

IN THE SUPREME COURT OF THE STATE OF NEVADA

MATTHEW TRAVIS HOUSTON,
Appellant(s),

vs.

CALVIN JOHNSON, WARDEN; AND
THE STATE OF NEVADA,
Respondent(s),

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Related Case A-22-853203-W
Docket No: 86972
Consolidated with 87443

RECORD ON APPEAL VOLUME 7

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Victim 1 felt scared that Mr. Houston would carry out the threats he had expressed.

The detective later found out that on July 23, 2020, Mr. Houston had phoned victim 2, who was employed by his insurer. Mr. Houston threatened to murder everyone at Sedgwick and their families, and to “eat their hearts.” On March 16, 2021, victim 3, who is an employee at the Department of Administration Hearings Division, advised Capitol Police that Mr. Houston had also made threats on their voicemail line. Mr. Houston stated that he “Needed immediate assistance because [he] was going to fucking murder every fucking employee at Mandalay Bay, MGM, and everyone in the State of Nevada if [you] fucking people don’t give me my fucking money.” Contact was then made with an officer of Iowa Police Department. He stated that Mr. Houston had been responsible for (21) calls for service in Iowa City and that he was mentally unstable.

A warrant of arrest was issued for Mr. Houston; and on July 14, 2021, he was arrested, transported to the Clark County Detention Center, and booked accordingly.

1 ROA 86-93.

SUMMARY OF THE ARGUMENT

The district court correctly denied Houston’s Motion to Withdraw Plea because he provided no legal basis or coherent argument supporting his Motion.

ARGUMENT

I. THE DISTRICT COURT CORRECTLY DENIED HOUSTON’S MOTION TO WITHDRAW PLEA

Houston’s Motion asserted various grievances, but none which would permit withdrawal of his guilty plea. He complained that unknown individuals had stolen

his seeing eye dogs, and complained that district court judges were in some manner interfering with Houston's (apparently civil) claims against other people. 1 ROA 227. He engaged in an extended rant, at the end of which he denied making the phone call that (presumably) was the basis for the initial terroristic threats charge. Id. at 228.

After a sentence has been imposed, a post-conviction habeas petition takes the place of a motion to withdraw guilty plea. Harris v. State, 130 Nev. 435, 437, 329 P.3d 619, 621 (2014). Given the rambling motion, the district court apparently denied the pleading as a motion to withdraw plea rather than a post-conviction habeas petition.³ This was erroneous, but harmless. This Court will affirm the district court if it reaches the right result for the wrong reason. Wyatt v. State, 86 Nev. 294, 298, 468 P.2d 338, 341 (1970). Additionally, any error, defect, or irregularity which does not affect substantial rights shall be disregarded. NRS 178.598.

As the State noted in its response, the single-sentence denial of making the phone call essentially amounted to an assertion of actual innocence. But actual innocence is not a free-standing claim in the habeas context. Nevada state law does not recognize freestanding claims of actual innocence in a Petition for Writ of

³ No transcript was apparently generated, nor minutes provided. The minutes that do exist do not provide any additional detail. That a simple Order denying the motion, rather than a Findings of Fact, was filed seems to indicate that the Court denied the pleading as a motion rather than a habeas petition.

Habeas Corpus, but rather only provides for claims of actual innocence where a defendant is attempting to overcome a procedural bar caused by an untimely or successive petition. *See Mitchell v. State*, 122 Nev. 1269, 1273-74, 149 P.3d 33, 36 (2006); *See also Clem v. State*, 119 Nev. 615, 621, 81 P.3d 521, 525-26 (2003). This is consistent with the Nevada Supreme Court's adoption of the standard established in *See Schlup v. Delo*, 513 U.S. 238, 315, 115 S. Ct. 851, 861 (1995) (*quoting Herrera v. Collins*, 506 U.S. 390, 404, 113 S. Ct. 853, 862 (1993)) ("Schlup's claim of innocence is thus not itself a constitutional claim, but instead a gateway through which a habeas petitioner must pass to have his otherwise barred constitutional claim considered on the merits."). In contrast, a freestanding claim of actual innocence is a claim wherein a petitioner alleges actual innocence alone, rather than actual innocence supported by a claim of constitutional deficiency, warrants relief. *See Herrera*, 506 U.S. 390, 113 S. Ct. 853 (1993). The *Herrera* Court acknowledged that claims of actual innocence based on newly discovered evidence have never been held as a ground for habeas relief absent an independent constitutional violation in the underlying criminal proceeding. *Id.* The Court noted such claims were traditionally addressed in the context of requests for executive clemency, which power exists in every state and at the federal level. *Id.* at 414-15, 113 S. Ct. at 867-68. However, the Court assumed, *arguendo*, that a federal freestanding claim of actual innocence may exist where a petitioner was sentenced to death and state law

precluded any relief. Herrera, 506 U.S. at 417, 113 S. Ct. at 869; Schlup, 513 U.S. at 317, 115 S. Ct. at 862. The United States Supreme Court has never found a freestanding claim of actual innocence to be available in a non-capital case. *See, e.g.,* Herrera, 506 U.S. at 404-405, 416-417; House v. Bell, 547 U.S. 518, 554, 126 S. Ct. 2064, 2086 (2006); *see also* Carriger v. Stewart, 132 F.3d 463, 476 (9th Cir. 1997); Jackson v. Calderon, 211 F.3d 1148, 1165 (9th Cir. 2000).

Houston failed to cite any Nevada authority which would allow him to raise a freestanding claim of actual innocence and improperly suggested the claim before the district court. “Actual innocence” is a term of art that should only be raised in the context of an attempt to overcome post-conviction procedural bars to petitions for writ of habeas corpus. Even in the post-conviction context, where at least “actual innocence” claims can be made in order to have other arguments heard on the merits, there is no such concept as a “freestanding” actual innocence claim where a person can claim they deserve some kind of relief solely because they proclaim their innocence.

Moreover, Houston’s claim that he did not make the phone call was belied by the record. Actual innocence means factual innocence not mere legal insufficiency. Bousley v. United States, 523 U.S. 614, 623, 118 S.Ct. 1604, 1611 (1998); Sawyer v. Whitley, 505 U.S. 333, 338-39, 112 S.Ct. 2514, 2518-19 (1992). To establish actual innocence of a crime, a petitioner “must show that it is

more likely than not that no reasonable juror would have convicted him absent a constitutional violation.” Calderon v. Thompson, 523 U.S. 538, 560, 118 S. Ct. 1489, 1503 (1998) (emphasis added) (quoting Schlup v. Delo, 513 U.S. 298, 316, 115 S. Ct. 851, 861 (1995)). Actual innocence is a stringent standard designed to be applied only in the most extraordinary situations. Pellegrini, 117 Nev. at 876, 34 P.3d at 530.

“Without any new evidence of innocence, even the existence of a concededly meritorious constitutional violation is not itself sufficient to establish a miscarriage of justice that would allow a habeas court to reach the merits of the barred claim.” Schlup, 513 U.S. at 316, 115 S. Ct. at 861. The Eighth Circuit Court of Appeals has “rejected free-standing claims of actual innocence as a basis for habeas review stating, ‘[c]laims of actual innocence based on newly discovered evidence have never been held to state a ground for federal habeas relief absent an independent constitutional violation occurring in the underlying state criminal proceeding.’” Meadows v. Delo, 99 F.3d 280, 283 (8th Cir. 1996) (citing Herrera v. Collins, 506 U.S. 390, 400, 113 S. Ct. 853, 860 (1993)). Furthermore, the newly discovered evidence suggesting the defendant’s innocence must be “so strong that a court cannot have confidence in the outcome of the trial.” Schlup, 513 U.S. at 315, 115 S. Ct. at 861. Once a defendant has made a showing of actual innocence, he may

then use the claim as a “gateway” to present his constitutional challenges to the court and require the court to decide them on the merits. Id.

Here, Houston claimed he never called any of the victims and that he is innocent of the crime he pled guilty to. 1 ROA 228. However, Houston did not allege any specific facts nor provided any evidence of his innocence apart from his own self-serving statement. Further, he did not allege any constitutional violations. Outside of the single claim, Houston only generally complained that the people involved in his case colluded against him, causing unidentified errors and “cluster trucks.” ROA 227-228. Simply put, there is no evidence, let alone coherent argument that Houston is innocent outside of his one-sentence claim.

Furthermore, Houston pled guilty in this case. Thus, his claim is belied by his signed GPA. Houston’s GPA states, “I hereby agree to plead guilty to: AGGRAVATED STALKING (Category B Felony – NRS 200.575 – NOC 50333) ...I understand that by pleading guilty I admit the facts which support all the elements of the offense(s) to which I now plead as set forth in Exhibit ‘1’,” 1 ROA 43-45. Additionally, Houston was canvassed and affirmatively stated he was entering a plea of guilty freely and voluntarily.

Houston had the opportunity to move to withdraw his plea and chose not to. 2 ROA 338. He pleaded guilty to the offense, and that guilty plea was further supported by the victim impact speakers at sentencing, as well as the voicemail

message of Houston making the call that was played at sentencing. 2 ROA 338-353. Houston presented no evidence in his Motion that would call into question either his guilt or his desire not to withdraw his plea.

Finally, any error in construing the Motion as a motion should be disregarded for at least two reasons. First, Houston neither alleged that his plea was entered into without the effective assistance of counsel nor that it was not freely and voluntarily entered into, the only two bases upon which he could have challenged his guilty plea in a habeas proceeding. NRS 34.810. Second, as noted previously, Houston has a pending habeas petition that has not yet been decided wherein he is again challenging his guilty plea. 1 ROA-A853203 1-40. To the extent he has any cognizable claims or can meet the standard for a habeas petition, his claims will be resolved when that litigation concludes.

CONCLUSION

Based on the foregoing, the State respectfully requests that this Court AFFIRM the district court's denial of Houston's Motion.

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///

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///

Dated this 28th day of February, 2023.

Respectfully submitted,

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY /s/ John T. Afshar
JOHN T. AFSHAR
Chief Deputy District Attorney
Nevada Bar #014408
Office of the Clark County District Attorney
Regional Justice Center
200 Lewis Avenue
Post Office Box 552212
Las Vegas, Nevada 89155-2212
(702) 671-2500

CERTIFICATE OF COMPLIANCE

1. **I hereby certify** that this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word 2003 in 14 point font of the Times New Roman style.
2. **I further certify** that this brief complies with the page or type-volume limitations of NRAP 32(a)(7) because, excluding the parts of the brief exempted by NRAP 32(a)(7)(C), it is either proportionately spaced, has a typeface of 14 points of more, contains 2,742 words and 12 pages.
3. **Finally, I hereby certify** that I have read this appellate brief, and to the best of my knowledge, information, and belief, it is not frivolous or interposed for any improper purpose. I further certify that this brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page and volume number, if any, of the transcript or appendix where the matter relied on is to be found. I understand that I may be subject to sanctions in the event that the accompanying brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

Dated this 28th day of February, 2023.

Respectfully submitted

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

BY */s/ John T. Afshar*

JOHN T. AFSHAR
Chief Deputy District Attorney
Nevada Bar #014408
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(702) 671-2500

CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on 28th day of February, 2023. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

AARON D. FORD
Nevada Attorney General

JOHN T. AFSHAR
Chief Deputy District Attorney

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage pre-paid, addressed to:

MATTHEW HOUSTON #1210652
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070-0650

/s/ J. Hall

Employee, Clark County
District Attorney's Office

JTA/jh

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Steven D. Grierson
CLERK OF THE COURT



MDSM
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*Attorneys for Defendants Bernstein & Poisson, LLP,
Scott Poisson, Jack Bernstein, Ryan Kerbow, and
Christopher D. Burk*

**DISTRICT COURT
CLARK COUNTY, NEVADA**

MATTHEW TRAVIS HOUSTON,

Plaintiff,

vs.

BERNSTEIN & POISSON, LLP; SCOTT
POISSON; JACK BERNSTEIN; RYAN
KERBOW; KARLIE GABOUR;
CHRISTOPHER D. BURK,

Defendants.

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

**DEFENDANTS BERNSTEIN &
POISSON, LLP, SCOTT POISSON,
JACK BERNSTEIN, RYAN
KERBOW, AND
CHRISTOPHER D. BURK'S
MOTION TO DISMISS**

HEARING REQUESTED

Defendants BERNSTEIN & POISSON, LLP; SCOTT POISSON; JACK
BERNSTEIN; RYAN KERBOW, and CHRISTOPHER D. BURK, by and through their
counsel of record, the law offices of LIPSON NEILSON P.C., make this Motion to
Dismiss Plaintiff's Complaint pursuant to Nev. R. Civ. P. 12(b)(5). This Motion is made
and based upon the following Memorandum of Points and Authorities, the papers and
pleadings on file, and any oral arguments the Court may entertain on this matter.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Plaintiff is presently incarcerated at High Desert State Prison. He was formerly a
client of Bernstein & Poisson, LLP. The underlying legal matter resolved at a Mediation
and the file was closed.

///

LIPSON NEILSON P.C.
 9900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
 Telephone: (702) 382-1500 Facsimile: (702) 382-1512

On October 13, 2022, Plaintiff filed a Complaint against Defendants¹ for false imprisonment, legal malpractice, coercion, extortion, embezzlement and malicious prosecution. See Complaint, Doc 1, ¶¶ 2-6. The remainder of the Complaint is rambling and incomprehensible. For the reasons set forth below, the Court should determine that the Complaint fails to state a claim on which relief may be granted and dismiss this case.

II. LEGAL ARGUMENT

A. PLAINTIFF'S COMPLAINT DOES NOT STATE CLAIMS UPON WHICH RELIEF MAY BE GRANTED.

1. *Essential Pleading Requirements to State a Claim*

Nev. R. Civ. P. 8(a)(2), requires that a Complaint must contain "a short and plain statement of the claim showing that the pleader is entitled to relief." In addition, "[e]ach averment of a pleading shall be simple, concise, and direct." Nev. R. Civ. P. 8(e)(1). Finally, Nev. R. Civ. P. 10(b) mandates "separate counts . . . whenever separation facilitates the clear presentation of the matters set forth." The fundamental purpose of these provisions is to give to the court and to the parties the claims being presented. The failure to comply with basic rules of pleadings deprives a responding party of due process.

Nev. R. Civ. P. 8, is based on Fed. R. Civ. P. 8, and this Court can consider federal law evaluating the rule. In *Ashcroft v Iqbal*, 556 US 662 (2009), the Court concluded that the purpose of these specific pleading requirements is to enable the Court to determine whether the plaintiff has stated "a plausible claim for relief." *Ashcroft*, 556 U.S. at 679 (internal citation omitted). To state a plausible claim for relief, a complaint must contain both sufficient factual allegations (i.e. names, dates, and facts) and legal conclusions (i.e., specific laws defendants allegedly violated) that create a reasonable inference of liability. *Id.* at 678-79. Plaintiff's Complaint does not meet these

¹ It is unknown whether Defendant Karlie Gabour was served with the summons and complaint. Nevertheless, if the Court grants this motion, the same relief should be granted to Ms. Gabour.

LIPSON NEILSON P.C.
 8900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
 Telephone: (702) 382-1500 Facsimile: (702) 382-1512

1 minimal standards. Rather, Plaintiff's Complaint is riddled with incomprehensible
 2 statements that fail to provide notice of the specific reason for the lawsuit. The
 3 Complaint does not describe the alleged conduct at issue for each Defendant, what
 4 alleged conduct gives rise to this suit, how each Defendant harmed the Plaintiff, or
 5 where and when each of the alleged actions or inactions occurred. Although the
 6 standard under Fed. R. Civ. P. 12(b)(6) does not require detailed factual allegations, a
 7 plaintiff must provide more than mere labels and conclusions. *Bell Atlantic Corp. v.*
 8 *Twombly*, 550 U.S. 544, 555, (2007). A formulaic recitation of the elements of a cause
 9 of action is insufficient. *Id.* Important to this motion is the rule that even a liberal
 10 construction of a complaint filed by a pro se litigant may not be used to supply essential
 11 elements of a claim absent from the complaint. *Bruns v. Nat'l Credit Union Admin.*, 12
 12 F.3d 1251, 1257 (9th Cir. 1997) (quoting *Ivey v. Board of Regents*, 673 F.2d 266, 268
 13 (9th Cir. 1982)).

2. Rule 12(b)(5) Standards of Review

15 In reviewing a motion to dismiss, the court shall determine whether or not the
 16 challenge pleading sets forth sufficient allegations to make out the elements for a claim
 17 for relief. See *Edgar v. Wagner*, 101 Nev. 226, 699 P.2d 110 (1985). The test for
 18 determining whether the allegations of a complaint are sufficient to assert a claim for
 19 relief is whether the allegations give fair notice of the nature and basis of the legally
 20 sufficient claim and relief requested. *Brelant v. Preferred Equities Corp.*, 109 Nev. 842,
 21 846, 858 P.2d 1258 (1993). Accordingly, when all of a plaintiff's allegations are
 22 accepted as true and still do not justify any relief, the trial court should properly dismiss
 23 the claims. *Blackjack Bonding v. City of Las Vegas Municipal Court*, 116 Nev. 1213,
 24 1214, 14 P.3d 1275, 1278 (2000); *Bergman v. Boyce*, 109 Nev. 670, 756 P.2d 560
 25 (1993); see also, *Ashcroft v. Iqbal*, 556 US 662, 678 (2009) (A Court should not accept
 26 legal conclusions and "[t]hreadbare recitals of the elements of a cause of action" as
 27 true.) To survive a motion to dismiss, those well-pled facts must allow the Court to
 28 reasonably infer that the defendant is liable under the stated claim. *Id.* at 678-79.

