

Electronically Filed
09/08/2022

Steven S. Levin

CLERK OF THE COURT

Electronically Filed
Sep 16 2022 10:48 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

DISTRICT COURT
CLARK COUNTY, NEVADA

Also Justice Court # 21 P01950
Dept. No. 14

MATTHEW TRAVIS HOUSTON,
Plaintiff, Plaintiff-in-Error
and the Petitioner-appellant,

CASE No.(s): C.17.323614.1
Dept: XIX
CASE No.: A.22.853203.W
Dept.: XI
CASE No.: A.22.758861.C
Dept.:
CASE No.: A.22.856372.C
Dept.: XX
CASE No.: A.17.758861.C
Dept.(s): 17, 18 and 29

vs.

MANDALAY BAY CORP., ET AL
AND THE DEEP STATE OF NEVADA,
Defendant-respondents.

"de novo hearings requested"

EMERGENCY

NOTICE OF APPEAL TO HEARINGS FROM AUGUST 9TH, 2022,
AUGUST 15TH, 2022, AUGUST 16TH, 2022, AUGUST 23RD, 2022,
AUGUST 25TH, 2022, AUGUST 30TH, 2022, AUGUST 31ST, 2022,
SEPTEMBER 6TH, 2022 AND MINUTE ORDER(S) FROM AUGUST
23RD, 2022 AND AUGUST 24TH, 2022 AND REQUEST FOR
AN ORDER TO RESET TIME

"hearings requested"

Plaintiff, Plaintiff-in-Error, and the Petitioner-appellant,

Matthew Travis Houston respectfully submits these above titled
and mentioned pleadings to the Supreme Court of Nevada this
30th day of August, 2022. X. Matthew Travis Houston

Matthew Travis Houston, pro se

ABA No. 04662784

Docket 85352 Document 2022-29087

TITLE PAGE

BEFORE, petitioner prays that the court grant petitioner relief to which petitioner may be entitled in this proceeding.

EXECUTED at High Desert State Prison on the 30th day of the month of August, 2022.

Matthew Travis Houston

*Matthew Travis Houston, ABA No. 04662784
High Desert State Prison No. 1210652
Post Office Box 650
Indian Springs, Nevada 89070
Petitioner in Proper Person

VERIFICATION

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

Matthew Travis Houston

*Matthew Travis Houston, ABA No. 04662784
High Desert State Prison, No. 1210652
Post Office Box 650
Indian Springs, Nevada 89070
Petitioner in Proper Person

AFFIRMATION (Pursuant to NRS 239B.030)

The undersigned does hereby affirm that the preceeding PETITION FOR WRIT OF HABEAS CORPUS filed in District Court Case Number (s) C.17.323614.1, Does not contain the social security number of any person.

Matthew Travis Houston
*Matthew Travis Houston, ABA No. 04662784
High Desert State Prison, No. 1210652
Post Office Box 650
Indian Springs, Nevada 89070
Petitioner in Proper Person

(NOTICE OF APPEALS JOINER) + 3 day DEFAULT
A.22.858861.C, A.17.858861.C, A.22.853203.W, and
A.22.856372.C. Also in
JUSTICE COURT # 21P011950

CERTIFICATE OF SERVICE BY MAIL

I, Matthew Travis Houston, hereby certify pursuant to N.R.C.P. 5(b), that on this 30th day of the month of August, 2022, I mailed a true and correct copy of the foregoing PETITION FOR WRIT OF HABEAS CORPUS addressed to:

C. Johnson, Warden High Desert State Prison
Post Office Box 650
Indian Springs, Nevada 89070

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

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

Matthew Travis Houston

*Matthew Travis Houston, ABA No. 04662784
High Desert State Prison, No. 1210652
Post Office Box 650
Indian Springs, Nevada 89070
Petitioner in Proper Person

Print your name and NDOC back number and sign

P. 22

(Please attach to ALL pleadings)

