

Electronically Filed
09/08/2022

Heather S. Lavin

CLERK OF THE COURT
Electronically Filed
Sep 16 2022 11:13 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

1 JOIN and NOTC
2 MATTHEW TRAVIS HOUSTON, CHTD.
3 ABA No. 04662784
4 NDOC No. 1210652
5 PO BOX 650
6 Indian Springs, NV 89070
7 P: (714) 916-7431

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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: X

CASE No.: A.22.856372.C

Dept: XX

CASE NO.: A.17.758861.C

Dept.(s): 17, 18 and 29

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 85353 Document 2022-29093

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)

(NOTICE OF APPEALS JOINER) + 3 day DEFAULT
The undersigned does hereby affirm that the preceding PETITION FOR WRIT OF HABEAS CORPUS filed in District Court Case Number (3) 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
A.22-858861.C, A.17, 858861.C, A.22, 853203.W, and A.22-856372.C. Also in JUSTICE COURT # 21P01950

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, CHTD.
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

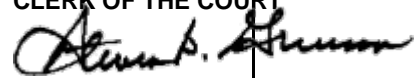
89155-1601

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

LAS VEGAS NV 890
31 AUG 2022 PM 4 L



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



1 ASTA

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

10 MATTHEW TRAVIS HOUSTON,

11 Plaintiff(s),

12 vs.

13 CALVIN JOHNSON,

14 Defendant(s),
15

Case No: A-22-853203-W

Dept No: XI

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Matthew Travis Houston

20 2. Judge: Ellie Roohani

21 3. Appellant(s): Matthew Travis Houston

22 Counsel:

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

25 4. Respondent (s): Calvin Johnson

26 Counsel:

27 Unknown
28

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

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

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

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

7 8. Appellant Granted Leave to Proceed in Forma Pauperis**: N/A
8 ***Expires 1 year from date filed*
9 Appellant Filed Application to Proceed in Forma Pauperis: No
Date Application(s) filed: N/A

10 9. Date Commenced in District Court: May 26, 2022

11 10. Brief Description of the Nature of the Action: Civil Writ

12 Type of Judgment or Order Being Appealed: Misc. Order

13 11. Previous Appeal: No

14 Supreme Court Docket Number(s): N/A

15 12. Child Custody or Visitation: N/A

16 13. Possibility of Settlement: Unknown

17 Dated This 12 day of September 2022.

18 Steven D. Grierson, Clerk of the Court

19
20
21 /s/ Heather Ungermann

22 Heather Ungermann, Deputy Clerk
23 200 Lewis Ave
24 PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

25 cc: Matthew Travis Houston
26
27
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CASE SUMMARY

CASE NO. A-22-853203-W

Matthew Houston, Plaintiff(s)
vs.
Calvin Johnson, Defendant(s)

§
§
§
§
§
§

Location: Department 11
Judicial Officer: Roohani, Ellie
Filed on: 05/26/2022
Cross-Reference Case Number: A853203
Defendant's Scope ID #: 7035801

CASE INFORMATION

Related Cases

C-21-357927-1 (Writ Related Case)

Case Type: Writ of Habeas Corpus

Case Status: 05/26/2022 Open

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number A-22-853203-W
Court Department 11
Date Assigned 05/26/2022
Judicial Officer Roohani, Ellie

PARTY INFORMATION

Plaintiff

Houston, Matthew

Duecker, Alexis M.
Court Appointed
702-743-0107(W)

Defendant

Johnson, Calvin


DATE

EVENTS & ORDERS OF THE COURT


INDEX

EVENTS


05/26/2022

 Inmate Filed - Petition for Writ of Habeas Corpus
Party: Plaintiff Houston, Matthew
[1] Post Conviction


06/30/2022

 Motion
Filed By: Plaintiff Houston, Matthew
[2] Emergency Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative, for Appearance by Telephone or Video Conference (Re: 7-15-2022 Hearing)


06/30/2022

 Notice of Motion
Filed By: Plaintiff Houston, Matthew
[3] Emergency Notice of Motion














06/30/2022

 Motion
Filed By: Plaintiff Houston, Matthew
[4] Emergency Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephonic or Video Conference (Re:6-15-2022 and 6-16-2022 Hearing Dates)













06/30/2022

 Notice of Motion
Filed By: Plaintiff Houston, Matthew
[5] Notice of Motion

CASE SUMMARY
CASE NO. A-22-853203-W

07/01/2022	 Miscellaneous Filing Filed by: Plaintiff Houston, Matthew <i>[6] Emergency Motion</i>
07/05/2022	 Motion Filed By: Plaintiff Houston, Matthew <i>[7] Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative, for Appearance by Telephone or Video Conference (Re: 7-14; 7-15 and 7-16 hearing dates)</i>
07/05/2022	 Notice of Motion Filed By: Plaintiff Houston, Matthew <i>[8] Notice of Motion</i>
07/05/2022	 Motion to Set Aside Filed By: Plaintiff Houston, Matthew <i>[9] 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)</i>
07/05/2022	 Notice of Intent to Take Default Party: Plaintiff Houston, Matthew <i>[10] Notice of Intent to Enter Default Re: Renenta Blacic</i>
07/05/2022	 Notice of Intent to Take Default Party: Plaintiff Houston, Matthew <i>[11] Notice of Intent to Enter Default Re: Jonathan Shockley</i>
07/05/2022	 Notice of Intent to Take Default Party: Plaintiff Houston, Matthew <i>[12] Notice of Intent to Enter Default Re: Brian P. Clark</i>
07/05/2022	 Motion Filed By: Plaintiff Houston, Matthew <i>[13] Emergency Motion to Set Aside Dismissal in Case Number A-17-758861-C ...</i>
07/05/2022	 Motion Filed By: Plaintiff Houston, Matthew <i>[14] Emergency Motion for an Order...</i>
07/06/2022	 Motion for Appointment of Attorney Filed By: Plaintiff Houston, Matthew <i>[15] Motion for Appointment of Counsel, in the Name of Pitarro and Fumo Chtd., Miss Emily Strand Esq. to Intervene as Standby</i>
07/07/2022	 Clerk's Notice of Hearing <i>[16] Notice of Hearing</i>
07/07/2022	 Clerk's Notice of Hearing <i>[17] Notice of Hearing</i>
07/08/2022	 Notice of Motion Filed By: Plaintiff Houston, Matthew <i>[18] Notice of Motion(s)</i>