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1 Dismissal is appropriate when it appears beyond doubt that the plaintiff could prove no
2 set of facts, which if accepted by the trier of fact, would entitle him to relief. *Bratcher v.*
3 *City of Las Vegas*, 113 Nev. 502, 937 P.2d 485 (1997).

4 Plaintiff's Complaint is incomprehensible and violates Nev. R. Civ. P. 8(a)(2),
5 (e)(1) and 10(b). It does not plead the elements of any other claims stated as captions
6 in paragraphs 2-6 of the Complaint i.e., false imprisonment, legal malpractice, coercion,
7 extortion, embezzlement and malicious prosecution. In short, the Complaint does not
8 state a claim and should be dismissed.

9 **III. CONCLUSION**

10 Based on the foregoing, Defendants request that the Court grant this Motion to
11 Dismiss and enter an order dismissing the Complaint as to all parties.

12 DATED this 20th day of April, 2023.

13 LIPSON NEILSON P.C.

14
15 By:

16 
17 JOSEPH P. GARIN, ESQ.
18 Nevada Bar No. 6653
19 9900 Covington Cross Drive, Suite 120
20 Las Vegas, Nevada 89144

21 *Attorneys for Defendants Bernstein & Poisson, LLP,*
22 *Scott Poisson, Jack Bernstein, Ryan Kerbow, and*
23 *Christopher D. Burk*
24
25
26
27
28

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b) and Administrative Order 14-2, I certify that on the 20th day of April, 2023, I electronically served the foregoing **DEFENDANTS BERNSTEIN & POISSON, LLP, SCOTT POISSON, JACK BERNSTEIN, RYAN KERBOW, AND CHRISTOPHER D. BURK'S MOTION TO DISMISS** to the following parties via U.S.

Mail, postage prepaid:

Matthew Travis Houston #1210652 c/o High Desert State Prison P.O. Box 650 22010 Cold Creek Road Indian Springs, NV 89070-0650	
---	--

/s/ Michele Stones

An Employee of LIPSON NEILSON P.C.

LIPSON NEILSON P.C.
9800 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
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jgarin@lipsonneilson.com

*Attorneys for Defendants Bernstein & Poisson, LLP,
Scott Poisson, Jack Bernstein, Ryan Kerbow, and
Christopher D. Burk*

DISTRICT COURT
CLARK COUNTY, NEVADA

MATTHEW TRAVIS HOUSTON,
Plaintiff,
vs.
SHERRIF JOE LOMBARDO, et. al.,
Defendants.

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

**DEFENDANTS CHRISTOPHER D.
BURK, SCOTT L. POISSON, RYAN
M. KERBOW, JACK BERNSTEIN,
AND BERNSTEIN & POISSON,
LLP's MOTION TO DISMISS**

HEARING REQUESTED

Defendants BERNSTEIN & POISSON, LLP, CHRISTOPHER D. BURK, SCOTT POISSON, RYAN KERBOW, and JACK BERNSTEIN, by and through their counsel of record, the law offices of LIPSON NEILSON P.C., make this Motion to Dismiss Plaintiff's Complaint pursuant to Nev. R. Civ. P. 12(b)(5). This Motion is made and based upon the following Memorandum of Points and Authorities, the papers and pleadings on file, and any oral arguments the Court may entertain on this matter.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Plaintiff is presently incarcerated at High Desert State Prison. He was formerly a client of Bernstein & Poisson, LLP. The underlying legal matter resolved at a Mediation and the file was closed.

///

LIPSON NEILSON P.C.
 9900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
 Telephone: (702) 382-1500 Facsimile: (702) 382-1512

On or about February 9, 2023, Plaintiff filed a Complaint purporting to name 209 individual Defendants including Burk, Poisson, Kerbow, Bernstein and Bernstein & Poisson, LLP.¹ The Complaint is styled as a Civil Rights Complaint. See Complaint, Doc 1, p 1. The Complaint is rambling and incomprehensible and does not state a claim. For the reasons set forth below, the Court should determine that the Complaint fails to state a claim on which relief may be granted and dismiss this case.

II. LEGAL ARGUMENT

A. PLAINTIFF'S COMPLAINT DOES NOT STATE CLAIMS UPON WHICH RELIEF MAY BE GRANTED.

1. *Essential Pleading Requirements to State a Claim*

Nev. R. Civ. P. 8(a)(2), requires that a Complaint must contain "a short and plain statement of the claim showing that the pleader is entitled to relief." In addition, "[e]ach averment of a pleading shall be simple, concise, and direct." Nev. R. Civ. P. 8(e)(1). Finally, Nev. R. Civ. P. 10(b) mandates "separate counts . . . whenever separation facilitates the clear presentation of the matters set forth." The fundamental purpose of these provisions is to give to the court and to the parties the claims being presented. The failure to comply with basic rules of pleadings deprives a responding party of due process.

Nev. R. Civ. P. 8, is based on Fed. R. Civ. P. 8, and this Court can consider federal law evaluating the rule. In *Ashcroft v. Iqbal*, 556 US 662 (2009), the Court concluded that the purpose of these specific pleading requirements is to enable the Court to determine whether the plaintiff has stated "a plausible claim for relief." *Ashcroft*, 556 U.S. at 679 (internal citation omitted). To state a plausible claim for relief, a complaint must contain both sufficient factual allegations (i.e. names, dates, and facts) and legal conclusions (i.e., specific laws defendants allegedly violated) that create a reasonable inference of liability. *Id.* at 678-79. Plaintiff's Complaint does not meet these

¹ It is unknown whether Defendant Karlie Gabour was served with the summons and complaint. Nevertheless, if the Court grants this motion, the same relief should be granted to Ms. Gabour and all other Defendants.

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 Telephone: (702) 362-1500 Facsimile: (702) 362-1512

1 minimal standards. Rather, Plaintiff's Complaint is riddled with incomprehensible
 2 statements that fail to provide notice of the specific reason for the lawsuit. The
 3 Complaint does not describe the alleged conduct at issue for each Defendant, what
 4 alleged conduct gives rise to this suit, how each Defendant harmed the Plaintiff, or
 5 where and when each of the alleged actions or inactions occurred. Although the
 6 standard under Fed. R. Civ. P. 12(b)(6) does not require detailed factual allegations, a
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 8 *Twombly*, 550 U.S. 544, 555, (2007). A formulaic recitation of the elements of a cause
 9 of action is insufficient. *Id.* Important to this motion is the rule that even a liberal
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 11 elements of a claim absent from the complaint. *Bruns v. Nat'l Credit Union Admin.*, 12
 12 F.3d 1251, 1257 (9th Cir. 1997) (quoting *Ivey v. Board of Regents*, 673 F.2d 266, 268
 13 (9th Cir. 1982)).

14 2. Rule 12(b)(5) Standards of Review

15 In reviewing a motion to dismiss, the court shall determine whether or not the
 16 challenge pleading sets forth sufficient allegations to make out the elements for a claim
 17 for relief. See *Edgar v. Wagner*, 101 Nev. 226, 699 P.2d 110 (1985). The test for
 18 determining whether the allegations of a complaint are sufficient to assert a claim for
 19 relief is whether the allegations give fair notice of the nature and basis of the legally
 20 sufficient claim and relief requested. *Breliant v. Preferred Equities Corp.*, 109 Nev. 842,
 21 846, 858 P.2d 1258 (1993). Accordingly, when all of a plaintiff's allegations are
 22 accepted as true and still do not justify any relief, the trial court should properly dismiss
 23 the claims. *Blackjack Bonding v. City of Las Vegas Municipal Court*, 116 Nev. 1213,
 24 1214, 14 P.3d 1275, 1278 (2000); *Bergman v. Boyce*, 109 Nev. 670, 756 P.2d 560
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 26 legal conclusions and "[t]hreadbare recitals of the elements of a cause of action" as
 27 true.) To survive a motion to dismiss, those well-pled facts must allow the Court to
 28 reasonably infer that the defendant is liable under the stated claim. *Id.* at 678-79.

1 Dismissal is appropriate when it appears beyond doubt that the plaintiff could prove no
2 set of facts, which if accepted by the trier of fact, would entitle him to relief. *Bratcher v.*
3 *City of Las Vegas*, 113 Nev. 502, 937 P.2d 485 (1997).

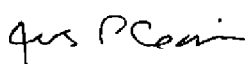
4 Plaintiff's Complaint is incomprehensible and violates Nev. R. Civ. P. 8(a)(2),
5 (e)(1) and 10(b). It does not plead the elements of any other claims stated as captions
6 in paragraphs 2-6 of the Complaint i.e., false imprisonment, legal malpractice, coercion,
7 extortion, embezzlement and malicious prosecution. In short, the Complaint does not
8 state a claim and should be dismissed.

9 **III. CONCLUSION**

10 Based on the foregoing, Defendants request that the Court grant this Motion to
11 Dismiss and enter an order dismissing the Complaint as to all parties.

12 DATED this 24th day of April, 2023.

13 LIPSON NEILSON P.C.

14 By: 

15
16 JOSEPH P. GARIN, ESQ.
17 Nevada Bar No. 6653
18 9900 Covington Cross Drive, Suite 120
19 Las Vegas, Nevada 89144

20 *Attorneys for Defendants Bernstein & Poisson, LLP,*
21 *Scott Poisson, Jack Bernstein, Ryan Kerbow, and*
22 *Christopher D. Burk*
23
24
25
26
27
28

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b) and Administrative Order 14-2, I certify that on the 24th day of April, 2023, I electronically served the foregoing **DEFENDANTS CHRISTOPHER D. BURK, SCOTT L. POISSON, RYAN M. KERBOW, JACK BERNSTEIN, AND BERNSTEIN & POISSON, LLP's MOTION TO DISMISS** to the following parties via U.S. Mail, postage prepaid:

Matthew Travis Houston #1210652 c/o High Desert State Prison P.O. Box 650 22010 Cold Creek Road Indian Springs, NV 89070-0650	
---	--

/s/ Michele Stones

An Employee of LIPSON NEILSON P.C.

LIPSON NEILSON P.C.
9900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144
Telephone: (702) 382-1500 Facsimile: (702) 382-1512

BARRY J. LIPSON
(1955-2003)

OFFICE LOCATIONS

BLOOMFIELD HILLS, MICHIGAN
GROSSE POINTE, MICHIGAN
LAS VEGAS, NEVADA
RENO, NEVADA
PHOENIX, ARIZONA
COLORADO SPRINGS, COLORADO

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www.lipsonneilson.com

From the desk of:

Joseph P. Garin, Esq.
jgarin@lipsonneilson.com

Admitted: NV, CO, UT, MI

May 19, 2023

Via U.S. Mail:

Matthew Travis Houston #1210652
c/o High Desert State Prison
P.O. Box 650
22010 Cold Creek Road
Indian Springs, NV 89070-0650

Re: Houston v. Bernstein & Poisson, et al.
Case No. A-22-859817-C

Dear Mr. Houston:

Based upon the Court's ruling, attached please find a draft Order Granting Defendants Bernstein & Poisson, LLP, Scott Poisson, Jack Bernstein, Ryan Kerbow, and Christopher D. Burk's Motion to Dismiss. If the Order meets with your approval, please sign the enclosed copy and return it to our office in the envelope provided.

If we do not receive the signed Order or your proposed revisions to the Order by Friday, May 26, 2023, we will submit it to the Court at close of business on May 26th without signature.

Very truly yours,

LIPSON NEILSON P.C.



JOSEPH P. GARIN

JPG/ms

Encls.: As stated

BARRY J. LIPSON
(1955-2003)

OFFICE LOCATIONS

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From the desk of:

Joseph P. Garin, Esq.
jgarin@lipsonneilson.com

Admitted: NV, CO, UT, MI

June 20, 2023

Via U.S. Mail:

Matthew Travis Houston #1210652
c/o High Desert State Prison
P.O. Box 650
22010 Cold Creek Road
Indian Springs, NV 89070-0650

Re: Houston v. Sheriff Joe Lombardo, et al.
Case No. A-23-865442-C

Dear Mr. Houston:

Based upon the Court's ruling, attached please find a draft Order (1) Granting Defendants Bernstein & Poisson, LLP, Scott Poisson, Jack Bernstein, Ryan Kerbow, and Christopher D. Burk's Motion to Dismiss, (2) Sabina Demelas, Amber King and Jessica Flores' Joinder to Motion to Dismiss, and (3) for Dismissal as to All Other Parties. If the Order meets with your approval, please sign the enclosed copy and return it to our office in the self-addressed, stamped envelope provided.

If we do not receive the signed Order or your proposed revisions to the Order by Thursday, June 29, 2023, we will submit it to the Court on June 30th without signature.

Very truly yours,

LIPSON NEILSON P.C.



JOSEPH P. GARIN

JPG/ms
Encls.: As stated

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON	)	
	)	
PLAINTIFF	)	CASE No. A-23-865442-C
	)	SHERIFF CIVIL NO.: 23002513
Vs	)	
ROSEMARIE MCMORRIS-ALEXANDER	)	
	)	
DEFENDANT	)	<u>AFFIDAVIT OF SERVICE</u>

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

JAMIE OSBURN, being first duly sworn, deposes and says: That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Sheriff in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on 5/25/2023, at the hour of 9:23 A.M. affiant as such Deputy Sheriff served a copy/copies of **SUMMONS - CIVIL, CIVIL RIGHT COMPLAINT BY AN INMATE** issued in the above entitled action upon the defendant **ROSEMARIE MCMORRIS-ALEXANDER** named therein, by delivering to and leaving with **JULIE ROSKELLET, RECEPTIONIST**, personally, at 2300 W SAHARA AVENUE LAS VEGAS, NV 89102 within the County of Clark, State of Nevada, copy/copies of **SUMMONS - CIVIL, CIVIL RIGHT COMPLAINT BY AN INMATE**

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: May 30, 2023.

Kevin McMahonill, Sheriff

By: 
JAMIE OSBURN
Deputy Sheriff

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON)

PLAINTIFF)

Vs)

SEDGWICK CMS, DIANNE FERRANTE, et. al.)

DEFENDANT)

CASE No. A-22-859815-C

SHERIFF CIVIL NO.: 23002103

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

COUNTY OF CLARK)

ss:

KEVIN PLOENSE, being first duly sworn, deposes and says: That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Constable in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on 4/25/2023, at the hour of 11:20 AM, affiant as such Deputy Constable served a copy/copies of **SUMMONS-CIVIL, COMPLAINT "HEARING REQUESTED"** issued in the above entitled action upon the defendant **SEDGWICK CMS** named therein, by delivering to and leaving with said defendant **SEDGWICK CMS**, personally, at **9930 W CHEYENNE AVENUE LAS VEGAS, NV 89129** within the County of Clark, State of Nevada, copy/copies of **SUMMONS-CIVIL, COMPLAINT "HEARING REQUESTED"**

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: April 26, 2023.

Kevin McMahon, Sheriff

By:  19526
KEVIN PLOENSE P#15526
Deputy Constable

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON)

PLAINTIFF)

Vs)

DIANNE FERRANTE, et. al. SEIDWICK CMS)

DEFENDANT)

CASE No. A-22-859815-C

SHERIFF CIVIL NO.: 23002102

AFFIDAVIT OF SERVICE

STATE OF NEVADA }

COUNTY OF CLARK }

ss:

KEVIN PLOENSE, being first duly sworn, deposes and says: That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Constable in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on 4/25/2023, at the hour of 11:21 AM, affiant as such Deputy Constable served a copy/copies of SUMMONS-CIVIL, COMPLAINT "HEARING REQUESTED" issued in the above entitled action upon the defendant DIANNE FERRANTE named therein, by delivering to and leaving with said defendant DIANNE FERRANTE, personally, at 9930 W CHEYENNE AVENUE LAS VEGAS, NV 89129 within the County of Clark, State of Nevada, copy/copies of SUMMONS-CIVIL, COMPLAINT "HEARING REQUESTED"

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT

DATED: April 26, 2023.

Kevin McMahon, Sheriff

By:

 1/5/23
KEVIN PLOENSE P#15526
Deputy Constable

301 E. Clark Ave. #100 Las Vegas, NV 89101 (702) 455-5400

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON)

PLAINTIFF)

Vs)

SCOTT L POISSON DBA BERNSTEIN & POISSON)

DEFENDANT)

CASE No. A-22-859817-C

SHERIFF CIVIL NO.: 23002006

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

) ss:

COUNTY OF CLARK)

KEVIN PLOENSE, being first duly sworn, deposes and says: That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Constable in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on **4/18/2023**, at the hour of **9:50 A.M.**, affiant as such Deputy Constable served a copy/copies of **SUMMONS - CIVIL, CIVIL RIGHTS COMPLAINT** issued in the above entitled action upon the defendant **BERNSTEIN & POISSON** named therein, by delivering to and leaving with **SABINA DEMELAS, RECEPTIONIST** of **BERNSTEIN & POISSON**, personally, at **320 S JONES BOULEVARD LAS VEGAS, NV 89107** within the County of Clark, State of Nevada, copy/copies of **SUMMONS - CIVIL, CIVIL RIGHTS COMPLAINT**

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: April 19, 2023.

Kevin McMahon, Sheriff

By:  15926

KEVIN PLOENSE P#15526
Deputy Constable

301 E. Clark Ave. #100 Las Vegas, NV 89101 (702) 455-5400

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON)

PLAINTIFF)

Vs)

CHRISTOPHER D BURK, ESQ.)