MATTHEW TRAVIS HOUSTON, CHD.
American Bar Association Member

No. 04662784
HOSP No. 1210652
22010 Cold Creek Road
PO Box 650

Indian Springs, NV 89070-0650

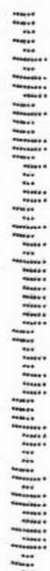
LEGAL MAIL
AND
OFFICIAL BUSINESS

LAS VEGAS NV 890
31 AUG 2022 PM 4 L



PLEASE
CLERK(S) FWD. TO CHAMBERS + JUSTICE COURT
OF ALL JUDGES MAGISTRATES AND CHIEF(S)
AND SENIOR JUDGE JAMES CROCKETT
ATTN: Heather Ungerwam, Michelle McCarthy,
Chawnte Pleasant, Amanda Ingersoll,
ELIZABETH A. BROWN, et al, Specialty Clerk
REGIONAL JUSTICE CENTER
200 Lewis Ave, 3rd Floor
PO Box 551601
LAS VEGAS, NV 89155-1601

95155-160101



UNIT 3 A/B
AUG 30 2022
HIGH DESERT STATE PRISON



ASTA

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

MATTHEW HOUSTON,

Plaintiff(s),

vs.

MANDALAY BAY CORP. dba MANDALAY
BAY RESORT & CASINO,

Defendant(s),

Case No: A-17-758861-C

Dept No: XXIX

CASE APPEAL STATEMENT

1. Appellant(s): Matthew Travis Houston

2. Judge: David M. Jones

3. Appellant(s): Matthew Travis Houston

Counsel:

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

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

Counsel:

Scott T. Poisson, Esq.
320 S. Jones Blvd.

Las Vegas, NV 89107

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, May 16, 2022
***Expires 1 year from date filed*

Appellant Filed Application to Proceed in Forma Pauperis: N/A
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, 84477, 84887

12. Child Custody or Visitation: N/A

13. Possibility of Settlement: Unknown

Dated This 12 day of September 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

EIGHTH JUDICIAL DISTRICT COURT

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

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

§
§
§
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§
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§
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§
§

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
84477
84887

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

		<i>Lead Attorneys</i>
Plaintiff	Houston, Matthew	Poisson, Scott <i>Retained</i> 702-877-4878(W)
Defendant	Mandalay Bay Corp	Clark, Brian P <i>Retained</i> 702-474-0065(W)
Intervenor	Bernstein & Poisson	Poisson, Scott <i>Retained</i> 702-877-4878(W)

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

07/24/2017	 Complaint Filed By: Plaintiff Houston, Matthew <i>[1] Complaint</i>
07/24/2017	 Demand for Jury Trial Filed By: Plaintiff Houston, Matthew <i>[2]</i>
07/24/2017	 Initial Appearance Fee Disclosure Filed By: Plaintiff Houston, Matthew <i>[3] Initial Appearance and Fee Disclosure</i>
07/24/2017	 Summons Electronically Issued - Service Pending

CASE SUMMARY

CASE NO. A-17-758861-C

[4] Summons (Electronically Issued)

07/31/2017



Proof of Service

Filed by: Plaintiff Houston, Matthew

[5]

08/14/2017



Answer to Complaint

Filed by: Defendant Mandalay Bay Corp

[6] Defendant Mandalay Bay Resort and Casino's Answer to Plaintiff's Complaint

08/14/2017



Initial Appearance Fee Disclosure

Filed By: Defendant Mandalay Bay Corp

[7]

10/20/2017



Commissioners Decision on Request for Exemption - Granted

[8] Commissioner's Decision on Request for Exemption

10/31/2017



Arbitration File

[9]

12/28/2017



Joint Case Conference Report

Filed By: Plaintiff Houston, Matthew

[10]

02/13/2018



Scheduling Order

[11]

02/14/2018



Order Setting Civil Jury Trial

[12] Order Setting Civil Jury Trial and Calendar Call

06/28/2018



Stipulation and Order

Filed by: Defendant Mandalay Bay Corp

[13] Stipulation and Order re: Handling and Use of Confidential Information

10/09/2018



Amended Order Setting Jury Trial

[14] Amended Order Setting Civil Jury Trial and Calendar Call

10/11/2018



Stipulation and Order to Extend Discovery Deadlines

Filed By: Plaintiff Houston, Matthew

[15] Stipulation and Order to Continue Discovery Dates (First Request)

10/12/2018



Notice of Entry of Order

Filed By: Plaintiff Houston, Matthew

[16]

