE COURT FURTHER FINDS** that Plaintiff Matthew Houston’s appeal of the January 30, 2020 order dismissing this action was denied by the Nevada Court of Appeals’ Order Of Affirmance issued October 26, 2021.

**THE COURT FURTHER FINDS** that there is no constitutional right to counsel in a civil case; this being a civil case, there is no basis in the law for the appointment of stand-by counsel (especially in a civil case that has been dismissed) and the court would have no authority to grant the requested relief.

THEREFORE,

**IT IS HEREBY ORDERED** that Plaintiff Matthew Houston's Motion To Amend Complaint And Motion To Dismiss Counsel And Appoint Stand-By Counsel, is **DENIED**.

**Dated this 28th day of February, 2022**



Submitted by:

CLARK MCCOURT

**489 888 0A38 56F6**  
**David M Jones**  
**District Court Judge**

Brian P. Clark  
7571 Prairie Falcon Road, Suite 120  
Las Vegas, NV 89128  
Attorney for Defendant

1 **CSERV**

2  
3 DISTRICT COURT  
CLARK COUNTY, NEVADA

4  
5  
6 Matthew Houston, Plaintiff(s)

CASE NO: A-17-758861-C

7 vs.

DEPT. NO. Department 29

8 Mandalay Bay Corp,  
9 Defendant(s)

10  
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12 This automated certificate of service was generated by the Eighth Judicial District  
13 Court. The foregoing Order Denying Motion was served via the court's electronic eFile  
system to all recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 2/28/2022

15 Lukas McCourt

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16 Brian Clark

bpc@clarkmccourt.com

17 Jack Bernstein

jack@vegashurt.com

18 Scott Poisson

scott@vegashurt.com

19 Nicole Garcia

ngarcia@murchisonlaw.com

20 Tyler Ure

ture@murchisonlaw.com

21 Rody Scott

rscott@clarkmccourt.com

22 Ryan Kerbow

ryan@vegashurt.com

23 Jessica Flores

jessicaf@vegashurt.com

24

25

26

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**April 10, 2019**

---

A-17-758861-C      Matthew Houston, Plaintiff(s)  
vs.  
Mandalay Bay Corp, Defendant(s)

---

**April 10, 2019      9:00 AM      Motion to Extend  
Discovery**

**HEARD BY:**    Holthus, Mary Kay

**COURTROOM:**   RJC Courtroom 03F

**COURT CLERK:**   Dara Yorke

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**      Clark, Brian   P      Attorney

**JOURNAL ENTRIES**

- Mr. Clark indicated the instant case was set for mediation on May 17, 2019. Further, Mr. Clark indicated parties were working on agreement for discovery. Following colloquy, Court advised parties to get together and decide how they wanted to proceed. Mr. Clark noted if they could come to terms he would submit a stipulation. COURT ORDERED, Plaintiff Matthew Houston's Emergency Motion to Extend Discovery Deadlines and Continue Trial Date On Order Shortening Time (Second Extension Request was hereby WITHDRAWN).

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**September 18, 2019**

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A-17-758861-C      Matthew Houston, Plaintiff(s)  
vs.  
Mandalay Bay Corp, Defendant(s)

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**September 18, 2019      9:00 AM**

**Status Check: Settlement  
Documents**

**HEARD BY:**    Holthus, Mary Kay

**COURTROOM:**    RJC Courtroom 03F

**COURT CLERK:**    Dara Yorke

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**      Kerbow, Ryan M                      Attorney

**JOURNAL ENTRIES**

- Defense Counsel indicated they were waiting on settlement documents to come back. Mr. Kerbow indicated Deft. was incarcerated and there was an issue with notarization noting documents were coming back unnotarized. Mr. Kerbow advised he would be driving out on Saturday to see if he could resolve it. COURT ORDERED, matter CONTINUED for 30 days.

10/23/19 9:00 AM CONTINUED: STATUS CHECK: SETTLEMENT DOCUMENTS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability****COURT MINUTES****October 23, 2019**

A-17-758861-C      Matthew Houston, Plaintiff(s)  
                                  vs.  
                                  Mandalay Bay Corp, Defendant(s)

**October 23, 2019      9:00 AM      Status Check: Settlement  
                                  Documents**

**HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03F**COURT CLERK:** Dara Yorke**RECORDER:** Patti Slattery**REPORTER:****PARTIES**