DEFENDANT)

CASE No. A-22-859817-C

SHERIFF CIVIL NO.: 23001939

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

) ss:

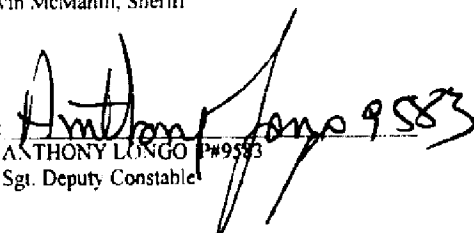
COUNTY OF CLARK)

ANTHONY LONGO, being first duly sworn, deposes and says. That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Sgt. Deputy Constable in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on 4/17/2023, at the hour of 12:38 PM, affiant as such Sgt. Deputy Constable served a copy/copies of SUMMONS-CIVIL, CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983 issued in the above entitled action upon the defendant CHRISTOPHER D BURK named therein, by delivering to and leaving with said defendant CHRISTOPHER D BURK, personally, at 2350 W CHARLESTON BOULEVARD #202 LAS VEGAS, NV 89102 within the County of Clark, State of Nevada, copy/copies of SUMMONS-CIVIL, CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: April 18, 2023.

Kevin McMahon, Sheriff

By: 

ANTHONY LONGO P#9583
Sgt. Deputy Constable

301 E. Clark Ave. #100 Las Vegas, NV 89101 (702) 455-5400

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON)

PLAINTIFF)

Vs)

ENCORE EVENT TECHNOLOGIES INC)

DEFENDANT)

CASE No. A-23-865442-C

SHERIFF CIVIL NO.: 23001619

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

) ss:

COUNTY OF CLARK)

TODD SIMMONS, being first duly sworn, deposes and says: That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Constable in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on 4/4/2023, at the hour of 2:45 PM, affiant as such Deputy Constable served a copy/copies of **SUMMONS, CIVIL RIGHTS COMPLAINT BY AN INMATE** issued in the above entitled action upon the defendant **ENCORE EVENT TECHNOLOGIES INC** named therein, by delivering to and leaving with **CINDY NORTON, RECEPTION ADMIN** of **ENCORE EVENT TECHNOLOGIES INC**, personally, at **8850 W SUNSET ROAD 3RD FLOOR LAS VEGAS, NV 89148** within the County of Clark, State of Nevada, copy/copies of **SUMMONS, CIVIL RIGHTS COMPLAINT BY AN INMATE**

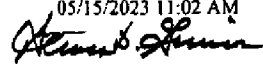
I. DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT

DATED: April 5, 2023.

Kevin McMahon, Sheriff


TODD SIMMONS P#15523
Deputy Constable

301 E. Clark Ave. #100 Las Vegas, NV 89101 (702) 455-5400

Electronically Filed
05/15/2023 11:02 AM

CLERK OF THE COURT

ORDER

**DISTRICT COURT
CLARK COUNTY, NEVADA**

MATTHEW HOUSTON, an individual,
PLAINTIFF,

v.

MANDALAY BAY CORP., a Nevada Corporation;
et al.,

DEFENDANTS.

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

ORDER ON PENDING MOTIONS

Plaintiff's Emergency Notice of Motion and Statement of Facts was filed on April 11, 2023 and is currently set for hearing on May 16, 2023. Plaintiff also has several other Motions set for hearing on May 25, 2023, and June 8, 2023. Having read the pleadings and papers on file, the Court hereby DENIES Plaintiff's pending motions with prejudice for the following reasons.

Plaintiff filed his Complaint on July 24, 2017. The parties proceeded to mediation and on May 17, 2019, the parties agreed to settle Plaintiff's claims, with the agreement being reduced to writing in the Mediation Settlement Agreement. As of June 7, 2019, Defendant had satisfied all conditions of the Mediation Settlement. On August 1, 2019, Plaintiff executed the Release of All Claims and Agreement to Indemnify. On January 30, 2020, an Order was entered dismissing and closing the case and granting Defendant's Motion to Compel Settlement. This Order dismissed Case No. A-17-758861-C with prejudice. Plaintiff has appealed the Court's Orders several times without success. The last appeal was dismissed by the Nevada Supreme Court on March 30, 2023.

Accordingly, the Court finds that Case No. A-17-758861-C has been closed since January 30, 2020. As such, Plaintiff's pending Motions seeking relief from this Court in this case are

JACOB A. REYNOLDS
DISTRICT JUDGE
DEPARTMENT XXIX

1 DENIED as moot and untimely. If Plaintiff seeks further relief, that relief would require the
2 initiation of a new Complaint. No further Motions from Plaintiff will be considered in this case.

3 Accordingly and for good cause appearing,

4 Plaintiff's Notice of Motion and Statement of Facts is hereby **DENIED**.

5 Plaintiff's Emergency Supplement and Ex Parte Motion for Reconsideration as a Renewed
6 Petition for a Writ of Habeas Corpus under 28 U.S.C. 2241, Meritorious Interpleadings and Joinder
7 of Appeal in all Cases of the Petitioner-Plaintiff-Appellant is hereby **DENIED**.
8

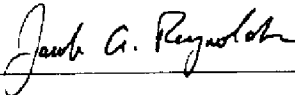
9 Plaintiff's Emergency Motion to Compel an Answer from Aaron D. Ford Under NRAP
10 3C127E as a Notice of Motion is hereby **DENIED**.

11 Plaintiff's Emergency Motion and Order for Transportation of Inmate for Court Appearance
12 or, in the Alternative, for Appearance by Telephone or Video Conference is hereby **DENIED**.
13

14 The hearings currently set on this matter for May 16, 2023, May 25, 2023, and June 8, 2023
15 are hereby **VACATED**.

16 This Case remains **CLOSED**.

17 Dated this 15th day of May, 2023

18 
19

20 **58A 819 E88A 3A4B**
21 **Jacob A. Reynolds**
22 **District Court Judge**
23
24
25
26
27
28

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 was served via the court's electronic eFile system to all
14 recipients registered for e-Service on the above entitled case as listed below:

15 **Service Date: 5/15/2023**

16 **Sabina Demelas** | **sabina@vegashurt.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 **Ryan Kerbow** | **ryan@vegashurt.com**

22
23 If indicated below, a copy of the above mentioned filings were also served by mail
24 via United States Postal Service, postage prepaid, to the parties listed below at their last
25 known addresses on 5/16/2023

26 **Brian Clark** | **Clark McCourt**
27 | **Attn: Brian P. Clark**
28 | **7371 Prairie Falcon Rd. - Suite 120**
| **Las Vegas, NV, 89128**

BARRY J. LIPSON
(1955-2003)

OFFICE LOCATIONS
BLOOMFIELD HILLS, MICHIGAN
GROSSE POINTE, MICHIGAN
LAS VEGAS, NEVADA
RENO, NEVADA
PHOENIX, ARIZONA
COLORADO SPRINGS, COLORADO

LAW OFFICES
Lipson | Neilson
Attorneys and Counselors at Law
9900 COVINGTON CROSS DRIVE, SUITE 120
LAS VEGAS, NEVADA 89144
TELEPHONE (702) 382-1500
TELEFAX (702) 382-1512
www.lipsonneilson.com

From the desk of:
Joseph P. Garin, Esq.
jgarin@lipsonneilson.com
Admitted: NV, CO, UT, MI

May 19, 2023

Via U.S. Mail:

Matthew Travis Houston #1210652
c/o High Desert State Prison
P.O. Box 650
22010 Cold Creek Road
Indian Springs, NV 89070-0650

Re: Houston v. Bernstein & Poisson, et al.
Case No. A-22-859817-C

Dear Mr. Houston:

Based upon the Court's ruling, attached please find a draft Order Granting Defendants Bernstein & Poisson, LLP, Scott Poisson, Jack Bernstein, Ryan Kerbow, and Christopher D. Burk's Motion to Dismiss. If the Order meets with your approval, please sign the enclosed copy and return it to our office in the envelope provided.

If we do not receive the signed Order or your proposed revisions to the Order by Friday, May 26, 2023, we will submit it to the Court at close of business on May 26th without signature.

Very truly yours,

LIPSON NEILSON P.C.



JOSEPH P. GARIN

JPG/ms

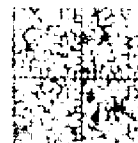
Encls.: As stated



EIGHTH JUDICIAL DISTRICT COURT
REGIONAL JUSTICE CENTER
200 LEWIS AVENUE
LAS VEGAS NV 89155
RETURN SERVICE REQUESTED

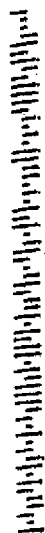
4D-39

RECEIVED
JUL 11 2023



Matthew Houston No. 1210652
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070-0650

149 ORDEMHP 89070



**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON)

PLAINTIFF)

Vs)

STEVEN B WOLFSON D/B/A STATE BAR OF)
NEVADA)

DEFENDANT)

CASE No. A-22-862155-C

SHERIFF CIVIL NO.: 23001618

AFFIDAVIT OF SERVICE

STATE OF NEVADA }

} ss:

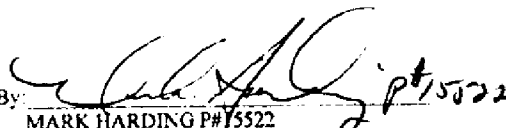
COUNTY OF CLARK }

MARK HARDING, being first duly sworn, deposes and says: that he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Constable in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on **3/30/2023**, at the hour of **12:15 PM**, affiant as such Deputy Constable served a copy/copies of **SUMMONS, COMPLAINT** issued in the above entitled action upon the defendant **STATE BAR OF NEVADA** named therein, by delivering to and leaving with **MARGARET GOMEZ** of **STATE BAR OF NEVADA**, personally, at **C/O STEVEN B WOLFSON 200 LEWIS AVENUE LAS VEGAS, NV 89155** within the County of Clark, State of Nevada, copy/copies of **SUMMONS, COMPLAINT**

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: April 4, 2023.

Kevin McMahon, Sheriff

By:  pt 15522
MARK HARDING P#15522
Deputy Constable

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON)

PLAINTIFF)

Vs)

KARLIE GABOUR D/B/A BERNSTEIN &
POISSON)

DEFENDANT)

CASE No. A-22-859817-C

SHERIFF CIVIL NO.: 23001617

AFFIDAVIT OF SERVICE

STATE OF NEVADA }

COUNTY OF CLARK }

ss:

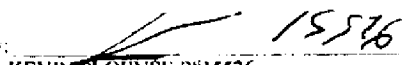
KEVIN PLOENSE, being first duly sworn, deposes and says, that he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Constable in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on 3/29/2023, at the hour of 11:05 AM, affiant as such Deputy Constable served a copy/copies of **SUMMONS, CIVIL RIGHTS COMPLAINT** issued in the above entitled action upon the defendant **BERNSTEIN & POISSON** named therein, by delivering to and leaving with **SABINA DEMELAS, OFFICE MANAGER**, personally, at **320 S JONES BOULEVARD LAS VEGAS, NV 89107** within the County of Clark, State of Nevada, copy/copies of **SUMMONS, CIVIL RIGHTS COMPLAINT**

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT

DATED: April 4, 2023.

Kevin McMahonill, Sheriff

By:


KEVIN PLOENSE P#15526
Deputy Constable

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON)

PLAINTIFF)

Vs)

DANIEL SCHWARTZ ET AL, DBA LEWIS)

BRISBOIS, BISGAARD & SMITH LLP)

DEFENDANT)

CASE No. A-22-858580-C

SHERIFF CIVIL NO.: 23001175

AFFIDAVIT OF SERVICE

STATE OF NEVADA)

) ss:

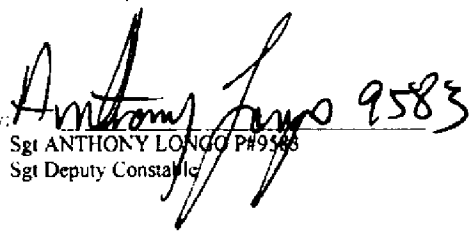
COUNTY OF CLARK)

Sgt ANTHONY LONGO, being first duly sworn, deposes and says: That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Sgt Deputy Constable in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on 3/7/2023, at the hour of 10:15 A.M. affiant as such Sgt Deputy Constable served a copy/copies of **SUMMONS - CIVIL, COMPLAINT - JURY TRIAL DEMANDED** issued in the above entitled action upon the defendant **DANIEL SCHWARTZ ET AL** named therein, by delivering to and leaving with said defendant **DANIEL SCHWARTZ ET AL**, personally, at **LEWIS BRISBOIS BISGAARD & SMITH 2300 W SAHARA AVENUE #900 LAS VEGAS, NV 89102** within the County of Clark, State of Nevada, copy/copies of **SUMMONS - CIVIL, COMPLAINT - JURY TRIAL DEMANDED**

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: March 8, 2023.

Kevin McMahon, Sheriff

By:  9583

Sgt ANTHONY LONGO P#9583
Sgt Deputy Constable

301 E. Clark Ave. #100 Las Vegas, NV 89101 (702) 455-5400

STEVEN D. GRIERSON, Clerk of the Court
200 LEWIS AVENUE, 3RD FLOOR
LAS VEGAS NV 89155-1160

RETURN SERVICE REQUESTED

PLEASE SEE
ATTACHED
"NOTICE OF HEARING"-

149 FRDPM 89070

Matthew Houston #1210652
PO Box 650
Indian Springs, NV 89070

4/23/23

DISTRICT COURT
CLARK COUNTY, NEVADA

Electronically Filed
6/29/2023 7:12 PM
Steven D. Grierson
CLERK OF THE COURT



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

Case No.: A-22-858580-C
Department 4

NOTICE OF HEARING

Please be advised that the Plaintiff / Inmate's - Emergency Motion Under NRAP 27(e) to Add Defendant(s) Not Limited to Linda Sakalauskas and Nevada Attorney for Injured Workers and Renewed Application to Proceed in Forma Pauperis ; NAIW Hearing after in the above-entitled matter is set for hearing as follows:

Date: August 16, 2023
Time: 9:00 AM
Location: RJC Courtroom 03C
Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101

NOTE: Under NEFCR 9(d), if a party is not receiving electronic service through the Eighth Judicial District Court Electronic Filing System, the movant requesting a hearing must serve this notice on the party by traditional means.

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

CERTIFICATE OF SERVICE

I hereby certify that pursuant to Rule 9(b) of the Nevada Electronic Filing and Conversion Rules a copy of this Notice of Hearing was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

By: /s/ Michelle McCarthy
Deputy Clerk of the Court

Per AO 20-13: All lawyers and self-represented litigants are required to register for electronic service.

Electronically Filed
06/12/2023 12:36 PM

Alvin J. Smith
CLERK OF THE COURT

1 **ORDR**

2
3
4 **DISTRICT COURT**
5 **CLARK COUNTY, NEVADA**

6 Matthew Houston, BAC #1210652,

7 Plaintiff,

8 v.

9 Daniel Schwartz,

10 Defendants.
11

Case No. A-22-858580-C

Dept. No. IV

Date: July 11, 2023

Time: 9:00 a.m.

**ORDER FOR PRODUCTION OF AN
INMATE MATTHEW HOUSTON, BAC
#1210652**

12
13 **TO: CALVIN JOHNSON, WARDEN OF THE HIGH DESERT STATE PRISON and the**
14 **NEVADA ATTORNEY GENERAL**

15 **THE COURT HEREBY FINDS** that the Plaintiff is presently in the custody of the Nevada
16 Department of Corrections, located at **HIGH DESERT STATE PRISON.**

17 **IT IS HEREBY ORDERED** that the Warden of HIGH DESERT STATE PRISON., or his
18 designee, shall transport Plaintiff, Matthew Houston, BAC #1210652, from HIGH DESEET STATE
19 PRISON, in Indian Springs, Nevada, be produced to appear in the High Desert State Prison videoconference
20 room by audiovisual transmission; bluejeans on Tuesday, July 11, 2023 at 9:00 a.m. for a hearing on
21 Defendant's Motion to Dismiss and arrange for his appearance on said date.

22 **IT IS HERBY FURTHER ORDERED**, that HIGH DESERT STATE PRISON shall access
23 BlueJeans ID set forth below for MATTHEW HOUSTON, BAC#1210652 to be present via video conference
24 at the above
25

26 ...

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Referenced hearing:

<https://bluejeans.com>

Meeting ID: 789 575 942 Passcode: 7200

DATED this 12TH day of June, 2023

Dated this 12th day of June, 2023



A9C 051 19D8 4849
Nadia Krall
District Court Judge

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

4
5
6 Matthew Houston, Plaintiff(s) CASE NO: A-22-858580-C
7 vs. DEPT. NO. Department 4
8 Daniel Schwartz, Defendant(s)
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 6/12/2023

15 Daniel Schwartz daniel.schwartz@lewisbrisbois.com
16 Deyna Soltero deyna.soltero@lewisbrisbois.com

17
18 If indicated below, a copy of the above mentioned filings were also served by mail
19 via United States Postal Service, postage prepaid, to the parties listed below at their last
20 known addresses on 6/13/2023

21 Matthew Houston #1210652
22 HDSP
23 P.O. Box 650
24 Indian Springs, NV, 89070
25
26
27
28

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON)

PLAINTIFF)

Vs)

ROSEMARIE MCMORRIS-ALEXANDER)

DEFENDANT)

CASE No. 22A001898

SHERIFF CIVIL NO.: 22007856

AFFIDAVIT OF SERVICE

STATE OF NEVADA }

} ss:

COUNTY OF CLARK }

DAVID SCHUMMER, being first duly sworn, deposes and says. That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Constable in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on 1/3/2023, at the hour of 8:33 AM. affiant as such Deputy Constable served a copy/copies of **SMALL CLAIMS COMPLAINT, ORDER TO APPEAR** issued in the above entitled action upon the defendant **ROSEMARIE MCMORRIS-ALEXANDER** named therein, by delivering to and leaving with **HUSBAND, ABROM ALEXANADER**, at **5504 MORNINGCROSS STREET LAS VEGAS, NV 89130** within the County of Clark, State of Nevada, copy/copies of **SMALL CLAIMS COMPLAINT, ORDER TO APPEAR**

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: January 4, 2023.

Kevin McMahonill, Sheriff

By: 

DAVID SCHUMMER P#15513
Deputy Constable

301 E. Clark Ave. #100 Las Vegas, NV 89101 (702) 455-5400

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON)

PLAINTIFF)

vs)

CRAIG MUELLER AND ASSOCIATES)

DEFENDANT)

CASE No. 22A001793

SHERIFF CIVIL NO: 22007421

NOT FOUND AFFIDAVIT

STATE OF NEVADA }

} ss:

COUNTY OF CLARK }

E.P. BROWN, being duly sworn, deposes and says:

That he/she is a regularly appointed, qualified Deputy Constable of the said County of Clark, in the State of Nevada and over the age of twenty-one years, not a party to the action or related to either party, nor an attorney for a party, nor in any way interested in the within named action, and authorized to serve civil process by the laws of the State of Nevada, and competent to be a witness therein; that he/she and now is a citizen of the United States of America and of the State of Nevada and that he/she received the within stated civil process: SMALL CLAIMS COMPLAINT, SUMMONS AND ORDER TO APPEAR on 12/5/2022 at the hour of 2:00 PM.

That after due search and diligent inquiry throughout Clark County, State of Nevada, I was unable to effect service upon the said **NEVADA APPEAL GROUP** Defendant within Clark County, Nevada.

ATTEMPTS TO LOCATE:

Date: 12/8/2022 @ 10:10 AM - 714 S 4TH STREET LAS VEGAS, NV 89101

Attempted By: E.P. BROWN

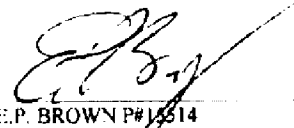
Service Type: UNABLE TO SERVE.

Notes: THIS IS NEVADA DEFENSE GROUP. NO NAMES ON SMALL CLAIM WORK AT THIS OFFICE

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE OF NEVADA THAT THE FOREGOING IS TRUE AND CORRECT

Dated: December 13, 2022

Joseph M. Lombardo, Sheriff

By: 

E.P. BROWN P#14314
Deputy Constable

301 E. Clark Ave. #100 Las Vegas, NV 89101 (702) 455-5400

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

Las Vegas Justice Court
 Electronically Filed
 11/10/2022 3:54 PM
 Melissa Saragos
 CLERK OF THE COURT

Matthew Travis Houston #1210652,

Plaintiff(s)

vs.

Craig Mueller and Associates, State Bar
 of Nevada, Nevada Appeal Group,

Kelsey Bernstein, ESQ et al.,

Defendant(s)

CASE NO.: 22A001793

JC DEPARTMENT 5

ORDER FOR

TELEPHONIC TESTIMONY

WHEREAS the instant case involves an incarcerated party who wishes to be transported to Court for the scheduled small claims hearing, and

WHEREAS NRS 209.274 only mandates inmates transportation when an inmate "is required or requested to appear before a court", and

WHEREAS this language merely means that if a court mandates the offender's presence, he must be allowed to be transported here, and the statutory language not grant an inmate the right to be transported upon the inmate's own request; and

WHEREAS in the case of Barry v. Lindner, 119 Nev. Op. No. 45, 81 P.3d 537 (2003), the Nevada Supreme court held that telephonic testimony may be used, in lieu of a court appearance, when exigent circumstances exist; and

WHEREAS the Nevada Supreme Court recently amended JCRCP 43(a) to clarify that the court may, for good cause shown in compelling circumstances and upon appropriate safeguards, "permit presentation of testimony in open court by contemporaneous transmission from a different location"; and

WHEREAS the Department of Corrections would incur substantial cost and effort to transport an inmate to court for a small claims hearing; and

WHEREAS allowing an inmate to appear for a case raises serious security issues, involving the control of the inmate and potential danger to the general public; and

WHEREAS the instant case does not appear to be especially complex, such that the inmate's actual presence would be essential,

THE COURT FINDS that compelling circumstances are present in this case and that the inmate should be required to testify by telephone, and therefore,

IT IS FURTHER ORDERED that the institution where the inmate is currently incarcerated shall make the inmate available for telephonic testimony for the scheduling hearing of this matter on

February 01, 2023 at 10 AM.

IT IS FURTHER ORDERED that the inmate shall provide the Court with a phone number where the inmate can be reached for the purposes of eliciting testimony.

DATED this 10th day of November, 2022

 JUSTICE OF THE PEACE, LAS VEGAS TOWNSHIP

STATE BAR OF NEVADA

October 13, 2022



Matthew Houston, 1210652
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

3100 W. Charleston Blvd.
Suite 100
Las Vegas, NV 89102
phone 702.382.2200
toll free 800.254.2797
fax 702.385.2878

9456 Double R Blvd., Ste. B
Reno, NV 89521-5977
phone 775.329.4100
fax 775.329.0522

www.nvbar.org

Re: Grievance / Brian Clark, Esq.

Dear Mr. Houston:

Thank you for taking the time to submit your grievance to the State Bar of Nevada regarding attorney Brian Clark. We take every submission seriously, and we understand how important this matter is to you. After careful consideration, we have decided we cannot pursue this matter further at this time.

After researching your information, we determined that your grievance involves allegations which should be addressed in an appropriate judicial setting. That is the more appropriate venue to consider this matter.

If the court finds there was attorney misconduct, then please re-submit the court's findings for our reconsideration.

Thank you again for taking the time to submit your grievance and for your understanding regarding this decision.

Sincerely,

/s/

Phillip J. Pattee
Assistant Bar Counsel

STATE BAR OF NEVADA

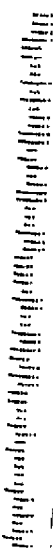


3100 W. Charleston Blvd., Suite 100, Las Vegas, NV 89102
www.nbart.org

LAS VEGAS NV 890
14 OCT 2022PM 4

Matthew Houston, 1210652
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

89070-



NEVADA DEPARTMENT OF CORRECTIONS

LEGAL MAIL

NAME: Matthew Houston

DOC#: 1210652

UNIT: 10

REPORT TO CONTROL AT ADMIN FOR THE FOLLOWING:

LEGAL MAIL: Court Order of Habeas Corpus

CERTIFIED MAIL: Clerk of Court

REGISTERED MAIL:

DATE:

OFFICER:

INMATE SIGNATURE:

DOC#: 1210652

DATE: 10-13-22

DOC - 3020 (REV. 7/01)

SEE Case 2:22-cv-01748-CDS-VCF Document 1 Filed 10/18/22 Page 21 of 22

Electronically Filed
05/14/2023 3:03 PM

Heather L. Hume
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA
-oOo-

Matthew Travis Houston,

Plaintiff,

vs.

Brian P. Clark

Defendant.

CASE NO.: A-22-856372-C
DEPT. NO.: 20

ORDER RE: APPLICATION TO PROCEED IN FORMA PAUPERIS

Plaintiff Matthew Travis Houston, acting in proper person, filed an Application to Proceed in Forma Pauperis, which was provided to the Chief Judge to review.

Pursuant to the Administrative Orders of the Court, as well as EDCR 2.23, this matter may be decided with or without oral argument. This Court has determined that it would be appropriate to decide this matter on the pleadings; consequently, this Order issues.

The Court notes that NRS 12.015(2)(a) provides as follows:

2. The court shall allow a person to commence or defend the action without costs and file or issue any necessary writ, process, pleading or paper without charge if:

(1) Based on its review of an application filed pursuant to paragraph (a) of subsection 1, the court determines that the application should be granted and the person may proceed as an indigent litigant because the person:

(1) Is receiving benefits provided by a federal or state program of public assistance;

(2) Has a household net income which is equal to or less than 150 percent of the federally designated level signifying poverty as provided in the most recent federal poverty guidelines published in the Federal Register by the United States Department of Health and Human Services;

(3) Has expenses for the necessities of life that exceed his or her income; or

(4) Has otherwise shown compelling reasons that he or she cannot pay the costs of prosecuting or defending the action.

NRS 12.015(2)(a)

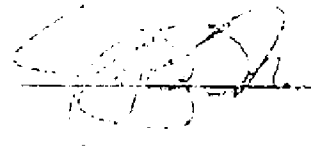
Based on its review of the Application to Proceed in Forma Pauperis filed on 8/3/22, the Court has determined that the application should be granted and Mr. Johnson may proceed as an indigent litigant. Mr. Houston is currently incarcerated at the Nevada Department of Corrections and has shown that he cannot pay the costs of prosecuting this action.

Based upon the foregoing, and good cause appearing,

IT IS HEREBY ORDERED that Matthew Houston's Application to Proceed in Forma Pauperis is hereby **GRANTED**.

Mr. Houston shall be permitted to proceed *in forma pauperis* in this action as permitted by NRS 12.015. The Clerk of the Court shall allow the Applicant to file or issue any necessary writ, process, pleading, or paper without charge, and it is ordered that the Sheriff or other appropriate public officer within this State shall make personal service of any necessary writ, process, pleading, or paper without charge.

Dated this 4th day of August, 2022


BFB 7C0 52EA 5ACA
Jerry A. Wiese
District Court Judge

**OFFICE OF THE SHERIFF
CLARK COUNTY DETENTION
CIVIL PROCESS SECTION**

MATTHEW TRAVIS HOUSTON)

PLAINTIFF)

Vs)

BRIAN P CLARK)

DEFENDANT)

CASE No. A-22-856372-C

SHERIFF CIVIL NO.: 23001622

AFFIDAVIT OF SERVICE

STATE OF NEVADA }

} ss:

COUNTY OF CLARK }

KEVIN PLOENSE, being first duly sworn, deposes and says: That he/she is, and was at all times hereinafter mentioned, a duly appointed, qualified and acting Deputy Constable in and for the County of Clark, State of Nevada, a citizen of the United States, over the age of twenty-one years and not a party to, nor interested in, the above entitled action; that on **3/31/2023**, at the hour of **11:50 AM**, affiant as such Deputy Constable served a copy/copies of **SUMMONS, COMPLAINT** issued in the above entitled action upon the defendant **BRIAN P CLARK** named therein, by delivering to and leaving with said defendant **BRIAN P CLARK**, personally, at **CLARK MCCOURT LLC 7371 PRAIRIE FALCON ROAD STE 120 LAS VEGAS, NV 89128** within the County of Clark, State of Nevada, copy/copies of **SUMMONS, COMPLAINT**

I, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAW OF THE STATE ON NEVADA THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: April 4, 2023.

Kevin McMahon, Sheriff

By: 

KEVIN PLOENSE P#15526
Deputy Constable

MOT
REV. MATTHEW TRAVIS HOUSTON, CHTD (RET.)
American Bar Association Member ID No. 04662784

1 UNITED STATES DISTRICT COURT
2 DISTRICTS OF NEVADA, COLORADO, IOWA, OREGON,
3 WASHINGTON, FLORIDA AND 38 OTHER STATES

4 Case No. 2:22-cv-00499
5 HOUSTON, MATTHEW TRAVIS <http://bluejeans.com>
6 V. "DE NOVO HEARING REQUESTED"

7 GOLDEN ENTERTAINMENT ET AL

8 EMERGENCY INTERVENTION TO NEVADA BOARD OF PAROLE COMMISSIONERS;
9 EMERGENCY LETTER(S) OF MOTION TO THE HON.
10 JENNIFER A. DORSEY AND DANIEL J. ALBRECHTS
11 IN EX PARTE

12 Meeting ID: 789 575 942 Passcode: 7200

13 First and foremost, I would like to thank the
14 both of you for your most caring service. In
15 my 38 years I've contributed a vast amount of
16 both my personal and business resources to this
17 Court, especially with my service to the Navy. That
18 was a long time ago. I have millions of other stories
19 to ~~share~~ ^{tell}, and litigation to tend to, or else I'd share.
20 Could the both of you type up some letters of reference
21 for me to submit to the NEVADA BOARD OF PAROLE
22 COMMISSIONERS? I've never harassed, threatened, extorted,
23 bullied, or "aggravated stalking" >> anybody in my life,
24 and the wrongful convictions against my person have
25 taken away from the resources of the community,
26 our courts, and our troubled society. I'm a good
27 mentor and would benefit from ~~other~~ influence, only in
28 the most positive ways. Page 1. And I am innocent...

CLERK, U.S. COURT OF APPEALS
FOR THE NINTH CIRCUIT
P.O. BOX 193939
SAN FRANCISCO, CA 94119-3939

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE

SPECIAL MAIL

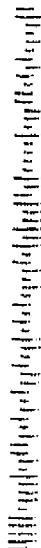
OPEN ONLY IN THE PRESENCE OF THE ADDRESS

LETTER OF MOTION TO
THE HON. JENNIFER A. DORSEY
AND DANIEL J. ALBRIGHTS CC.
NEVADA BOARD OF PAROLE
COMMISSIONERS — (continued)

If the parole board
can get me out, than I
can return to my wild
horse refuge in Colorado,
where we could easily
develop a program to work
with STEWART CAMP, and
the State of Nevada to
help those poor creatures.

Perhaps Miranda M.
Du deserves an apologize also?
Of course she personally
didn't commit genocide
against my family, the
Maquoketa, and she's not
even white. Could y'all
forward her this attached
history lesson on poor GEE
JON? He didn't get a fair trial by the
white people, did he? PLEASE SEE ATTACHED:

9507090650 8900



410-37

LEGAL MAIL



(2)

23-15330

Matthew Travis Houston, #1210652
HDSP - HIGH DESERT STATE PRISON (INDIAN SPRINGS)
P.O. Box 650
Indian Springs, NV 89070-0650

SEE ATTACHED ORDER, FILED JUNE 29, 2023:

By the looks of this 9TH CIR. ORDER, I'm not being treated fairly either, especially by the ineffective aid of counsel of ALEXIS M. DUECKER, ESQ, nevermind the Perjury of ROSEMARIE MCMORRIS-ALEXANDER. Could y'all please help explain my wrongful convictions to the parole board here in NV? Did y'all get a chance to check out the latest in investigations by LVM PD? Apparently, BREDENTA BLACIC has never even been employed by

this "NEVADA OMBUDSMAN FOR CONSUMER AFFAIRS- WORKERS COMP." The kidnapping of my person was no accident, neither was them taking my dogs... So what is up with the magistrate's order in

2:22-cv-00499? Could we please set it aside? Could we please set negativity aside?

The world is bad enough, and I know that together we can make it better, at least for OUR LADY JUSTICE. Talk to you soon,

Your advocate 4451 REV. MATTHEW TRAVIS HOUSTON (RET.)

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 29 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

MATTHEW TRAVIS HOUSTON,

Plaintiff-Appellant,

v.

GOLDEN ENTERTAINMENT; et al.,

Defendants-Appellees.

No. 23-15330

D.C. No.

2:21-cv-00499-JAD-DJA

District of Nevada,
Las Vegas

ORDER

Before: SILVERMAN, R. NELSON, and BUMATAY, Circuit Judges.

A review of the record demonstrates that this court lacks jurisdiction over this appeal because the order challenged in the appeal is not final or appealable.

See 28 U.S.C. § 1291; *In re San Vicente Med. Partners Ltd.*, 865 F.2d 1128, 1131 (9th Cir. 1989) (order) (magistrate judge order not final or appealable).

Consequently, this appeal is dismissed for lack of jurisdiction.

All pending motions are denied as moot.

DISMISSED.

**STATE OF NEVADA
CERTIFICATION OF
BOARD OF PAROLE COMMISSIONERS ACTION
ORDER TAKING NO ACTION**

12-F-25

HOUSTON, MATTHEW	1210652	2021-105982	HDSP-U4-D-29-A	06/28/2023
Inmate Name	NDOC Number	Booking #	Location	Date

No Action was taken on the above referenced inmate at the parole hearing held on this date.

THIS ACTION APPLIES TO THE FOLLOWING SENTENCE(S):

*Controlling sentence denoted by *, Case #: Court: Offense Description:*
G-21-357927-1;1; AGGRAVATED STALKING

Reason(s) for action:

Reason for No Action: Inmate was not available at the time of the hearing.

Recommendation of the panel who conducted the hearing: No Action

Commissioner Mary Baker; No Action

Hearing Representative James Benedetti; No Action

NOTE: A "No Action" order does not require ratification by a majority of the Board.

Mary Baker

FOR THE NEVADA BOARD OF PAROLE COMMISSIONERS

This document was prepared by JCAMPION at 6/28/2023 4:22 PM

NOTICE OF HEARING BEFORE THE NEVADA BOARD OF PAROLE COMMISSIONERS

05/18/2023

To: HOUSTON, MATTHEW,
NDOC# 1210652
Housing Location: HDSP-U4-D-39-A

This notice is to advise you that a meeting of a panel of the Board of Parole Commissioners has been scheduled to consider granting or denying parole on your eligible sentence(s). This letter shall serve as notice to you pursuant to Nevada Revised Statute 213.131.

A hearing by a panel of the Board of Parole Commissioners will meet on June 28th, 2023 beginning at 01:00 pm. The time indicated on this notice is the agenda start time, and not necessarily the start time of your specific hearing. Any visitors appearing in support of your release should be present at the agenda start time. If you are moved to a different location after receiving this notice, the parole hearing may still take place under certain circumstances, such as if the video equipment at your new location is available, or if you are able to attend at the specified hearing location. This meeting is open to the public.

Hearing Location:
PAROLE BOARD ROOM 101, 1677 Old Hot Springs Road, Suite A, Carson City, NV 89706-0677

Video Conference Location:
HIGH DESERT STATE PRISON, 22010 Cold Creek Road, P.O. Box 650, Indian Springs, NV 89070

Pursuant to Nevada Law:

- * You have the right to receive at least five working days notice of this meeting if notice is personally delivered to you.
- * You have the right to be present (in person, video conference or telephone);
- * You have the right to have a representative present with whom you may confer. The representative may be any person, including another inmate, a family member or friend, or an attorney. You are responsible for any costs associated with representation, and the presence of a representative at the prison is subject to rules established by the Department of Corrections (NDOC) in Administrative Regulation 722.05. You are not required to have a representative assist you if you desire to represent yourself;
- * You have the right to speak at your hearing or have your representative speak on your behalf;
- * In all cases, the Board will consider the safety of any applicable victims and their families as well as the general public prior to granting parole and fixing any release conditions.
- * If you are disabled because you are deaf, mute or have a physical speaking impairment that causes you to be unable to readily understand or communicate in the English language, you are entitled to the services of an interpreter.