01/07/2019

Case Reassigned to Department 18

Judicial Reassignment - From Judge Villani to Judge Holthus

01/16/2019



Notice of Rescheduling

[17] Notice of Rescheduling Date and Time for Calendar Call/5-Week Trial Stack

02/15/2019
















Motion to Extend Discovery

Filed By: Plaintiff Houston, Matthew















CASE SUMMARY

CASE NO. A-17-758861-C

	<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 <i>[19] Opposition to Plaintiff's Emergency Motion to Extend Discovery Deadlines and Continue Trial on Order Shortening Time (Second Request)</i>
07/30/2019	 Order Scheduling Status Check <i>[20]</i>
08/29/2019	 Motion to Dismiss Counsel Party: Plaintiff Houston, Matthew <i>[21] Motion to Withdraw Counsel + Bar Complaint</i>
09/18/2019	 Motion to Compel Filed By: Plaintiff Houston, Matthew <i>[22] Emergency Motion to Compel</i>
09/19/2019	 Application to Proceed in Forma Pauperis Filed By: Plaintiff Houston, Matthew <i>[23] Application to Proceed Informa Pauperis (Confidential)</i>
09/19/2019	 Motion to Extend <i>[24] Emergency Motion to Extend Discovery Guidelines and Delay Re-Scheduled Trial Date on Order Extending Time (Amended)</i>
10/10/2019	 Motion to Compel Filed By: Defendant Mandalay Bay Corp <i>[25] Defendant's Motion to Compel Settlement; Hearing Requested</i>
10/10/2019	 Clerk's Notice of Hearing <i>[26] Notice of Hearing</i>
10/15/2019	 Writ of Mandamus Filed by: Plaintiff Houston, Matthew <i>[27] Emergency Writ of Mandamus / Motion to Compel Motion to Resume Case to Public Record</i>
10/15/2019	 Supplemental Filed by: Plaintiff Houston, Matthew <i>[28] Supplemental Amendment Defendant(s) Writ of Truth Motion for Tolling</i>
10/22/2019	 Order to Proceed In Forma Pauperis <i>[29] Order to Proceed in Forma Pauperis (Confidential)</i>
11/14/2019	 Order to Show Cause Filed by: Defendant Mandalay Bay Corp <i>[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</i>
11/15/2019	 Notice Filed By: Plaintiff Houston, Matthew <i>[31] Notice Regarding Plaintiff's Last-Known Contact Information</i>















CASE SUMMARY

CASE NO. A-17-758861-C

11/18/2019	 Certificate of Service Filed by: Defendant Mandalay Bay Corp [32]
12/09/2019	 Motion Filed By: Plaintiff Houston, Matthew [37] <i>Plaintiff's Motion for Opposition of Def(s) Motion to Compel Settlement</i>
12/10/2019	 Notice of Department Reassignment [33]
12/11/2019	 Motion for Sanctions Filed By: Plaintiff Houston, Matthew [34] <i>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 [35] <i>Defendant's Peremptory Challenge of Judge</i>
12/13/2019	 Notice of Department Reassignment [36]
12/20/2019	 Clerk's Notice of Hearing [38] <i>Notice of Hearing</i>
12/30/2019	 Opposition to Motion Filed By: Defendant Mandalay Bay Corp [39] <i>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 [40] <i>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 [41] <i>Notice of Hearing</i>
01/13/2020	 Certificate of Service Filed by: Defendant Mandalay Bay Corp [42]
01/22/2020	 Filing Filed By: Plaintiff Houston, Matthew [45] <i>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 [43] <i>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















CASE SUMMARY

CASE NO. A-17-758861-C

	<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>
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>




CASE SUMMARY

CASE NO. A-17-758861-C

01/20/2022	 Clerk's Notice of Hearing <i>[62] Notice of Hearing</i>
01/20/2022	 Certificate Filed By: Defendant Mandalay Bay Corp <i>[63] Certificate of Service</i>
02/01/2022	 Request <i>[64] Requesting Order Setting Hearing Motion to Dismiss Counsel</i>
02/28/2022	 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>
02/28/2022	 Order Filed By: Defendant Mandalay Bay Corp <i>[66] Order Granting Defendant's Motion to Interplead Settlement Proceeds</i>
03/02/2022	 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>
03/02/2022	 Notice Filed By: Defendant Mandalay Bay Corp <i>[68] Notice of Entry of Order Granting Defendant's Motion to Interplead Settlement Proceeds</i>
03/02/2022	 Motion to Intervene <i>[69] Movant Bernstein & Poisson's Motion to Intervene Pursuant to NRCP 24</i>
03/03/2022	 Clerk's Notice of Hearing <i>[70] Notice of Hearing</i>
03/08/2022	 Notice of Mailing Filed By: Plaintiff Houston, Matthew <i>[71] Notice of Mailing</i>
03/17/2022	 Notice of Appeal Filed By: Plaintiff Houston, Matthew <i>[72] Notice of Appeal</i>
03/17/2022	 Notice of Appeal <i>[73] Notice of Appeal and Plaintiff's Response to Movant Bernstein & Poisson's Motion to Intervene on 3/2/22</i>
03/17/2022	 Notice of Appeal <i>[74] Notice of Appeal</i>
03/21/2022	 Case Appeal Statement <i>[75] Case Appeal Statement</i>

CASE SUMMARY

CASE NO. A-17-758861-C

03/21/2022	 Case Appeal Statement <i>[76] Case Appeal Statement</i>
03/21/2022	 Case Appeal Statement <i>[77] Case Appeal Statement</i>
03/29/2022	 Notice of Appeal Filed By: Plaintiff Houston, Matthew <i>[78] Emergency Notice of Appeal to and Response to "Order Granting in Party, Denying in Part Defendant's Pro Per Moton to Dismiss Counsel " form 2-1-2022</i>
03/30/2022	 Case Appeal Statement <i>[79] Case Appeal Statement</i>
04/02/2022	 Application to Proceed in Forma Pauperis Filed By: Plaintiff Houston, Matthew <i>[80] Continued/ Renewed Application to Proceed in Forma Pauperis</i>
04/06/2022	 Motion Filed By: Plaintiff Houston, Matthew <i>[81] Emergency Motion Requesting Hearing , De Novo, and Release to Intensive Supervision</i>
04/14/2022	 Order Granting Motion <i>[82] Order Granting Motion to Intervene</i>
04/20/2022	 Notice Filed By: Defendant Mandalay Bay Corp <i>[83] Notice of Deposit of Interplead Funds</i>
04/26/2022	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[84] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>
05/04/2022	 Motion Filed By: Intervenor Bernstein & Poisson <i>[85] Bernstein & Poisson's Motion for Disbursement of Interpled Funds</i>
05/05/2022	 Clerk's Notice of Hearing <i>[86] Notice of Hearing</i>
05/12/2022	 Application to Proceed in Forma Pauperis Filed By: Plaintiff Houston, Matthew <i>[88] Application to Proceed in Forma Pauperis</i>
05/16/2022	 Order to Proceed In Forma Pauperis Granted for: Plaintiff Houston, Matthew <i>[89] Order to Proceed In Forma Pauperis</i>
06/10/2022	 Filing Filed By: Plaintiff Houston, Matthew <i>[90] Filing</i>
06/10/2022	 Motion Filed By: Plaintiff Houston, Matthew

CASE SUMMARY

CASE NO. A-17-758861-C

[91] Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference

06/10/2022



Petition

Filed by: Plaintiff Houston, Matthew
[92] Petition for Judicial Review

06/14/2022



Notice of Appeal

[93] Preliminary Opposition and Notice of Formal Objection to Any Sort of Vexatious Litigant Appear, Notice of Appeal and Any Other Sort of Chicanery Kristina Rheads Tries to Conjure Up from the Demons of Injustice

06/16/2022



Case Appeal Statement

[94] Case Appeal Statement

06/30/2022



Motion

Filed By: Plaintiff Houston, Matthew
[95] Motion(s) to Stay Remittitur(s) in 84477 and 84478 and Renewed Motion for an Order to Suppress Hearing from December 6 th , 2021 , and Motion for Order...

07/01/2022



Motion

Filed By: Plaintiff Houston, Matthew
[96] Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative for Appearance by Telephone or Video Conference

07/01/2022



Order

[97] Order to Disburse Interplead Funds

07/05/2022



Motion

Filed By: Plaintiff Houston, Matthew
[98] Emergency Motion to Set Aside Dismissal in Case A-17-758861-C , Affidavit of Due Diligence in Pro Part, Per Part to Renewed Counterclaim ;and Complaint(s)

07/05/2022



Notice of Intent to Take Default

Party: Plaintiff Houston, Matthew
[99] Notice of Intent to Enter Default Re: Redenta Blacic

07/05/2022



Notice of Intent to Take Default

Party: Plaintiff Houston, Matthew
[100] Notice of Intent to Enter Default Re: Jonathan Shockley

07/05/2022



Notice of Intent to Take Default

Party: Plaintiff Houston, Matthew
[101] Notice of Intent to Enter Default Re: Brian P Clark

07/05/2022



Motion

Filed By: Plaintiff Houston, Matthew
[102] Emergency Motion to Set Aside Dismissal in Case Number A-17-758861-C ...