**PRESENT:**      Clark, Brian P      Attorney  
                          Kerbow, Ryan M      Attorney

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Clark indicated parties were not done settling case and did a release of all claims; however, they just needed a Stipulation and Order for Dismissal signed. Mr. Clark noted they were having difficulties with Plaintiff. Mr. Kerbow informed the Court after Plaintiff signed the release he wanted to back out, re-negotiate settlement and terminate Mr. Kerbow's firm. Court indicated they would need to get Plaintiff there; however, Mr. Clark noted Plaintiff was currently in Ohio and was just released from High Desert Correctional facility. Following colloquy, Mr. Kerbow noted he had served Plaintiff with Motion. Mr. Clark indicated they submitted all settlement documents with the Motion. Court noted it would request Plaintiff's presence in 30 days and if he didn't show, then the Court would order Plaintiff to appear. Mr. Clark noted there was a Motion on calendar for November 13, 2019; therefore, COURT ORDERED, the instant matter CONTINUED to that same date.

11/13/19 9:00 AM CONTINUED: STATUS CHECK: SETTLEMENT DOCUMENTS





12/11/19 9:00 AM CONTINUED: DEFENDANT'S MOTION TO COMPEL SETTLEMENT... STATUS  
CHECK: ORDER TO SHOW CAUSE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**December 10, 2019**

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A-17-758861-C      Matthew Houston, Plaintiff(s)  
vs.  
Mandalay Bay Corp, Defendant(s)

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**December 10, 2019      1:45 PM      Minute Order**

**HEARD BY:** Holthus, Mary Kay

**COURTROOM:** Chambers

**COURT CLERK:** Dara Yorke

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Due to statements made by Mr. Houston directed toward Judge Holthus that preclude her from providing a fair and impartial adjudication of this matter pursuant to NRCJC 2.11(1), this case shall be randomly reassigned. The motion that is currently set in DC 18 on Wednesday, December 11, 2019 will be reset in accordance with the reassignment.

CLERK'S NOTE: The above minute order has been distributed to: Matthew Houston, 1009 Cardinal Drive, Maquoketa, Iowa 52060; and Brian Clark, Esq. (bpc@clarkmccourt.com) //12-10-19/ dy

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**January 29, 2020**

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A-17-758861-C      Matthew Houston, Plaintiff(s)  
vs.  
Mandalay Bay Corp, Defendant(s)

---

**January 29, 2020      9:00 AM      All Pending Motions**

**HEARD BY:** Jones, David M      **COURTROOM:** RJC Courtroom 15A

**COURT CLERK:** Nancy Maldonado

**RECORDER:** Melissa Delgado-Murphy

**REPORTER:**

**PARTIES**

**PRESENT:**      Clark, Brian P      Attorney  
Houston, Matthew      Plaintiff

**JOURNAL ENTRIES**

- PLAINTIFF'S PRELIMINARY MOTION FOR SANCTIONS TO BE IMPOSED UPON COUNSEL...  
Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED;  
all other motions MOOT. ORDER SIGNED IN OPEN COURT.

STATUS CHECK: ORDER TO SHOW CAUSE...  
Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED;  
all other motions MOOT. ORDER SIGNED IN OPEN COURT.

DEFENDANT'S MOTION TO COMPEL SETTLEMENT...  
Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED;  
all other motions MOOT. ORDER SIGNED IN OPEN COURT.

PLAINTIFF'S MOTION FOR OPPOSITION OF DEF(S) MOTION TO COMPEL SETTLEMENT...  
Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED;  
all other motions MOOT. ORDER SIGNED IN OPEN COURT.

DEFENDANT'S MOTION FOR SANCTIONS BASED ON NEVADA RULES OF CIVIL PROCEDURE,

RULE 11...

Following the arguments of counsel, COURT ORDERED Motion to Compel Settlement, GRANTED; all other motions MOOT. ORDER SIGNED IN OPEN COURT.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**March 11, 2020**

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A-17-758861-C	Matthew Houston, Plaintiff(s)
	vs.
	Mandalay Bay Corp, Defendant(s)

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<b>March 11, 2020</b>	<b>9:00 AM</b>	<b>Motion for New Trial</b>
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<b>HEARD BY:</b> Jones, David M	<b>COURTROOM:</b> RJC Courtroom 15A
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**COURT CLERK:** Michaela Tapia

**RECORDER:** Melissa Delgado-Murphy

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Clark, Brian P	Attorney
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**JOURNAL ENTRIES**

- Plaintiff not present.