Please indicate by circling your answers to the following:

Circle One: YES NO I am deaf, mute or have a physical speaking impairment: If YES is circled, please indicate impairment: _____.

Circle One: YES NO I request the following inmate who is housed at this institution assist me at my parole hearing (Approval subject to AR722.05). I understand that the designated inmate will become familiar with my criminal history and details of the instant offense as well as my institutional adjustment including, but not limited to, my disciplinary conduct, programming, prior use of drugs, and any gang involvement.

If YES is circled above, indicate Inmate Name: _____ ID Number: _____

Circle One: YES NO I will represent myself, or will arrange for another person to assist me at my parole hearing.

ACKNOWLEDGEMENT:

Date: _____ Print Name: _____ Signed: _____

Witness Name and Title: _____ Date: _____

Note for Witness: If the inmate refuses to acknowledge receipt, (2) witnesses are required. Only (1) witness is required to sign if the inmate acknowledges receipt of this notice.

Witness Name and Title: _____ Date: _____

Report Name: NVRNSPH
Reference Name: NOTIS-RPT-OR-0184.7
Run Date: 05/18/2023

Inmate.

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Matthew Houston	1210652	4-D-39	June 20, 2023

4.) REQUEST FORM TO: (CHECK BOX)

☐ MENTAL HEALTH
 ☐ CANTEEN
☐ CASEWORKER CCS Lopez
☐ MEDICAL
 ☐ LAW LIBRARY
 ☐ DENTAL
☐ EDUCATION
 ☐ VISITING
 ☐ SHIFT COMMAND
☐ LAUNDRY
 ☐ PROPERTY ROOM
 ☒ OTHER Inmate

5.) NAME OF INDIVIDUAL TO CONTACT: Houston, M. Parole & Probation

6.) REQUEST: (PRINT BELOW) I have court on June 28, 2023,
the same day as my hearing with Nevada Board
of Parole Commissioners. Is it possible
that my parole meeting be rescheduled so
that I don't miss court and/or parole?

7.) INMATE SIGNATURE Matthew Truitt Houston DOC # 1210652

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

You'd have to ask your case worker about that.
We don't have the ability to contact the Parole
Board to request for any changes or updates,
My apologies

10.) RESPONDING STAFF SIGNATURE

Parole & Probation

DATE 10-27-23

To Inmate:

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Matthew Houston	1210652	4-D-39	7.02.2023

4.) REQUEST FORM TO: (CHECK BOX)

☐ CASEWORKER☐ MEDICAL☐ MENTAL HEALTH☐ CANTEEN☐ EDUCATION☐ VISITING☐ LAW LIBRARY☐ DENTAL☐ LAUNDRY☐ PROPERTY ROOM☐ SHIFT COMMAND☒ OTHER

Inmate

5.) NAME OF INDIVIDUAL TO CONTACT:

Houston, M. Probation

Can you help me to

obtain a copy of my PSI?

6.) REQUEST (PRINT BELOW)

Hello ☺ - I am actually innocent - and factually innocent. I received documents from LVMP and the court hearing on 6.28.2023 caused me to miss my parole hearing, so I am multitasking - how can I get you these documents from LVMP? We all have to work together with the courts, so I'll send copies of the documents if possible - Can you please schedule me an appointment maybe @ Law Library?

7.) INMATE SIGNATURE

Matthew Houston

DOC #

1210652

8.) RECEIVING STAFF SIGNATURE

DATE

9.) RESPONSE TO INMATE

By law, we, PDP, cannot provide you a PSI copy.

We cannot schedule inmates for Law Library. I believe you have to Rite Law Library with that request.

10.) RESPONDING STAFF SIGNATURE

DATE

7.5.23

N. 94880

INMATE REQUEST FORM

4D39

4.) REQUEST FORM TO: (CHECK BOX)

___ CANTEEN

 MEDICAL

DENTAL

 VISITING

SHIFT COMMAND

Why. O'N. H'N will. Ans?

___ PROPERTY ROOM ✓

~~X~~ OTHER MAILROOM D/B/A SA CRO

JAVIER GARCIA

5.) NAME OF INDIVIDUAL TO CONTACT: CHIEF JUDGE LINCOLN MARIE FELL, J. REPAIDUING

SEN. R. E. JOE JAMES CROCKETT, JR. J. JAMES A. JOE, NANCY ALLE

6.) REQUEST: (PRINT BELOW) I am actually unemployed and looking for work:

Due to the small size of the paper, I will not be able to include a full list of references.

[illegible]

Attained Port-Son BRANCH No. 26-13962 still active

40. REEF FIELD IN THE EAST OF COLUMBIA RIVER 2 miles north of Astoria

THE UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

7) INMATE SIGNATURE William James Brown DOC# 1610432

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

PLEASE HAVE YOUR FUTURE BRASS SLIPS HAVE APPROVAL SIGNATURES BEFORE SENDING YOUR MAIL TO THE MAILROOM, TO AVOID DELAYS!

\$ 2.22 - BS# 2643362

10.) RESPONDING STAFF SIGNATURE

DATE 06 JULY 2022

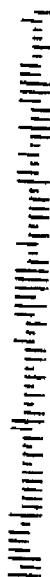
1494
SUPREME COURT OF NEVADA
OFFICE OF THE CLERK
201 S. Carson Street, Suite 201
Carson City, Nevada 89701
Address Service Requested

PLEASE SEE ATTACHED
"NOTICE OF TRANSFER TO
COURT OF APPEALS"

RE
SUPREME COURT OF NEVADA CASE No. 84886

MATTHEW TRAVIS HOUSTON
INMATE ID: 1210652
HIGH DESERT STATE PRISON
P.O. BOX 650
INDIAN SPRINGS NV 89070

FADUSAB 89070



4039

**IN THE SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

MATTHEW TRAVIS HOUSTON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 84886
District Court Case No. C357927

NOTICE OF TRANSFER TO COURT OF APPEALS

Pursuant to NRAP 17(b), the Supreme Court has decided to transfer this matter to the Court of Appeals. Accordingly, any filings in this matter from this date forward shall be entitled "In the Court of Appeals of the State of Nevada." NRAP 17(e).

DATE: June 30, 2023

Elizabeth A. Brown, Clerk of Court

By: Rory Wunsch
Deputy Clerk

Notification List

Electronic

Clark County District Attorney \ Alexander G. Chen\ John T. Afshar

Paper

Hon. Elham Roohani, District Judge

Matthew Travis Houston

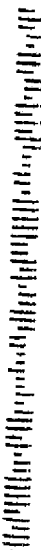
Steven D. Grierson, Eighth District Court Clerk

PLEASE SEE ATTACHED

1) Further evidence of the
bias (on behalf of the SUPREME
COURT OF NEVADA) against the
Plaintiff and wrongfully convicted
Petitioner - Appellant /
Plaintiff in-Error :

MATTHEW TRAVIS HOUSTON
INMATE ID: 1210652
HIGH DESERT STATE PRISON
P.O. BOX 650
INDIAN SPRINGS NV 89070

1494
SUPREME COURT OF NEVADA
OFFICE OF THE CLERK
201 S. Carson Street, Suite 201
Carson City, Nevada 89701
Address Service Requested



IN THE COURT OF APPEALS OF THE STATE OF NEVADA

MATTHEW TRAVIS HOUSTON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 84886-COA

FILED

JUL 17 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER DENYING MOTION

Appellant's pro se motion filed on July 11, 2023, is denied.
It is so ORDERED.

 C.J.

cc: Matthew Travis Houston
Attorney General/Carson City
Clark County District Attorney

STATE OF NEVADA
DEPARTMENT OF CORRECTIONS
INMATE ACCOUNT TRANSACTION
REQUEST

Date: Sept. 1st, 2022 NO 2529217

To: Inmate services

I hereby authorize my account to be charged in the amount
of \$.....(.....Dollars).

Please pay to.....**NDPC**.....

Signature Johnathan P. Baker, President

Print name WILLIAM J. WILSON JR.

ID No. 101120 Institution ADSP

Approved by.....

Transfer	Purchase Order	Postage EJDC Plaintiff	Other
----------	----------------	------------------------------	-------

#50,000 to TIERRA DANIELLE JONES, ETAL
White Inmate Services EJDG DOC 509 (Rev.2/06)
Canary Institution Copy MOT H DEFAULT, SUMMARY
Pink Inmate J BINDER HABEAS 2 A-17
MOT. FOR AN ORDER TO SHOW CAUSE

TO: PITARRO AND FUMO, CHTD
FROM: MATTHEW TRAVIS HOUSTON

case # C-21-357927-1
habeas # A-22-853203-W

What up THOMAS or CYNTHIA or VERONICA?
I was trying to obtain Emily Strand to
type up my briefs to get me out of this
wrongful conviction - as I am factually
innocent and actually innocent, however
Thomas said Emily works for Clark
County Public Defenders now, the
same people who conned me into
agreeing to a GPA and ruining my
life. Solitary confinement for over a
year now certainly hasn't helped anything 😞.
Please help truth and justice,

Matthew Travis Houston
No 1210652
PO Box 650
Indian Springs, NV
89070-0650

//
// (I need help w/ CORAM NOBIS too)
SEE ATTACHED
1463

PITARO & FUMO, CHTD.

OSVALDO E. FUMO, ESQ.
KENDALL STONE, ESQ.

ATTORNEYS AT LAW
601 LAS VEGAS BOULEVARD, SOUTH
LAS VEGAS, NEVADA 89101
PHONE: (702) 474-7554
FAX: (702) 474-4210

THOMAS F. PITARO, ESQ.
MICHAEL J. MICELI, ESQ.

November 3, 2022

Matthew Travis Houston
No. 1210652
PO Box 650
Indian Springs, NV 89070-0650

Dear Mr. Houston,

We received your package. Thank you for writing to us and considering our firm to take on your case.

Unfortunately, our firm does not currently take on post-conviction cases, so we are unable to take your case at this time. We also aren't aware of any firm that we can refer you to. Our only suggestion is to contact the Nevada State Bar. They may be able to assist you with finding counsel. Their phone number is (702) 382-0504.

Enclosed, we are returning the document you provided to us. Once again, thank you for your consideration. We wish you the best of luck with this matter.

Sincerely,
PITARO & FUMO, CHTD.

Rodolfo Camacho, Law Clerk



Enclosures as stated.

FWDE: PITARO & FUMO, CHTD
CC: RODOLFO COMACHO

TO: OSVALDO E. FUMO, ESQ.

NEVADA DEPARTMENT OF CORRECTIONS
GRIEVANT'S STATEMENT CONTINUATION FORM

FROM: REVEREND
NAME: MATTHEW TRAVIS HOUSTON, CHTD, I.D. NUMBER: 1210652

INSTITUTION: HDSP UNIT #: 4-D-39

EJOC CASE(S) A-17-758861-C
GRIEVANCE #: A-22-853203-W GRIEVANCE LEVEL: EXHAUSTED

GRIEVANT'S STATEMENT CONTINUATION: PG. 1 OF 1

Hello to Mr. Comacho, Mr. Thomas, Ms. Veronica and
the Firm: (SUPREME COURT OF NEVADA No. 84886)

Thank you Mr. Comacho for your letter
dated November 3rd, 2022, as I am checking in
to see if anybody at the firm could at all aid
in my post-conviction litigation(s) in reconsideration?

Perhaps Miss Cynthia or Emily Strand or a new
employee could assist in my efforts? As I am
indeed both factually and actually innocent, this
process is beyond difficult what with the becoming
of my person an indentured servant to the STATE
OF NEVADA. Thomas at the office ^(is) was my witness
to my whereabouts the morning of September 6th, 2021,
and I have attached a copy of State's response (that
was FWD to me by AMD LAW, PLLC, after April 28th-

May 5th, 2023). I pray for your expeditious response,
and for your review of my traumatic situation, etc.

Original: Attached to Grievance
Pink: Inmate's Copy

- In Solidarity,
REV. MATTHEW TRAVIS HOUSTON, CHTD

x. Matthew Travis Houston
American Bar Association Member ID
No. 04662784 @ DOC-3097 (01/02)
1465

NORTH CAROLINA PRISONER LEGAL SERVICES, INC.

Post Office Box 25397
Raleigh, North Carolina 27611
(919) 856-2200
Facsimile Transmission (919) 856-2223

CONFIDENTIAL LEGAL MAIL

December 21, 2022

Mr. Matthew Houston
High Desert State Prison (HDSP) - NDOC
OPUS# 1210652
P.O. Box 650
Indian Springs, NV 89070-0650

NCPLS File #: 22-0199243

Dear Mr. Houston:

Thank you for contacting North Carolina Prisoner Legal Services. Unfortunately, our office is only funded to help inmates in North Carolina state custody. We are not funded to help out-of-state prisoners.

We suggest contacting your trial attorney, local legal services office, or the American Civil Liberties Union about legal services available to prisoners in your area. We wish you the best of luck.

Sincerely,

North Carolina Prisoner Legal Services, Inc.

Cynthia Totten, Attorney at Law
CA Attorney Registration #199266
3325 Wilshire Blvd., Suite 340
Los Angeles, CA 90010

Matthew Houston
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

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presence of a notary public

NEVADA DEPARTMENT OF CORRECTIONS

LEGAL MAIL

NAME: Matthew Houston DOC#: 1210652 UNIT: 1000

REPORT TO CONTROL AT ADMIN FOR THE FOLLOWING:

LEGAL MAIL: Matthew Houston

CERTIFIED MAIL: _____

REGISTERED MAIL: _____

DATE: _____ OFFICER: _____

INMATE SIGNATURE: Matthew Houston DOC#: 1210652 DATE: 7/10/23

3325 WILSHIRE BOULEVARD, SUITE 340 LOS ANGELES, CA 90010
213.384.1400 213.384.1411 www.JUSTDETENTION.org



January 5, 2023

Matthew Houston #1210652
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

Dear Matthew,

Thank you for contacting Just Detention International (JDI), a health and human rights organization that seeks to end sexual abuse behind bars.

We received your request for assistance. However, your request falls outside the scope of our mission. We do not have the resources or the expertise to provide assistance with matters that are not directly related to addressing sexual violence in detention.

JDI is a policy organization. We do not provide counseling, legal advice or representation, books, or pen-pal services. We do not have pro bono referrals for legal or medical cases. We do not accept or investigate reports of sexual abuse. Please do not send us your legal documents; we cannot store them, make copies, mail them to someone else, or return them to you.

If you have experienced any form of sexual harm in custody – including sexual harassment, sex in exchange for protection, sexual assault, etc. – we can send you a packet of resources and information, at your request.

We wish you all the best.

Sincerely,

Leelyn Aquino
Operations Director
pp Cynthia Totten, Attorney at Law

3/14/2023

Matthew Travis Houston No.1210652

P.O. Box 650

Indian Springs, NV 89070-0650

Dear Matthew,

I received your letter asking for copies of several documents relating to legal procedure in Nevada.

I believe I have located all the materials you were referencing:

- The Nevada Rules of Civil Procedure
- The Revised Nevada Code of Judicial Conduct
- The Nevada Rules of Professional Conduct

I hope these are the right documents and they help you find the information you need, but we are happy to keep looking if there's anything missing or if I misunderstood your question. This response confirms we are free to answer another question. Just write us back using this address: **PLSN c/o Interference Archive, 314 7th Street, Brooklyn, NY 11215.**

Take care,

Rachel G.

PLSN Volunteer

We are a small group of volunteers who connect incarcerated people with information. Due to the high volume of letters we receive, we can only answer one letter per patron at a time, and we ask patrons to limit their letters to no more than 3 questions. Our average response time is 3 to 6 months.

We do not provide legal advice, personal/private information about living individuals, or anything related to or created by fascist or white supremacist organizations. Although we do not assume intent, we are an abolitionist organization and do not support actions that will actively harm others. We work towards the safety and liberation of all bodies we are in community with—land, water, plants, and beings—no compromises will be made that risk community safety.

We are still growing, and these guidelines are subject to change.



ROCKY MOUNTAIN INNOCENCE CENTER

358 South 700 East B285

Salt Lake City, Utah 84102

www.rminnocence.org

Salt Lake, UT 841

CONFIDENTIAL LEGAL MAIL WED 29 MAR 2023 AM

ATTY: Jennifer Springer

Matthew T. Houston #1210652

High Desert State Prison

PO Box 650

Indian Springs, NV 89070

LEGAL MAIL



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Tom Kelley
Staff Attorney

Amanda Darcy
Legal Fellow

358 South 700 East B235
Salt Lake City, Utah 84102

801-355-1888
www.rm innocence.org

03/29/2023

Matthew T. Houston, #1210652
HDSP
PO Box 650
Indian Springs, NV 89070

PRIVILEGED AND CONFIDENTIAL LEGAL MAIL

Dear Mr. Houston,

We received your letter asking for help with your case. The Rocky Mountain Innocence Center (RMIC) is a private, non-profit organization that investigates prisoner claims of innocence.

Because RMIC has limited resources and relies mostly on volunteers, we can consider only a very small number of cases. In order for us to consider your case, you must meet the following requirements:

- You must have been convicted of a serious felony in Nevada, Utah, or Wyoming.
- You must have *more than seven years left* on your prison sentence.
- Your trial and direct appeals must be finished, and you are not currently represented by an attorney.
- You must be completely innocent (*no involvement whatsoever* in the crime, the events leading up to the crime or any related events following the crime).
- Significant *new* evidence must be available to prove your innocence.