07/05/2022



Motion

Filed By: Plaintiff Houston, Matthew
[103] Emergency Motion for an Order...

07/05/2022



Clerk's Notice of Hearing

CASE SUMMARY

CASE NO. A-17-758861-C

[104] Notice of Hearing

07/05/2022



Notice of Entry

Filed By: Intervenor Bernstein & Poisson

[105] Notice of Entry of Order

07/05/2022



Audiovisual Transmission Equipment Appearance Request

Party: Intervenor Bernstein & Poisson

[106] Audiovisual Transmission Equipment Appearance Request

07/28/2022



NV Supreme Court Clerks Certificate/Judgment - Dismissed

[108] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed; Rehearing Denied; Petition Denied

07/28/2022



NV Supreme Court Clerks Certificate/Judgment - Dismissed

[109] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed; Rehearing Denied

08/03/2022



Notice of Motion

Filed By: Plaintiff Houston, Matthew

[110] Notice of Motion

08/03/2022



Notice of Motion

Filed By: Plaintiff Houston, Matthew

[111] Notice of Motion

08/03/2022



Motion

Filed By: Plaintiff Houston, Matthew

[112] Emergency Motion for Transportation of Inmate for Court Appearance or in the Alternative for appearance by Telephone or Video Conference

08/03/2022



Motion to Stay

Filed By: Plaintiff Houston, Matthew

[113] Emergency Motion to Stay the Remittitur in all Appeals of Matthew Travis Houston

08/10/2022



Motion

Filed By: Plaintiff Houston, Matthew

[114] Emergency Motion for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference

09/08/2022



Notice of Appeal

Filed By: Plaintiff Houston, Matthew

[115] Emergency Notice of Appeal to Hearings from August 9th 2022, August 15th 2022, August 16th 2022, August 23rd 2022, August 25th 2022, August 30th 2022, August 31st 2022, September 6 2022 and Minute Order(s) from August 23 2022 and August 24th 2022 and Request for an Order to Reset Time

09/08/2022



Notice of Appeal

Filed By: Plaintiff Houston, Matthew

[116] Emergency Notice of Appeal to Minute Order from June 16th 2022

09/08/2022



Notice of Appeal

Filed By: Plaintiff Houston, Matthew

[117] Emergency Notice of Appeal to Hearings from July 13th, 2022 and July 14th 2022 and Request for an Order to Reset Time

CASE SUMMARY

CASE NO. A-17-758861-C

09/12/2022  Case Appeal Statement
Case Appeal Statement

09/12/2022  Case Appeal Statement
Case Appeal Statement

09/12/2022  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

04/26/2022 **Clerk's Certificate** (Judicial Officer: Jones, David M)
Debtors: Matthew Houston (Plaintiff)
Creditors: Mandalay Bay Corp (Defendant)
Judgment: 04/26/2022, Docketed: 04/26/2022
Comment: Supreme Court No. 84418; Dismissed

07/28/2022 **Clerk's Certificate** (Judicial Officer: Jones, David M)
Debtors: Matthew Houston (Plaintiff)
Creditors: Mandalay Bay Corp (Defendant)
Judgment: 07/28/2022, Docketed: 08/01/2022
Comment: Supreme Court No. 84417; Appeal Dismissed; Rehearing Denied

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

CASE SUMMARY

CASE NO. A-17-758861-C

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 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;

Matter Continued;

Matter Continued;

Matter Heard;

Journal Entry Details:

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;

11/13/2019

Motion to Compel (9:00 AM) (Judicial Officer: Jones, David M)

11/13/2019, 01/29/2020

Defendant's Motion to Compel Settlement

Matter Continued;

Minute Order Dated 12-10-19

Granted;

Matter Continued;

Minute Order Dated 12-10-19

Granted;

11/13/2019



All Pending Motions (9:00 AM) (Judicial Officer: Holthus, Mary Kay)

Matter Heard;





Journal Entry Details:

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 ;

12/10/2019







CASE SUMMARY

CASE NO. A-17-758861-C

	 Minute Order (1:45 PM) (Judicial Officer: Holthus, Mary Kay) Minute Order - No Hearing Held; Journal Entry Details: <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>
01/29/2020	Status Check (9:00 AM) (Judicial Officer: Jones, David M) <i>Status Check: Order to Show Cause</i> Minute Order Dated 12-10-19 Moot;
01/29/2020	Motion for Sanctions (9:00 AM) (Judicial Officer: Jones, David M) Events: 12/11/2019 Motion for Sanctions <i>Plaintiff's Preliminary Motion for Sanctions to be Imposed Upon Counsel</i> Moot;
01/29/2020	Motion (9:00 AM) (Judicial Officer: Jones, David M) <i>Plaintiff's Motion for Opposition of Def(s) Motion to Compel Settlement</i> Moot;
01/29/2020	Motion for Sanctions (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;
01/29/2020	 All Pending Motions (9:00 AM) (Judicial Officer: Jones, David M) Matter Heard; Journal Entry Details: <i>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.;</i>
03/12/2020	 Motion for New Trial (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>
04/23/2020	 Minute Order (3:00 AM) (Judicial Officer: Jones, David M) Minute Order - No Hearing Held;

CASE SUMMARY


CASE NO. A-17-758861-C

	<p>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 & Serve. /mt;</i></p>
04/29/2020	<p> Motion (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: <i>COURT ORDERED, motion DENIED.;</i></p>
02/16/2022	<p> Motion to Dismiss (9:00 AM) (Judicial Officer: Jones, David M) <i>Amended Complaint's and Motion to Dismiss Counsel and Appoint Standby Counsel</i> 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> Motion to Interplead (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>
04/04/2022	<p> Minute Order (3:00 AM) (Judicial Officer: Jones, David M) <i>Minute Order:Order Granting Motion to Intervene</i> Minute Order - No Hearing Held; Journal Entry Details: <i>The Motion to Intervene by Bernstein & Poisson is unopposed and is GRANTED. Moving counsel to prepare and submit the appropriate order within 14 days per EDCR 7.21. CLERK'S NOTE: The above minute order has been distributed to: All registered parties./sd 04/04/22;</i></p>
04/06/2022	<p>CANCELED Motion to Intervene (3:00 AM) (Judicial Officer: Jones, David M) <i>Vacated</i> <i>Movant Bernstein & Poisson's Motion to Intervene Pursuant to NRCP 24</i></p>
06/07/2022	<p> Motion (9:00 AM) (Judicial Officer: Jones, David M) <i>Bernstein & Poisson's Motion for Disbursement of Interpled Funds</i> Granted; Journal Entry Details: <i>COURT ORDERED, Bernstein & Poisson's Motion for Disbursement of Interpled Funds, GRANTED. Mr. Kerbow to prepare the order.;</i></p>
08/02/2022	<p>CANCELED Motion (9:00 AM) (Judicial Officer: Jones, David M) <i>Vacated - Set in Error</i></p>
08/09/2022	<p> Motion (9:00 AM) (Judicial Officer: Jones, David M) <i>Plaintiff's Emergency Motion for an Order</i> Motion Denied; Journal Entry Details:</p>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-17-758861-C

	<i>No parties present. COURT NOTED Mr. Houston has filed an Emergency Motion for an Order for a whole list of individuals including the vast majority of Judges that sit in District Court, to take notice and to read the use of power exercising wisdom, a statement that was published by the Salvation Army. COURT FURTHER NOTED It has read thru the statement and finds there is no relevance to this matter, and ORDERED, Motion is DENIED as being improper.;</i>
09/06/2022	Motion (9:00 AM) (Judicial Officer: Jones, David M) Events: 08/03/2022 Notice of Motion <i>Notice of Motion</i> Matter Heard;
09/06/2022	Motion (9:00 AM) (Judicial Officer: Jones, David M) Events: 08/03/2022 Motion <i>Emergency Motion for Transportation of Inmate for Court Apperance or in the Alternative for appearance by Telephone or Video Conference</i> Moot;
09/06/2022	Motion to Stay (9:00 AM) (Judicial Officer: Jones, David M) 09/06/2022, 12/06/2022 Events: 08/03/2022 Motion to Stay <i>Emergency Motion to Stay the Remittitur in all Appeals of Matthew Travis Houston</i> Matter Continued;
09/06/2022	 All Pending Motions (9:00 AM) (Judicial Officer: Jones, David M) Matter Heard; Journal Entry Details: <i>No parties present. COURT NOTED the Nevada Supreme Court has in fact by Order of August 9, 2022 granted the Motion to Stay the Issuance of the Remittitur to this Court, which will await that decision, and ORDERED, Motion for Transportation is hereby MOOT due to the fact it is the Motion to Stay the Remittitur, and Motion to Stay is hereby CONTINUED. CONTINUED TO 12/06/22 9:00 AM;</i>