CASE SUMMARY
CASE NO. A-22-853203-W

07/08/2022	 Motion Filed By: Plaintiff Houston, Matthew <i>[19] Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference (Re: 6-30-2022 Hearing date)</i>
07/08/2022	 Notice of Motion Filed By: Plaintiff Houston, Matthew <i>[20] Notice of Motion</i>
07/08/2022	 Motion Filed By: Plaintiff Houston, Matthew <i>[21] Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference (Re: 7-21-2022 Hearing date)</i>
07/29/2022	 Inmate Filed - Petition for Writ of Habeas Corpus Party: Plaintiff Houston, Matthew <i>[22] Post Conviction</i>
08/03/2022	 Motion Filed By: Plaintiff Houston, Matthew <i>[23] Emergency Motion to Stay the Remittitur in all Appeals of Matthew Travis Houston</i>
08/29/2022	 Stipulation and Order <i>[24] Stipulation and Order to Set Briefing Schedule and Continue August 31 Hearing</i>
09/08/2022	 Notice of Appeal Filed By: Plaintiff Houston, Matthew <i>[25] 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</i>
09/08/2022	 Notice of Appeal Filed By: Plaintiff Houston, Matthew <i>[26] Emergency Notice of Appeal to Minute Order from June 16th 2022</i>
09/08/2022	 Notice of Appeal Filed By: Plaintiff Houston, Matthew <i>[27] Emergency Notice of Appeal to Hearings from July 13th, 2022 and July 14th 2022 and Request for an Order to Reset Time</i>
09/12/2022	 Case Appeal Statement <i>Case Appeal Statement</i>
09/12/2022	 Case Appeal Statement <i>Case Appeal Statement</i>
09/12/2022	 Case Appeal Statement <i>Case Appeal Statement</i>
	<u>HEARINGS</u>
07/13/2022	Motion (9:00 AM) (Judicial Officer: Roohani, Ellie) <i>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)</i>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-22-853203-W

07/13/2022	Motion (9:00 AM) (Judicial Officer: Roohani, Ellie) <i>Emergency Motion (s) and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephonic or Video Conference</i>
07/13/2022	Motion (9:00 AM) (Judicial Officer: Roohani, Ellie) <i>Plaintiffs - Motion for Appointment of Counsel, in the Name of Pitarro and Fumo Chtd., Miss Emily Strand Esq. to Intervene as Standby</i>
07/13/2022	All Pending Motions (9:00 AM) (Judicial Officer: Roohani, Ellie) Matter Heard;
08/31/2022	CANCELED Status Check (9:00 AM) (Judicial Officer: Roohani, Ellie) <i>Vacated - per Order</i> STATUS CHECK: BRIEFING SCHEDULE
08/31/2022	CANCELED Motion (9:00 AM) (Judicial Officer: Roohani, Ellie) <i>Vacated - per Order</i> <i>Emergency Motion to Stay the Remittitur in all Appeals of Matthew Travis Houston</i>
03/08/2023	Motion (9:00 AM) (Judicial Officer: Roohani, Ellie) <i>Emergency Motion to Stay the Remittitur in all Appeals of Matthew Travis</i>
03/13/2023	CANCELED Motion (9:00 AM) (Judicial Officer: Roohani, Ellie) <i>Vacated - On in Error</i> <i>Emergency Motion to Stay the Remittitur in all Appeals of Matthew Travis</i>

DISTRICT COURT CIVIL COVER SHEET

County, Nevada

A-22-853203-W

Dept. 11

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):

Calvin Johnson

Attorney (name/address/phone):

Attorney (name/address/phone):

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 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 checked="" type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		Other Civil Filing Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

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

May 26, 2022

Date

PREPARED BY CLERK

Signature of initiating party or representative

See other side for family-related case filings.



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-22-853203-W

RE CASE: MATTHEW TRAVIS HOUSTON vs. CALVIN JOHNSON

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; NOTICE OF DEFICIENCY

MATTHEW TRAVIS HOUSTON,

Plaintiff(s),

vs.

CALVIN JOHNSON,

Defendant(s),

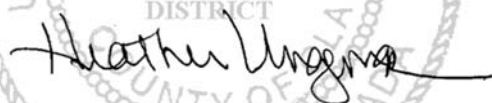
Case No: A-22-853203-W

Dept No: XI

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



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

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

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

September 12, 2022

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: MATTHEW TRAVIS HOUSTON vs. CALVIN JOHNSON
D.C. CASE: A-22-853203-W

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed September 12, 2022. Due to extenuating circumstances minutes from the date(s) listed below have not been included:

July 13, 2022

We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Heather Ungermann
Heather Ungermann, Deputy Clerk