RMIC also cannot consider the following cases: cases of self-defense; cases of consensual sex; and cases in which the prisoner was involved as an accessory or a party-to-the-crime and claims he/she did not play a major role in the crime.

(27)

If your conviction was child sexual assault/lewdness, there must be DNA evidence available to help prove your innocence or the victim must have changed his or her claim against you.

Also, RMIC cannot take your case if you are serving a lengthy sentence for another, unrelated conviction, and exoneration on the conviction for which you are innocent would not free you from prison.

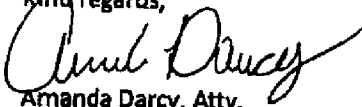
In the event that you meet *all* of these criteria, please complete and return the "Screening Questionnaire" and "Waiver and Authorization For Release Of Records And Information." Do not send us any other documents or materials, because we cannot look at them at this time or return them to you.

By sending you this letter and the questionnaire, RMIC is not agreeing to accept your case for investigation. At this point in time, RMIC has agreed to perform work on your case for the limited purpose of screening your case for investigation.

Because we get many requests for help, it will take up to a year for us to screen your case. If your case is accepted for investigation, you will go onto a waiting list until the other cases before yours have been investigated.

Please do not telephone or write additional letters asking about your case, because this will only slow down the screening process. We will contact you after we have screened your case. Thank you very much for your patience.

Kind regards,



Amanda Darcy, Atty.
RMIC Legal Fellow

THE EXONERATION PROJECT
311 N. Aberdeen St. #300
Chicago, IL 60607

CONFIDENTIAL LEGAL CORRESPONDENCE

Matthew Travis Houston CHTD 1210652

HDS^P

PO Box 650

Indian Springs, NV 89070-0650

4-D-39

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[illegible]

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31 MAY 2023PM 1101L

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The
Exoneration
Project

CONFIDENTIAL LEGAL CORRESPONDENCE

Re: Your application for representation

Thank you for contacting the Exoneration Project. We are writing to inform you that we have received your request for representation. Please find attached an Intake Application. Please complete the application to the best of your ability, and return the application to:

The Exoneration Project
Attention: Intake
311 North Aberdeen Street, Third Floor
Chicago, IL 60607

Please note that we have not yet decided to represent you. In order to evaluate if our services will be a good fit for your case, we need you to submit an Intake Application with as much information about the underlying facts of your crime, the history of the filings in your case and the issues that were raised in those filings, as well as any new information that you think will help prove your innocence.

Our intake coordinators will contact you with any questions or requests they have once we receive your application.

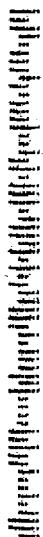
We thank you for your interest in the Exoneration Project and appreciate your patience with our process. We look forward to hearing from you soon.

Sincerely,
Exoneration Project Staff

CRITICAL RESISTANCE
PO Box 22780
Oakland, CA
94609-2301

OAKLAND CA 945
1 JUN 2023 PM 4:01
4039
Matthew Travis Houston
NOC No. 1210652 @ ADSP
PO Box 650
Indian Springs, NV
89070-0650

89070-0650



CRITICAL RESISTANCE

May 29, 2023

Peaceful greetings comrade,

Many appreciations for your interest in our newspaper, *the Abolitionist*! This letter is to confirm that you've been subscribed. We've included the two most recent issues for you:

- **Issue 37, with features on different angles of housing justice and prison industrial complex (PIC) abolition** went to print in June 2022 and was mailed out to over 5,500 subscribers. The feature analysis with CR member and senior organizer with Right to the City Alliance, Kamau Walton.
- **Issue 38, Focused on labor struggles & PIC abolition** is packed full of timely and useful analysis, reflection and resources for organizing inside and outside of cages, including articles on decriminalizing sex work, recent general strikes in Ecuador and Colombia, challenging the 13th Amendment and prison labor, and more. There's a interview with Melissa Burch, former Critical Resistance (CR) staffer and past editor of *The Abolitionist*, current long-time CR at-large member, and director of the Afterlives of Conviction Project, on the rise of employment barriers and discrimination against formerly imprisoned people and people with conviction history, arrest, court, and legal records.

We hope to get the next issue out later this year during the summer, which will focus on reproductive rights as they relate to the PIC.

In struggle & solidarity,

CR volunteer

Dear

Unfortunately, we are not able to provide legal support, but on the back of this letter is a list of pro bono legal resources that may help you in your struggle.

In working towards abolishing the Prison Industrial Complex, we use a combination of strategies, including public education, campaign work and coalition building. We believe prisoners are a central part of this work and encourage writings, criticism, advice and feedback.

Although we cannot guarantee a quick response due to the high volume of mail we receive each week, we hope that you will continue writing and conversing with us on topics that are of interest to you. We love ongoing communication with folks inside and want to build with you as well as give you any information we can.

In Solidarity & Struggle,

On behalf of Critical Resistance



NATIONAL/Oakland OFFICE

PO Box 22780

Oakland, CA 94609

Phone: 510.444.0484 Fax: 510.444.2177

croakland@criticalresistance.org

Pro Bono Legal Resources

Organization	Phone	Address 1	Address 2	Address 3	City State Zip
Equal Justice Initiative	334-269-1803	Attn: Intake Department	Address 2	Address 3	City State Zip
Louisburg Prison Project	570-623-1104	P.O. Box 128	172 Commerce St.		Montgomery, Alabama 36104
Prison Law Office	415-457-9144	Prison Law Office, General Delivery			Louisburg, Pennsylvania 17037
National Immigration Project	617-227-8727	14 Beacon St.	Suite 602		San Quentin, California 94664
Pennsylvania Immigrant Resource	717-601-8089	PO Box 20339			Boston, MA 02108
Probar South TX Pro Bono Asylum Representation Project	956-425-9231	222 E. Van Buren Ave.	Suite 300		York, Pennsylvania 17402
Alaska Immigration Justice Program	907-278-2457	431 W 7th Ave.	Suite 208		Hartington, Texas 76550
American Gateway (Political Asylum Project of Asylum)	512-478-0566	314 E Highland Mall Bldg	Suite 501		Auriedale, Alaska 99501
American Bar Association, Death Penalty Representation Project	202-682-1736	1050 Connecticut Avenue NW	Suite 400		Austin, Texas 78752
Federal Death Penalty Resource Center	803-765-1644	PO Box 11744	Attn: David Bruck		Washington, DC 20036
Federal Death Penalty Resource Center	502-227-2142	PO Box 1243	Attn: Kavan McNally		Columbia, South Carolina 29211
NACCP Legal Defense Fund	803-651-1044	PO Box 11744	Attn: John H. Blume		Frankfort, Kentucky 40602
National Association of Criminal Defense Attorneys	212-965-2200	40 Rector St, 5th Floor			Charlottesville, South Carolina 29211
Southern Center for Human Rights	404-698-1202	83 Poplar Street NW	Attn: Renee McDonald		New York, New York 10006
Debas Assistance & Training Project	904-877-7210	1800 Carter Pearl Blvd, No 80	Attn: Stephen B. Bright		Atlanta, Georgia 30303-2122
National Association of Criminal Defense Attorneys	202-872-8868 Ext. 224	1627 K Street NW, Suite 1200	Attn: Mark E. Olive		Atlanta, Georgia 30303-2122
Alabama Equal Justice Initiative	334-269-1603	132 Commerce St.	Attn: Paul Patterson		Albany, Georgia 31706
Arizona Federal Public Defender's Office	602-382-2700	850 W Adams St.	Attn: Inmate Department		Washington, DC 20005
California Appellate Project	415-485-0500	101 Second St.	Suite 201		Phoenix, Arizona 85007
California State Public Defender - Sacramento	916-322-2876	770 L St.	Suite 1000		San Francisco, California 94105
California State Public Defender - Oakland	916-267-3300	1111 Broadway, 10th Floor			Sacramento, California 95814
Colorado Office of the Public Defender	303-764-1400	1300 Broadway, Suite 400	Attn: Douglas Wilson		Denver, Colorado 80203
Connecticut Trial Services Unit	203-566-5028	1 Hartford Square West	Attn: Patrick J. Callahan		Oakland, California 94607
Georgia Capital Criminal Representations	850-487-0822	1004 DuSoye Park Drive	Attn: Robert Freeman		Hartford, Connecticut
Georgia Resource Center	404-222-8022	303 Elizabeth St NE			Tallahassee, Florida 32301
Indiana Indigent Defense Council	404-884-2895	985 Ponce de Leon Avenue	Attn: Mike Meers		Atlanta, Georgia 30307
Kentucky Department of Public Advocacy	502-327-4700	151 N Delaware St	Suite 200		Atlanta, Georgia 30306
Jackson County Public Defender	502-564-8066	5 Mt. Creek Park	Attn: Alison Conally		Indianapolis, Indiana 46204
Louisiana Crisis Assistance Center	504-474-3800	719 W. St. Jefferson	Attn: Daniel I. Goyette		Frankfort, Kentucky 40601
Death Penalty Litigation Clinic	504-212-2116	1340 Poydras, Suite 1700	Attn: Gary Clements		Louisville, Kentucky 40202
Missouri Public Defender, Capital Litigation Div.	616-363-7985	636 Baronne Street	Attn: Chris Stanford Smith		New Orleans, Louisiana 70113
Nevada Appellate & Post-Conviction Project	702-386-5677 Ext. 278	101C Market St, Suite 1100	Attn: Sharon Turbinian		Kansas City, Missouri 64111
New Jersey Public Defender, Appellate Section	973-877-1200	330 South 3rd Street, Suite 700	Attn: Michael Pasquella		St. Louis, Missouri 63101
North Carolina Center for Death Penalty Litigation	212-677-3300	31 Clinton St.	PO Box 46003		Las Vegas, Nevada 89101
North Carolina Center for the Appellate Defender	819-966-9545	120 Schenck St.			Newark, NJ 07101
Oklahoma Indigent Defense System, Capital Post-Conviction Div.	405-401-2734	123 West Main Street, Suite 700	Attn: Hannah Aulry		Birmingham, Alabama 35204
Atlantic Center for Capital Representation	215-392-2227	PO Box 937	Attn: Glenn Edwards		Durham, North Carolina 27701
Tennessee Office of the Post-Conviction Defender	615-741-9331	1315 Walnut St.	Attn: Kirti Chatterjee		Indianapolis, Indiana 46204
Texas Defender Service	713-222-7788	454 James Robertson Parkway	Suite 1331		Phoenix, Arizona 85007
		1927 Bradford St.	Suite 1100		Washington, DC 20005
			Attn: Manny Welch		Houston, Texas 77004

Roderick & Solange MacArthur Justice Center
160 East Grand Avenue, 8th Floor
Chicago, Illinois 60611

LEGAL MAIL

Matthew Travis Houston 1216652
Clark County Detention Center
High Desert State Prison
Indian Springs, NV 89070-0650

89070-0650



4239

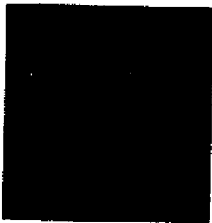
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Roderick and Solange MacArthur Justice Center
375 East Chicago Avenue
Chicago, Illinois 60611-3069
O 312 503 1271
F 312 503 1272

macarthurjusticecenter.org

June 5, 2023

LEGAL MAIL

Matthew Travis Houston 1210652
Clark County Detention Center
High Desert State Prison
Indian Springs, NV 89070-0650

Dear Mx. Houston,

Thank you for your letter requesting assistance from the Roderick and Solange MacArthur Justice Center. I was so sorry to read about all the problems you described.

The MacArthur Justice Center is a public interest law firm whose mission is to litigate cases aimed at challenging injustices in the criminal legal system and holding people in power accountable. Because we have a small staff and are currently operating at a full case load, we are often unable to provide assistance in individual cases and situations.

This is not to say that your case does not have merit. We have made a record of your letter in our database in the event that circumstances in the future might allow us to be of service. Unfortunately, because we have limited resources and select our cases with many factors in mind, we cannot pursue your case at this time. There are other organizations that may be able to help you, however. Please see the enclosed page for that contact information. The ACLU of Nevada has an office in Las Vegas and their phone number is (702) 366-1226. In addition, the Legal Aid Center of Southern Nevada might be able to direct you to an attorney who could assist you: Legal Aid Center of Southern Nevada, 725 E. Charleston Blvd., Las Vegas, NV 89104. (702) 386-1070.

Thank you for reaching out to us. I'm very sorry we can't help with your case at this time. Please know that you are in our thoughts.

Sincerely,

A handwritten signature in cursive script that reads "Katie Gruber".

Katie Gruber
Trial Litigation Assistant
Roderick and Solange MacArthur Justice Center

Matthew Houston

NOOC #1210652

HDSP

P.O. Box 650

Indian Springs, NV

89070-0650

329

LAS VEGAS NV 890

9 JUN 2023 PM 3

NEVADA APPELLATE

& POST CONVICTION

ATTN: Michael Pescetta

830 South 3rd Street

Suite 700

Las Vegas NV

89101

89101

89101

JUN 06 2023

104 104

To: Nevada Appellate & Postconviction Project

June 08, 2023

Hello Mr. Pascetta,

My name is Matthew and I am a wrongfully convicted inmate at HIGH DESERT STATE PRISON. I received your contact information off of this letter from the organization CRITICAL RESISTANCE that lists pro bono legal resources. Sir, I have funds to pay for representation, and I need as much support as I can get. I was able to get my appeal reinstated, the briefing schedule, SUPREME COURT OF NEVADA Case No. 84886. I have plenty of other issues I need help with, and the primary goal is having people advocate to get me this parole, and as you can see on the attached NOTICE OF HEARING that is on June 28th, 2023, in 3 weeks. I am trying to get all of my friends and resources to send them letters of reference, and/or participate in the hearing, or whatever else they can do to help justice. Of course you don't even know me yet, so now you do. I have included a stamped envelope for you to mail me back and/or the parole board. Talk to you soon,

1482 -M. Houston

EMERGENCY REQUEST

RE:

INNOCENT PEOPLE
BEING STARVED
BY NDOC...

Please SEE
ATTACHED:

41039

c/o HDSP
P.O. Box 650
Indian Springs, NV 89070
89070-

Matthew Houston # 1210652

Return Strong!
PO Box 1155
Carson City, NV 89702

LAS VEGAS NV 890
10 JUL 2023 PM 4 L



June 28, 2023

As always, I want to express my deepest apologies for the gap since our last newsletter. The short story is that once the legislative session started, it was chaos trying to get all of the bills passed, keep families up to date with ways they could help move the legislation and handle everything outside of the legislative session. We were barely holding our heads above water, but- we made it, and while we may not have won everything we wanted, we did historically pass all the bills we were running and supported many others.

Before I get to the bill updates, I want to review some things I have been responding to over the past few months and remind you what we do, what we don't do and why, especially regarding legislation. First, our work focuses on widespread change and how what is happening impacts the most people when improved. It also is focused on laying the foundation for future work. Legislative change isn't an END to a fight, it is the beginning of a journey of change, and even once we win, we must hold decision-makers and leadership accountable. We know that. Without accountability, why make laws?

AB121: First, This bill **protects physical mail from electronic scanning**. There is a clause that the Director can stop physical mail if he completes a study and provides data proving that the mail is causing a health and safety risk to staff or offenders. Second, NDOC must **provide medication refills when due**, without the incarcerated person filing a request/Kyte. Third, it **requires NDOC to create a policy that will provide your contact person notification of hospitalization for a critical illness within 24 hours upon admission into the hospital** or to give you access to contact your people within 4 hours of an incident that requires a trip to the hospital, but no admission. Effective July 1, 2023.

AB452: This bill has two distinct things: visitation *and oversight*. First, it **protects in-person visitation upon the implementation of any electronic visitation**. (In other words, they can never go to video only, it can be an option but not at the removal of in-person visits). The bill also *requires Director or Deputy Director approvals for cancellations of visits and an annual report to the legislature with all cancellations and their reasons*.

The other part of the bill will develop an **office of the corrections ombudsman**. A neutral third party with access to NOTIS to pull incident reports/complaints, freely investigate with access to facilities, data, staff, and residents (you)- make recommendations to the Director and the state with suggested resolutions. *One key component of this office is to provide oversight to protect your due process rights by watching grievance timelines and problems with that process. It will also have a reporting component that will report to the legislature annually for accountability*. Effective 10.1.23

SB107: Ends the exemption to the (public) administrative rule-making process previously granted to NDOC. When legislators initially passed the 233b process, NDOC was exempt. The past few years have

proven that oversight is necessary, and we won an end to this exemption. It requires a public and legislative approval process covering all fiscal policies, visitation, and mail. Effective 7.1.23 Together, SB107 and the ombudsman make a significant impact on necessary oversight and accountability of Nevada's prisons. The ombudsman will be following reports of complaints and grievances inside the prison, and the 233b process creates a public process that needs legislative approval for specific changes. It doesn't mean we can stop everything we don't like, but we get a voice and an opportunity to do that. Right now, when we fight, it's trying to stop a policy change with 72 hours' notice, and it is a miracle that we have been able to get anything done that way.

SB307: *Limits segregation to 15 consecutive days.* Daily health and welfare checks while in segregation. Effective 1.1.24

SB413 This will change the current good time/meritorious credit system to a flat percentage of time served. This bill passed with a percentage of 65% of time served, making you eligible for parole. It is also supposed to make parole presumptive unless there have been significant or repetitive disciplinary actions. Effective 1.1.25

This bill was a very complicated bill change that followed five decades of changes to the credit system depending on the political climate at the time. We had to make some difficult choices in negotiating the bill because there are two types of bills- ones that focus on policy and ones that focus on values. With the current Governor, winning legislation that was "value" based was close to impossible. We had an opportunity to take a historical step towards fixing the credit system and stop the problem of moving days and confusion on your time.