Mr. Clark indicated he had not been served with today's motion. Court noted it did not have jurisdiction over the appeal and indicated the Law Clerk would make a copy of the motion for counsel. Mr. Clark advised he saw the motion in Odyssey and it would have cost him \$450.00 to print it out. Colloquy. At the request of Mr. Clark, COURT ORDERED, request for \$200.00 in attorney's fees GRANTED to Mr. Clark for his appearance. FURTHER, Plaintiff's Motion DENIED. Mr. Clark to prepare both orders.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**April 23, 2020**

---

A-17-758861-C      Matthew Houston, Plaintiff(s)  
vs.  
Mandalay Bay Corp, Defendant(s)

---

**April 23, 2020      3:00 AM      Minute Order**

**HEARD BY:** Jones, David M      **COURTROOM:** Chambers

**COURT CLERK:** Michaela Tapia

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Pursuant to Administrative orders 20-01 through 20-13, COURT ORDERED, the matter scheduled on April 29, 2020 is rescheduled to Chambers calendar on the same day. Parties need not appear.

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve. /mt

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**April 29, 2020**

---

A-17-758861-C      Matthew Houston, Plaintiff(s)  
vs.  
Mandalay Bay Corp, Defendant(s)

---

**April 29, 2020**

**3:00 AM**

**Motion**

**HEARD BY:** Jones, David M

**COURTROOM:** Chambers

**COURT CLERK:** Michaela Tapia

**RECORDER:** Melissa Delgado-Murphy

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, motion DENIED.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**February 16, 2022**

---

A-17-758861-C      Matthew Houston, Plaintiff(s)  
vs.  
Mandalay Bay Corp, Defendant(s)

---

**February 16, 2022      9:00 AM      Motion to Dismiss**

**HEARD BY:** Jones, David M      **COURTROOM:** RJC Courtroom 15A

**COURT CLERK:** Madalyn Kearney

**RECORDER:** Angelica Michaux

**REPORTER:**

**PARTIES**

**PRESENT:** Clark, Brian P      Attorney

**JOURNAL ENTRIES**

- Mr. Clark present via BlueJeans.

Court noted is seems because Mr. Houston is housed at the Clark County Detention Center he believes he has a right to legal counsel in a civil matter and the Court has to appoint standby counsel for him if he showed a basis on a mental issue. COURT FINDS no basis to appoint standby counsel and no basis to allow him to amend his Complaint. Court noted the Court of Appeals upheld this Court's ruling and on February 23rd there is a Motion to Interplead set for hearing. As such, COURT ORDERED, Amended Complaint's and Motion to Dismiss Counsel and Appoint Standby Counsel DENIED. Mr. Clark to prepare the order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Negligence - Premises Liability**

**COURT MINUTES**

**February 23, 2022**

---

A-17-758861-C      Matthew Houston, Plaintiff(s)  
vs.  
Mandalay Bay Corp, Defendant(s)

---

**February 23, 2022      9:00 AM      Motion to Interplead**

**HEARD BY:** Jones, David M      **COURTROOM:** RJC Courtroom 15A

**COURT CLERK:** Louisa Garcia

**RECORDER:** Angelica Michaux

**REPORTER:**

**PARTIES**

**PRESENT:** Clark, Brian P      Attorney

**JOURNAL ENTRIES**

- There being no opposition, COURT ORDERED, Motion GRANTED. Mr. Clark 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 30, 2022**  
**CASE: A-17-758861-C**

**RE CASE:** MATTHEW HOUSTON vs. MANDALAY BAY CORP. dba MANDALAY BAY RESORT & CASINO

NOTICE OF APPEAL FILED: March 29, 2022

**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

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**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.***

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***\*\*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):

EMERGENCY NOTICE OF APPEAL TO AND "RESPONSE TO "ORDER GRANTING IN PART, DENYING IN PART DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL" FROM 2/1/2022.; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER DENYING MOTION TO AMEND COMPLAINT AND MOTION TO DISMISS COUNSEL AND APPOINT STAND-BY COUNSEL; NOTICE OF ENTRY OF ORDER DENYING MOTION TO AMEND COMPLAINT AND MOTION TO DISMISS COUNSEL AND APPOINT STAND-BY COUNSEL; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

MATTHEW HOUSTON,

Plaintiff(s),

vs.

MANDALAY BAY CORP. dba MANDALAY  
BAY RESORT & CASINO,

Defendant(s),

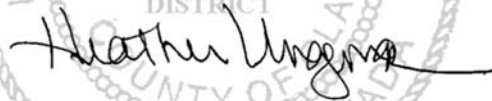
Case No: A-17-758861-C

Dept No: XXIX

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 30 day of March 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk