

# IN THE SUPREME COURT OF THE STATE OF NEVADA

No.(s): 79408, 80562, 80562-CA, 84281,  
84417, 84418, 84477, 84478, 84885,  
84886, 84887, 85351, 85352, 85353, *Matthew Travis Houston*  
MATTHEW TRAVIS HOUSTON #1210652

Electronically Filed  
11/16/2022

\* 85351

CLERK OF THE COURT

Defendant/In Propria Personam  
Post Office Box 650 [HDSF]  
Indian Springs, Nevada 89018

85354 and 85747

"IN ALL APPEALS OF MATTHEW TRAVIS HOUSTON  
FROM THE 8<sup>TH</sup> JUDICIAL DISTRICT COURT  
OF CLARK COUNTY, NEVADA"

FILED

JAN 1 2023

ELIZABETH L. BROWN  
CLERK OF SUPREME COURT  
BY: CHIEF DEPUTY CLERK

MATTHEW TRAVIS HOUSTON,  
Petitioner-Appellant and the  
Plaintiff-Plaintiff-in-Error,  
vs. AARON D. FORD;  
MANDALAY BAY CORP, ET AL AND  
THE DEEP STATE OF NEVADA;  
GERRI LYNN HARDCASTLE, ET AL  
Appellee(s)-Defendant(s).

Appeal No. 85747  
and all appeals of  
Matthew Travis Houston  
as result of Sept. 30, 2016  
Case No. A-17-758861-C  
Dept. No. XXIX  
JOINDER No. 84886 AND  
No. 85351

EMERGENCY MOTION TO EXPIDITE CASE  
No. 84886; MOTION FOR SPEEDY TRIAL OR IN THE ALTERNATIVE AN  
EXPIDITE DISMISSAL FOR LACK OF SPEEDY AND TIMELY PROSECUTION AND

(of Defendant's claims) FAILURE OF THE MALICIOUS PROSECUTION TO HOLD ANY  
SORT OF COMPLAINING UNDER NRS 27(5)  
Date of Hearing: January 10th, 2023

Time of Hearing: 8:30 AM @ RJC Room 12-A  
"Emergency relief is necessary before the above titled date of 01/10/2023"  
"ORAL ARGUMENT REQUESTED, Yes ☒ No ☐

Appellant  
COMES NOW, Matthew Travis Houston, proceeding in

proper person, hereby moves this Honorable Court for a speedy trial, or in the  
alternative, <sup>exhonoration</sup> for lack of speedy and timely prosecution of the above-  
<sup>Appellant</sup> entitled action. is also Petitioner-Appellant and Plaintiff-in-Error.

This Motion is made and based upon all papers and pleadings on file with  
the Clerk of the Court which are hereby incorporated by this reference, the  
Points and Authorities herein, and attached Affidavit of <sup>Houston</sup> (EXHIBIT 1)

DATED: this 30 day of SEPTEMBER 2022.

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

RECEIVED  
OCT 19 2022  
CLERK OF THE COURT

RECEIVED

JAN 09 2023

ELIZABETH L. BROWN  
CLERK OF SUPREME COURT

NOTE TO CLERK: THIS MOTION TITLE IS: 23-00903  
"Emergency Motion To Expidite Case No. 84886;  
Motion For Speedy Trial Or In The Alternative An Expidite  
Dismissal Of Defendant's Claims For Lack Of Speedy And Timely  
Prosecution And Failure Of The Malicious Prosecution To Hold Any

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POINTS AND AUTHORITIES

THE APPELLANT IS ENTITLED TO A SPEEDY TRIAL OR  
EXHONORATION FOR LACK OF SPEEDY PROSECUTION

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

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

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

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

As can plainly be seen, the Appellant right to a speedy trial, or dismissal in the alternative, is grounded in Constitutional as well as Nevada statutory mandate, and was ignored by the EJDC. The Appellant is currently serving a term of imprisonment of 12-60 months in the custody of the Nevada Department of Corrections [NDOC] located at WDSP (22010 Cold Creek Road Indian Springs NV 89070) within the County of Clark, Nevada. Therefore, it is apparent that the Appellant cannot transport himself to the Court-house for prosecution. Moreso, the responsibility of having the Appellant transported lies with the "Marshalls" of the City of LAS VEGAS, or, with the Nevada Department of Corrections. Please take notice of ALL cases of Matthew Travis Houston.

while the issuance of the complaint and warrant are sufficient in themselves to cause the responsibility for speedy ...

1 ... prosecution to occur, the City Attorney and the police  
2 agencies of the City of LAS VEGAS, have shirked their direct  
3 and legal responsibility in the matter by refusing to transport,  
4 or cause to be transported, this <sup>Appellant</sup> [REDACTED] to the Courthouse for  
5 legal action upon this case to occur. [REDACTED] is informed that  
6 he will be held to answer for the charges at some nebulous and  
7 undetermined time in the future and this cannot stand Constitutional  
8 scrutiny, especially as he has been maliciously prosecuted/wrongfully convicted.

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

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

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

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

18 Therefore, the Chief Marshall and the LAS VEGAS City  
19 Attorney's Office, being fully aware of the whereabouts of the  
20 <sup>Appellant</sup> [REDACTED], against whom a warrant is pending, must execute the  
21 command of said warrant, which was not authorized by any judicial officer.

22 The <sup>Appellant</sup> [REDACTED] has made every effort available to him to  
23 attempt to address and remedy the injustice and handicap that he  
24 now suffers as a result of the outstanding charge(s), as is shown  
25 by the annexed exhibits. This Court will now have the opportunity  
26 to correct this injustice and to initiate their lawful duty by  
27 the issuance of the Order made by this Motion, most especially because  
28 the Appellant's 4th AMDT right was violated by the EJDC and LV MUN. Court.

1 To do otherwise would be a violation of the very concept  
2 of the justice and equity upon which the American system of  
3 jurisprudence rests, most especially the 5th and 6th Amendments.

4 CONCLUSION

5 Appellant has shown a just and legal obligation placed upon  
6 the officers of the Court of the City of LAS VEGAS to issue  
7 the Order contemplated by this Motion for the transportation of  
8 this Appellant to the Court for the disposition of said pending  
9 charge(s) forthwith, or, in the alternative, the dismissal of  
10 said charge(s) and the removal of the warrant/detainer placed  
11 against this Appellant for the denial of the right to a speedy  
12 prosecution, as guaranteed by the 5th, 6th and 14th Amendments.

13 WHEREFORE, this Honorable Court is requested to liberally  
14 construe the pleadings herein in order that its manifest and just  
15 purpose be so accomplished. The attached "EXHIBIT 1"  
16 aka "Affidavit of Houston" aka "Declaration of Matthew Travis Houston".

17 CC: FILE

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

20  
21 Respectfully submitted,

22  
23 BY: Matthew Travis Houston  
24 Matthew Travis Houston #1210652  
25 Defendant/In Propria Personam  
26 Post Office Box 650 (HDSP)  
27 Indian Springs, Nevada 89018  
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**EXHIBIT 1 AS A RENEWED**

**CERTIFICATE OF SERVICE BY MAILING**

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

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

Nevada Attorney General,  
Aaron D. Ford  
555 E. Washington Avenue  
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89101-1068

Supreme Court of Nevada  
201 S Carson Street  
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89128

CC: FILE

LEWIS BRISBOIS BISGAARD & SMITH LLP  
2300 W. Sahara Avenue  
Ste. 900  
Box 28  
Las Vegas, NV 89102

DATED: this 30 day of SEPTEMBER, 2022

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