Who is eligible became the "value" question. While we disagree with carve-outs for certain classifications of crimes, that is a value question we must address through education, and there was no avenue to succeed during the session. We need time to be able to do that, and it is on our agenda. We opposed several bills with carve-outs because of the damage it would do.

Remember that sometimes, we have to move incrementally and change things one piece at a time, other times- we go all or nothing. This bill made sense to take this step and return for more in subsequent years.

SB416-This bill built off the caps on restitution deductions in 2021 and further expands additional financial protection. As I said at the beginning of the session, we asked for EVERYTHING on this, knowing we would need to negotiate to win anything, and this has additional next steps.

What we won: an end to all medical co-pays, man-down fees for medical emergencies (they are still allowed to charge for self-harm, riot or fight-related injuries, sports injuries) and, room and board fees, and an end to limitations on the amount you can spend on commissary. In addition, the end to hygiene markups is now LAW- so zero markups on hygiene are here to stay! Effective 10.1.23

****Remember, they can raise prices if the supplier increases the cost, but they can't mark that cost up****

What we left on the table: Ending trust accounts for people on DR or LWOP and a reduction in the cost of food- which I know is disappointing, BUT if we took a reduction in the markup, we couldn't come back later for no markup, and this is part of a more extensive conversation around funding prisons. (I will expand this in future newsletters).

AB292-Dignity for Incarcerated Women- which provides free feminine hygiene products and protections around physical searches. (I don't have all the final language on this because we didn't lead the negotiations, and I am not exactly sure where it ended as it went into last-minute negotiations)

SB153- Now requires **cultural competency training** for corrections officers to improve their interactions with people who identify as trans or non-binary.

SB351-Changes the rules for visitation to allow people with prior felonies the same rights to visitation as everyone else. People will not automatically receive a visitation denial for a felony conviction, but the felony must be evaluated individually according to when it happened and what it was. So far, the administration has said things that involve bringing contraband into a prison and visitation with children or victims, dependent on the conviction. The second part of this bill requires written notification of the denial reason.

The Legislative Session is Over- Now What?

Our work never ends! Here is a summary of some of the things we are still working on and some new things that we have started, and a list of ways you can help- We have several volunteer workgroups that will be working on specific campaigns-

The Food Fight- this workgroup is addressing food insecurity issues in Nevada prisons (and beyond). It involves addressing the Aramark contract, the intersection of commissary/pricing, and the monopoly on vendors. This group is working on a long-term campaign to end the Aramark contract and address all food issues/concerns. **PLEASE fill out the attached survey to help them in their work. Feel free to share; people can write their answers on blank paper. Your voice matters!**

II. Women's Sentencing & Policy Group: This workgroup will start later this summer, and more details and surveys will be coming to you. We are building a coalition of organizations interested in doing this work by several social workers, policy experts, and legal experts from UNLV and UNR who are interested in working with us to address specific issues & policies impacting incarcerated women and women in the criminal legal system. As soon as we have this up and running, I will send the info directly to the FMWCC and JCC women. *If you identify as a woman and are at another facility, please let us know, and we will include you in the surveys.*

III. The Pardon Advocacy Project: This is about to go through a transformation because we are running into nonstop roadblocks in successfully getting people onto an agenda. We hoped pressure would make a change, but so far, very little has happened. If you are part of the 2023 cohort, you will remain on the cohort indefinitely, BUT we are adding another layer to this, and it falls under policy work.

Beginning immediately, we are using the lack of progress to show why the pardon board is problematic and can't be the only way that we address the numbers of people who have been unfairly and excessively sentenced, people who were sentenced under laws that don't exist anymore and other injustices- we are beginning the work to establish a Prosecutorial Sentencing Review Board.

More information is coming in the following newsletter (Fall 2023). In the meantime- share your story with us. If you have already shared it- send us a brief letter and tell us that you are interested in using your story as an example, and we will pull it from our database for review. We will review all pardon board applications we have previously received to find highlight stories to show why this needs to happen. If your story is one we are interested in, get it to us.

IV. Family Council Roundtables: Return Strong has worked very hard to build communication and transparency with the new administration, and together, we have made significant progress, both in the legislature and regarding other work that impacts all of you in your daily lives.

To know what is happening and keep our finger on the pulse of what is happening in facilities- we need YOU to be writing to us because you understand everything at a deeper level. The other way is to have

quarterly roundtables with families from each facility to gain additional information and insight for our meetings with the Director and his administrative team.

Some of the things we have been able to resolve in the past few months (even with legislative pressure restricting our capacity)- include addressing the missing disciplinary sanctions, which resulted in people being sanctioned/charged with murder when no murder occurred, monitoring water issues at NNCC due to repeated water main breaks, visitation policy issues at several facilities, lack of water drinkable water at HCC, attorney access at HDSP, missing food at Carlin camp- and many more.

Our goal is NOT to be a constant banda-aid, and please, if it isn't urgent- do not send your family to us on every issue- follow the process that exists both with NDOC and with our method of you writing to us with your concerns and your loved ones attending our VIRTUAL roundtables and facility workgroups and us to get updated information- we can't answer individual questions and concerns, we need you and your loved ones to meet us halfway.

Our goal IS to be aware of the issues so that we can prioritize and get as many problems addressed through our meetings with the administration as possible. We need to know what's happening to get it addressed. Letters, roundtables, and family council workgroups are how people can help.

We have recently made significant progress with 1983 cases, specifically on correctional abuse. If you are a jailhouse lawyer with active cases nearing the point that you need representation, please send us case summaries and information with a request to pass it on to our attorney for screening.

V. Impact Teams are our way of educating decisionmakers, community leaders, families, educators on the reality of prison. If you know someone who may be interested in being a spokesperson and part of the work we are doing, especially people who have done a significant amount of time and want to be an advocate for change, we are creating that platform. Please have them email us at info@returnstrongnv.org and tell us who they are and why they are interested. If YOU are interested when you come home, please contact us. We are working together to create a movement! Be the change!

YOU can help by sharing your story or making us aware of facility problems by writing to:

Return Strong!

PO Box 1155

Carson City, NV 89702

Volunteer as a unit organizer- we continue to grow our reach inside to ensure we can provide you with information and streamline communication when necessary. You are responsible for ensuring that people on your unit, wing, or group of associates know what we are working on.

Organize a fundraiser or stamp drive. The women at Florence McClure recently contacted us and offered to do a fundraiser to donate proceeds to Return Strong! to continue their work. If you are interested in organizing one at your facility and need help, we have volunteers to help you manage it. Any funds raised would help us with communication costs and improve our ability to stay in communication with you.

Your loved ones can get involved by attending Zoom workgroups, joining Facebook, or becoming a monthly donor (even \$10 a month is a huge help when coupled with a large number of people)
Email info@returnstrongnv.org for information on any of the above.

In Solidarity!

Jodi & The Team at Return Strong

Staff, CORE volunteer leaders, Impact Team members and all of our activists and supporters.

We are stronger together!

www.returnstrongnv.org

info@returnstrongnv.org

The Food Fight Survey :

The following survey is related to Return Strong's campaign on food insecurity, hunger, water, and climate change. We have received hundreds of letters from all of you, as well as calls, comments, and emails from your families about food, temperature, environmental concerns, and water issues. Our goal with this survey is to add your voices and experience to the data and research available on these issues to get a deeper understanding. We understand there have been significant changes in the past year; our goal is to understand the differences better so that we can address the issue beyond the obvious.

You are welcome to copy this, handwrite it, and share it- the more responses we have from various facilities, the better we can identify the issue and work to find solutions. In addition, while we have standard answers, YOUR STORIES and details are powerful, and we want to hear them. Thank you- we are stronger together. Thank you for trusting us enough to work with us because, remember, there is no us without you.

1. How long have you been incarcerated in Nevada?
2. Have you seen a change in the food quality & quantities over time? Describe the changes
3. Does the food change according to where you are housed?
4. What is the meal schedule at your housing unit, and how does it impact your hunger and wellness?
5. When do you eat, where, and who serves your meals?
6. Are there times that your tray is missing food items? How often does that happen?
7. Do the meals you are served match what is on the menu? Have you documented the differences?
8. Do you feel full after meals?
9. Do you purchase commissary or packages to supplement your meals? Can you afford it?
10. Have you ever eaten non-food items to subside hunger pains
11. Does hunger impact your sleep, mental health, relationships, mood, aggression, or daily activities?
12. Have you gained or lost a significant amount of weight inexplicably?
13. Do you ever think about food and where it will come from?
14. Do you ever hoard food or binge eat (for example, when you get commissary or packages) in response to hunger?
15. Have you ever had rotten, spoiled, or raw food served on your tray?
16. Have you ever had mold on your food?
17. Have you ever had rodent droppings or maggots in your food
18. Have you ever suspected you had a foodborne illness?
19. Have you ever been treated for a foodborne illness?
20. How often do you get served fresh fruit or vegetables?
21. Do you have any diet-related illnesses/conditions?
22. If yes, when were you diagnosed?
23. How much water do you consume per day?
24. How would you describe the quality of the water you consume
25. Have you filed a grievance regarding food or food shortages? What is the current status?

TC



29 "6" Northern Boulevard
Jamaica Station, N.Y. 11411
Tel: 718/552-1200

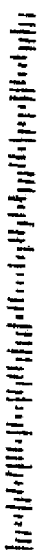
*Invest in advocacy & services
that rebuild lives and create
a truly rehabilitative
justice system.*

*Rev. Matthew T. Houston 1210652
High Desert State Prison
Post Office Box 650
Indian Springs, NV 89070*

12F25

NEW YORK NY 100
13 JUL 2023 PM 4:41

89070-





The Fortune Society
BUILDING PEOPLE, NOT PRISONS

29-76 Northern Blvd
Long Island City, NY 11101
tel. 212.691.7554
fax. 212.633.6845
www.fortunesociety.org

7/12/2023

Rev. Matthew T. Houston 1210652
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

Dear Rev. Houston,

Thank you for reaching out to The Fortune Society (Fortune). Unfortunately, we don't have capacity to provide legal services and/or advice. For all legal information and/or requests, we suggest that you first reach out to the Law Clerk(s) at the facility's Law Library for which you are currently incarcerated – ALL persons who are currently incarcerated have access to Law Library services. For further legal information, here is the address to the Bar Association in the State for which you are incarcerated:

Nevada:

State Bar of Nevada
3100 W. Charleston Blvd., Suite 100
Las Vegas, NV 89102
Phone: (702) 382-2200

You should clearly state in a letter to the Bar Association the reasons for which you are seeking legal counsel and/or information. Please be advised that Fortune makes no guarantee that the Bar Association will be able to provide you with the information that you are requesting. We suggest in your letter that you also ask the Bar Association to forward your request to the appropriate party if necessary. Take care and good luck!

Sincerely,

Carl Dukes, Correspondence Liaison
cdukes@fortunesociety.org
Phone: 212-691-7554, Ext. 3605

1 SUMM

2 REV. MATTHEW TRAVIS HOUSTON, CMTD

3 ABA No. 04662784

4 NDOC No. 1210652

5 PO Box 650

6 Indian Springs, NV

7 89070-0650

8 DISTRICT COURT

9 CLARK COUNTY, NEVADA

10 MATTHEW TRAVIS HOUSTON,

11 Plaintiff(s),

CASE NO. A-23-865442-C

12 -VS-

DEPT. NO. 7

13 LINA SAKALAUSKAS D/B/A
14 NEVADA ATTORNEY FOR
15 INJURED WORKERS ET AL
Defendant(s).

16 SUMMONS - CIVIL

17 NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
18 WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.
19 READ THE INFORMATION BELOW.

20 TO THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against
21 you for the relief set forth in the Complaint.

- 22 1. If you intend to defend this lawsuit, within 20 days after this Summons is
23 served on you, exclusive of the day of service, you must do the following:
- 24 (a) File with the Clerk of this Court, whose address is shown below, a
25 formal written response to the Complaint in accordance with the rules
26 of the Court, with the appropriate filing fee.
- 27 (b) Serve a copy of your response upon the attorney whose name and
address is shown below.

SUMM CIVI/7/23/2009

RECEIVED
JUN 07 2023
CLERK OF THE COURT

2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and failure to so respond will result in a judgment of default against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.
3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators each have 45 days after service of this Summons within which to file an Answer or other responsive pleading to the Complaint.

Submitted by:

Matthew Travis Hirst
REV. MATTHEW TRAVIS HOUSTON, CHD
NDOC No. 1210652
HDSP
PO Box 650
Indian Springs, NV 89070-0650
ABA No. 04662784

STEVEN D. GRIERSON
CLERK OF COURT

By *[Signature]* JUN 08 2023
Deputy Clerk Date

Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

NOTE: When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure 4(b).

LMPD CIVIL PROCESS SECTION
301 E CLARK AVE
SUITE 100
LAS VEGAS, NV 89101

**FILE WITH
THE COURT**

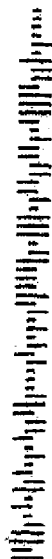


MATTHEW TRAVIS HOUSTON
INMATE # 1210652
22010 COLD CREEK ROAD
PO BOX 650
INDIAN SPRINGS, NV 89070

Handwritten signature

12F-25

149 FRD/FMFP 89070



SUMM

Matthew Travis Houston

No. 1210652 @ NDOC

Po Box 650

Indian Springs, NV

89070-0650

ABA No 04662784

DISTRICT COURT

CLARK COUNTY, NEVADA

Case No A-23-865442-C

MATTHEW TRAVIS HOUSTON,

Plaintiff(s),

-vs- DIANNE FERRANTE,

JONATHAN SHOCKLEY, SEDGWICK CMS,

DANIEL L. SCHWARTZ, BRIAN P. CLARK,
CLARK MCCOURT, LLC, LEWIS, BRISTOW, BISCARD
& SMITH, LLP, ET AL - Defendant(s).

JASON LEWIS, REDENTA BLACIC

ROSEMARIE MCMORRIS-ALEXANDER

SUMMONS - CIVIL

NOTICE! YOU HAVE BEEN SUED. THE COURT MAY DECIDE AGAINST YOU
WITHOUT YOUR BEING HEARD UNLESS YOU RESPOND WITHIN 20 DAYS.
READ THE INFORMATION BELOW.

TO THE DEFENDANT(S): A civil Complaint has been filed by the Plaintiff(s) against
you for the relief set forth in the Complaint.

1. If you intend to defend this lawsuit, within 20 days after this Summons is
served on you, exclusive of the day of service, you must do the following:

(a) File with the Clerk of this Court, whose address is shown below, a
formal written response to the Complaint in accordance with the rules
of the Court, with the appropriate filing fee.

(b) Serve a copy of your response upon the attorney whose name and
address is shown below.

RECEIVED

JAN 04 2022

CLERK OF THE COURT

SUMM Civil/7/23/2009

2. Unless you respond, your default will be entered upon application of the Plaintiff(s) and failure to so respond will result in a judgment of default against you for the relief demanded in the Complaint, which could result in the taking of money or property or other relief requested in the Complaint.
3. If you intend to seek the advice of an attorney in this matter, you should do so promptly so that your response may be filed on time.
4. The State of Nevada, its political subdivisions, agencies, officers, employees, board members, commission members and legislators each have 45 days after service of this Summons within which to file an Answer or other responsive pleading to the Complaint.

Submitted by:

Matthew Travis Houston
Matthew Travis Houston
ABA No. 04662784
Po Box 650
Indian Springs, NV 89070-0650

STEVEN D. GRIERSON
CLERK OF COURT

By: *[Signature]*

Deputy Clerk

Date

#27
Regional Justice Center
200 Lewis Avenue
Las Vegas, NV 89155

APR 14 2023

NOTE: When service is by publication, add a brief statement of the object of the action. See Nevada Rules of Civil Procedure 4(b).

SEE EJAC # A-17-758861-G
and the events of September 30, 2016, which
resulted in damages not limited to the destruction
of my service animals after July 14, 2021, and
\$36,500,000.00 + damages against my law offices and
career in the entertainment business. Reparations are
demanded from individuals and entities not limited to FREEMAN CO.,
IATSE #720 and ENCORE EVENTS TECHNOLOGIES. False
imprisonment is a crime. 2

SUMM Civil/7/23/2009

UNITED STATES DISTRICT COURT
DISTRICTS OF COLORADO, IOWA AND NEVADA

MATTHEW TRAVIS HOUSTON,
Plaintiff,

vs.

JOSEPH M. LOMBARDO ET AL,
Defendant(s).