DATE

FINANCIAL INFORMATION

Defendant Mandalay Bay Corp	
Total Charges	673.00
Total Payments and Credits	673.00
Balance Due as of 9/12/2022	0.00
Plaintiff Houston, Matthew	
Total Charges	337.50
Total Payments and Credits	337.50
Balance Due as of 9/12/2022	0.00
Defendant Mandalay Bay Corp	
Interplead Funds Balance as of 9/12/2022	0.00

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**

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

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

07/20/2017

Date

Signature of initiating party or representative

See other side for family-related case filings.

**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

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

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

November 13, 2019

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

November 13, 2019 9:00 AM All Pending Motions

HEARD BY: Holthus, Mary Kay **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

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

JOURNAL ENTRIES

- 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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

December 10, 2019

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

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

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

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

March 11, 2020 9:00 AM Motion for New Trial

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

COURT CLERK: Michaela Tapia

RECORDER: Melissa Delgado-Murphy

REPORTER:

PARTIES

PRESENT: Clark, Brian P Attorney

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.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

April 04, 2022

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

April 04, 2022 3:00 AM Minute Order

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

COURT CLERK: Shuron Dockery

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- The Motion to Intervene by Bernstein & Poisson is unopposed and is GRANTED. Moving counsel to prepare and submit the appropriate order within 14 days per EDCR 7.21.

CLERK'S NOTE: The above minute order has been distributed to: All registered parties./sd
04/04/22

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

June 07, 2022

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

June 07, 2022

9:00 AM

Motion

HEARD BY: Jones, David M

COURTROOM: RJC Courtroom 15A

COURT CLERK:

Deriontae Green

RECORDER: Angelica Michaux

REPORTER:

PARTIES

PRESENT: Kerbow, Ryan M Attorney

JOURNAL ENTRIES

- COURT ORDERED, Bernstein & Poisson's Motion for Disbursement of Interpled Funds,
GRANTED. Mr. Kerbow to prepare the order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

August 09, 2022

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

August 09, 2022 9:00 AM Motion

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

COURT CLERK: Stephanie Squyres

RECORDER: Angelica Michaux

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- No parties present.

COURT NOTED Mr. Houston has filed an Emergency Motion for an Order for a whole list of individuals including the vast majority of Judges that sit in District Court, to take notice and to read the use of power exercising wisdom, a statement that was published by the Salvation Army. COURT FURTHER NOTED It has read thru the statement and finds there is no relevance to this matter, and ORDERED, Motion is DENIED as being improper.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Negligence - Premises Liability

COURT MINUTES

September 06, 2022

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

September 06, 2022 9:00 AM

All Pending Motions

HEARD BY: Jones, David M

COURTROOM: RJC Courtroom 15A

COURT CLERK: Stephanie Squyres

RECORDER: Angelica Michaux

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- No parties present.

COURT NOTED the Nevada Supreme Court has in fact by Order of August 9, 2022 granted the Motion to Stay the Issuance of the Remittitur to this Court, which will await that decision, and ORDERED, Motion for Transportation is hereby MOOT due to the fact it is the Motion to Stay the Remittitur, and Motion to Stay is hereby CONTINUED.

CONTINUED TO 12/06/22 9:00 AM



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: September 12, 2022
CASE: A-17-758861-C

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

NOTICE OF APPEAL FILED: September 8, 2022 (1)

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

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

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

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

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

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

Certification of Copy

State of Nevada }
County of Clark } SS:

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

EMERGENCY NOTICE OF APPEAL; CASE APPEAL STATEMENT;
DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; 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 12 day of September 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