Case No. 2:22-cv-01607-DWM-CSD

"JURY TRIALS DEMANDED"

CONCLUSION TO "EMERGENCY MOTION FOR INJUNCTIVE RELIEF AND
STATEMENT OF FACTS" AND RENEWED

EMERGENCY MOTION FOR ACCOUNTABILITY OF HDSP

MAILROOM, LAW LIBRARY AND CHAPEL AS A CONTINUED OPPOSITION
TO ALL DEFENDANTS "MOTION TO DISMISS"
DE NOVO HEARINGS REQUESTED IN EN BANC

Plaintiff moves this Honorable Court to examine the intentional gross negligence of the Law Library as demonstrated by Document 47, filed July 06, 2023, pages 5-15. Obviously, as the pages are incomplete and haphazardly thrown together, they're not taking their job(s) seriously. Their unnecessary roughness has further blocked, thwarted and hindered the factually and actually innocent Plaintiff, causing misinterpretation and vexatious abuse of the court's resources. As filed in EDOC Case No. A-23-865442-C by the plaintiff, the court will PLEASE TAKE NOTICE, that according to the attached 'NOT FOUND AFFIDAVIT' that the defendant REDENTA BLACIC IS NOT employed at the OFFICE OF CONSUMER ASSISTANCE, neither do they know her. SEE LVMPD SHERIFF CIVIL No. 23003198
PLEASE SEE ATTACHED:

DECLARATION OF MATTHEW TRAVIS HOUSTON

"aka"

Affidavit of Houston

"aka"

EXHIBIT 1

**MANUALLY FILED WITH
DISTRICT COURT CLERK'S OFFICE**

2

Case 2:22-cv-01607-DWM-CSD Document 49 Filed 07/12/23 Page 36 of 43
 IN THE COURT OF APPEALS FOR THE STATE OF NEVADA
 No. B4886
 EJOC Case # C-21-357927-1
 INMATE REQUEST FORM

"HEARING REQUESTED"

1.) INMATE NAME Matthew Houston DOC # 1210652 2.) HOUSING UNIT 124339F25 3.) DATE July 09-2023

4.) REQUEST FORM TO: (CHECK BOX)

☐ MENTAL HEALTH☐ CANTEEN☐ CASEWORKER☐ MEDICAL☐ LAW LIBRARY☐ DENTAL☐ EDUCATION☐ VISITING☐ SHIFT COMMAND, WARDEN-B. WILLIAMS☐ LAUNDRY☐ PROPERTY ROOM☒ OTHER MAILED TO GO - F. B. M. L.☐ LT LENNINGHAM

5.) NAME OF INDIVIDUAL TO CONTACT: ALL OF THE ABOVE + NV BOARD OF PAROLE +
THE HON. JENNIFER U.S. SCHWARTZ, NANCY ALF AND DANIELLE CHIO-

6.) REQUEST: (PRINT BELOW) Can yall please check on the status of legal
mail sent out via DOC-509 BRASS SLIP(S):

No. 2643361No. 2643819No. 2643363No. 2643820No. 2643818No. 2643821No. 2643823

I have yet to have been provided with my pink-slip
inmate receipts after having hopefully been authorized.

7.) INMATE SIGNATURE Matthew Houston DOC # 1210652

8.) RECEIVING STAFF SIGNATURE

DATE

9.) RESPONSE TO INMATE

All brass slips have been processed and sent to accounting

10.) RESPONDING STAFF SIGNATURE

DATE

7/11/23

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Matthew Houston	1210652	12 #D-39 F-25	July 12-2023

- 4.) REQUEST FORM TO: (CHECK BOX)
- ☐ CASEWORKER SMITH-LOPEZ
☐ MEDICAL
 ☒ LAW LIBRARY - H. COOK - C. MCGEE
☐ CANTEEN -
 ☐ DENTAL
- ☐ EDUCATION
 ☐ VISITING
 ☐ SHIFT COMMAND
- ☐ LAUNDRY
 ☐ PROPERTY ROOM
 ☐ OTHER _____

5.) NAME OF INDIVIDUAL TO CONTACT: H. Cook - C. McGEE

PLEASE SCHEDULE NOTARY SERVICE AND POWER OF ATTORNEY FORM.

6.) REQUEST: (PRINT BELOW) Today I was moved from 4-D-39 and lost
CHESSBOARD PIECES, holiday/greetings cards, sunglasses, x2 mirrors,
hair trimmers and misc. legal work. Could the ask old celly,
#85875 - VIET OUM to return my missing items?
Could you please provide a status on my parole hearing being
rescheduled, and also the status of my transfer to camp?
For Law Library can y'all please reschedule my appointment?
Lastly, there is no reason why my store cant follow me. Please bring
or refund

7.) INMATE SIGNATURE Matthew Turner Houston DOC # 1210652

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

RECEIVED

JUL 18 2023

HIGH DESERT STATE PRISON
LAW LIBRARY

10.) RESPONDING STAFF SIGNATURE _____ DATE _____

TO: HDSP Law Library H. Cook

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Matthew Houston	1210652	4. D. 39	July 03, 2023

4.) REQUEST FORM TO: (CHECK BOX)

☐ CASEWORKER	☐ MEDICAL	☒ LAW LIBRARY	☐ CANTEEN
☐ EDUCATION	☐ VISITING	☐ DENTAL	
☐ LAUNDRY	☐ PROPERTY ROOM	☐ SHIFT COMMAND	
	☐ OTHER	WARDEN BRIAN WILLIAMS	
		L.T. BRENNAN, SGT ASHCRAFT	
		C/O NUNEZ, C/O THOMAS	

5.) NAME OF INDIVIDUAL TO CONTACT: WHOOPTEE - WHOOPT

What is the reasoning in always denying my Doc-509(s) + Doc-1564(s)?

6.) REQUEST: (PRINT BELOW) Could y'all provide your excuses for having me scheduled for HDSP Law Library appointment today, July 03, 2023, than in your retaliation, deliberately and indifferently saying "I'm Not on the list"? I have a scheduled slip showing my missed appointment, I am actually innocent and falsly imprisoned - factually wrongfully convicted. What is y'all's REASON behind y'all denying me access to Law Library? Reschedule appointment ASAP

7.) INMATE SIGNATURE Matthew Justin Houston DOC # 1210652

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

See attachment

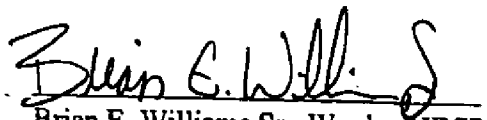
No one is denying you. Must fill out appointment slip to attend Law Library

10.) RESPONDING STAFF SIGNATURE H. COOK DATE 7/13/23

Law Library Schedule

Monday	Unit 12 Unit 4CD Pick up and Delivery	7:00 AM – 9:00 AM 9:00 AM – 11:00 AM
Tuesday	Unit 9 Unit 10 Pick up and Delivery	7:00 AM – 9:00 AM 9:00 AM – 11:00 AM
Wednesday	Unit 5 AB Unit 6 CD Pick up and Delivery	7:00 AM – 9:00 AM 9:00 AM – 11:00 AM
Thursday	Unit 7 AB, 7 CD Unit 8 CD, 5 CD Pick up and Delivery	7:00 AM – 9:00 AM 9:00 AM – 11:00 AM
Friday	Unit 11 Pick up and Delivery	7:00 AM – 9:00 AM 9:00 AM – 11:00 AM

Please print clearly when filling out appointments slips. If your request is illegible, the appointment will not be made.


Brian E. Williams Sr., Warden HDSP
06/14/2023

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Matthew Houston	1210652	12 4-D-39 F-25	July 12-2023

4.) REQUEST FORM TO: (CHECK BOX)

☒ CASEWORKER SMITH-LOPEZ ☐ MEDICAL ☐ LAW LIBRARY - H. COOK - C. MCGEE ☐ DENTAL

☐ EDUCATION ☐ VISITING ☐ SHIFT COMMAND

☐ LAUNDRY ☐ PROPERTY ROOM ☐ OTHER _____

5.) NAME OF INDIVIDUAL TO CONTACT: CCS SMITH

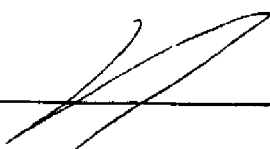
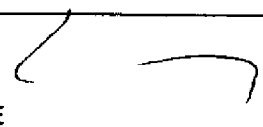
6.) REQUEST: (PRINT BELOW) Today I was moved from 4-D-39 and lost
CHESS BOARD PIECES, holiday / greetings cards, sunglasses, x2 mirrors,
hair trimmers and misc. legal work. Could the ask old celly,
#85875 - VIET OUM to return my missing items?
Could you please provide a status on my parole hearing being
rescheduled, and also the status of my transfer to camp?
For Law Library can y'all please reschedule my appointment?
Lastly, there is no reason why my store cant follow me. Please bring
or refund.

7.) INMATE SIGNATURE Matthew Houston DOC # 1210652

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

Not a classification issue
I cannot v.p. I am updated.
If qualified, I will recommend
Law Library is not a classification function

10.) RESPONDING STAFF SIGNATURE  DATE 

NEVADA DEPARTMENT OF CORRECTIONS

EMERGENCY
GRIEVANCE FORM

NAME: Matthew Travis Houston I.D. NUMBER: 1210652

INSTITUTION: HDSP UNIT: 4-D-39

GRIEVANT'S STATEMENT: Law Library retaliation and the
deprivation of our access to HDSP Law Library Doc.
509 brass slip - PTSD - SEE LVMPD. Deputy Comacho
Emergency Motion. Appointment scheduled SEE
EXHIBIT "A" however told "NOT ON THE LIST"
C/O NUNEZ. C/O THOMAS. SEE WITNESSES. Denied
DOC-509# by H. Cook, C. McBEE, C/O SANCHEZ. BS#(s)
2643819. 2643820. 2643821. 2643818. 2:22-CV-01607

SWORN DECLARATION UNDER PENALTY OF PERJURY

INMATE SIGNATURE: [Signature] DATE: 7.3.23 TIME: 09 AM

RECEIVING STAFF SIGNATURE: [Signature] DATE: 7/3 TIME: 7:10

SUPERVISOR COMMENT/ACTION TAKEN ON EMERGENCY GRIEVANCE: _____

SUPERVISOR SIGNATURE: _____ TITLE: _____ DATE: _____ TIME: _____

INMATE AGREES: _____ INMATE DISAGREES: _____

INMATE SIGNATURE: _____ TIME: _____ DATE: _____

FAILURE TO SIGN CONSTITUTES ABANDONMENT OF THE CLAIM. A FORMAL GRIEVANCE MAY BE PURSUED IN THE EVENT THE INMATE DISAGREES.

Original: To inmate when complete, or attached to formal grievance
Canary: To Grievance Coordinator when complete
Pink: Inmate's initial receipt

Emergency DOC 509-#2643822

Case No. A-23-86442-C

Case No. 23-03198

Case No. 18-01016

Case No. 2:22-cv-01607-DWM-CSD. DOC-1564 (7/02)

Law Library Appointment Request Form

Name	ID#	Housing Unit	Date
Matthew Houston	#1210652	4D-39	June 22, 2023

Per AR 722.01: All requests will be processed "first come first served". ID required to attend Law Library. Law Library staff will prioritize according to information provided. Request must be completed properly.

THE SECTION BELOW IS FOR APPOINTMENTS ONLY

CASE #: A-17-758861-C
CASE DESCRIPTION: third-party personal injury
URGENT NEEDS: state form No. 24-civil cover sheet
COMMENTS: _____

SIGNATURE: Matthew Houston

APPOINTMENT SCHEDULED:

HDSP-012-F-25-A

NAME Matthew Houston ID# 1210652 DOB 7, 15, 84

FACILITY HDSP Unit/Cell # ~~4-22~~

SIGNATURE [Signature] DATE 7, 02, 23

Request What is up wit my follow-up @
NEVADA EYE SURGERY ?

I am still legally blind- can you please help?

RECEIVED JUL 02 '23

OFFENDERS - DO NOT WRITE IN AREA BELOW
ASSIGNED TO

☐ Medical ☐ Dental ☐ Psychiatry ☐ Nursing ☐ Other

Response to request

you are on the list

DOC 2500 (09/22)

- ☐ Appointment scheduled/rescheduled for: _____
- ☐ No visit necessary
- ☐ No show for appointment
- ☐ Refused to be seen. DOC 2523 Release of Liability signed

PRESCRIPTIONS

☐ KOP ☐ NON-KOP

☐ Order date _____

PLAN

☐ Follow-up appointment ☐ Return if needed

☐ No follow-up required

Signature of practitioner/responder _____

Date _____

NEVADA DEPARTMENT OF CORRECTIONS
MEDICAL KITE and SERVICE REPORT

DOC 2500 (09/22)

HDSP-V12-F-25-A

NAME Matthew HoustonID# 1210652DOB 7 / 15 / 84FACILITY HDSPUnit/Cell # [REDACTED]SIGNATURE [Signature]DATE 7 / 02 / 23

Request

PLEASE REFILL AND/OR
SCHEDULE Follow up

Rx #: 549397

FLUOROMETHOLONE Rx# 54939



RECEIVED JUL 03 2023

OFFENDERS - DO NOT WRITE IN AREA BELOW
ASSIGNED TO☒ Medical☐ Dental☐ Psychiatry☐ Nursing☐ Other

Response to request

~~Refilled 7/3/23~~

② Sick call list

(22/60) 0002 J00

☐ Appointment scheduled/rescheduled for: _____☐ No visit necessary☐ No show for appointment☐ Refused to be seen. DOC 2523 Release of Liability signed

PRESCRIPTIONS

☐ KOP☐ NON-KOP☐ Order date _____

PLAN

☐ Follow-up appointment☐ No follow-up required☐ Return if needed

Signature of practitioner/responder _____

Date _____

NEVADA DEPARTMENT OF CORRECTIONS
MEDICAL KITE and SERVICE REPORT

DOC 2500 (09/22)

1 Not at any time did Mr. Houston harass, threaten,
2 extort, or "aggravated stalking" any of the parties
3 involved with any of his cases, neither did he
4 act aggressively towards any other individual,
5 business or entity. It is in fact Mr. Houston
6 who is the victim of crime.

7
8 CONCLUSION OF LAW

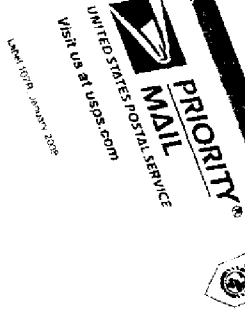
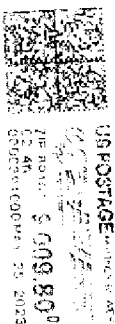
9 WHEREFORE, the Plaintiff / Petitioner - Appellant /
10 Plaintiff-in-Error, Matthew Travis Houston, should
11 be granted expeditious relief in his meritorious
12 intervention and joinder of appeal and other
13 extraordinary writs including but not limited to his
14 amended complaint(s), his supplemental complaints and
15 this Motion For Injunctive Relief.
16
17
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28

REV. MATTHEW TRAVIS HOUSTON, CHTD

NDOC No. 1210652

PO Box 650
Indian Springs NV 89070-0650

BS # 2641139



A-22-862155-C

Case No. (s) A-22-859817-C

A-23-865442-C

A-22-859815-C

and A-22-853203-W

± ME TDO

ABA No. 04662784

Po Box 551601
CHAMBERS OF THE HON. DANIELLE CHIC,
ADRIANA ESCOBAR,
NANCY ALLE,
JENNIFER SCHWARTZ AND ERIKA BALLOV @
EIGHTH JUDICIAL DISTRICT COURT
Two, Land Clerks of Departments 17, 27, 7, 24, and
Department 14

200 Lewis Avenue
Las Vegas, NV

89155-1601

3762

RENEWED

CERTIFICATE OF SERVICE

IN EX PARTE

I, Matthew Travis Houston, hereby certify that I am the

petitioner in this matter and I am representing myself in propria persona.

On this 23rd day of November, 2022, I served copies
of the EX Parte Emergency Motion For Declaration of Default
of the Judgement(s) Regarding Defendant(s) No. 82, No. 83 And No. 84
via KOSP Law Library eFiling system than via U.S.P.S.,

in case number: 2:21-cv-00499-AD-DJA and placed said motion(s) in

U.S. First Class Mail, postage pre-paid; after they were eFiled;

Address: Debra K. Kemp; Room 1334 Address: Craig Mueller
US District Court #1334 And Associates
Sent to: 333 Las Vegas Blvd. South Sent to: Larry Phillips
Las Vegas, NV 89101 And Kelsey Bernstein

SERVED MA CIVIL PROCESS SECTION TO: 808 S. 7th Street
Nevada Appeal Group
714 S. 4th Street and 600 S. 8th Street Las Vegas, NV 89101
Las Vegas, NV 89101 and the EJDC
@ 200 Lewis Ave
LV, NV. 89101

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he is the
petitioner in the above-entitled action, and he, the defendant has read
the above CERTIFICATE OF SERVICE and that the information contained
therein is true and correct. 28 U.S.C. §1746, 18 U.S.C. §1621.

Executed at HIGH DESERT STATE PRISON "SMU Program" 3A-22
on this 23rd day of November, 2022.

Matthew Travis Houston
Matthew Travis Houston, DOP# 1210652
Po Box 650
22010 Cold Creek Road

PLAINTIFF / PETITIONER -- In Proper Person
Indian Springs, NV 89070-0650

ABA Member No. 04662784

RENEWED THIS 26TH DAY OF SEPTEMBER, 2023. x. Matthew Travis Houston
REV. MATTHEW TRAVIS HOUSTON, CHTD
ABA ID No. 04662784

REV. MATTHEW TRAVIS HOUSTON, CHTD

H.D.S.P. No. 1210652

P.O. Box 650

Indian Springs, NV 89070-0650

United States Navy M.E.P.S. Veteran, Delayed Entry Program 2002

Member of the American Bar Association (retired)

ABA No. 01662784

Electronically Filed

10/06/2023

DISTRICT COURT

Heather L. Smith

CLERK OF THE COURT

CLARK COUNTY, NEVADA

CASE NO.: A-22-853203-W
DEPARTMENT NO. 17

MATTHEW TRAVIS HOUSTON,

CASE NO.: A-17-758861-C

Plaintiff / Plaintiff-in-error
(petitioner-appellant),

DEPT No.: 28 and 29

-vs-

CASE NO.: C-21-357927-1

CALVIN JOHNSON ET AL

DEPT NO.: XI

MANDALAY BAY RESORT AND CASINO

D/B/A MANDALAY BAY CORP ET AL

THE STATE OF NEVADA, ETAL

PART III OF

Defendants/Respondant(s)

PERSONAL RESTRAINT PETITION,

RESPONSE TO FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER FILED SEPTEMBER 20, 2022 EMERGENCY NOTICE OF APPEAL AND CONTINUED/RENEWED

RESPONSE TO "ORDER GRANTING IN PART, DENYING"

IN PART DEFENDANT'S PRO PER MOTION

TO DISMISS COUNSEL FROM 2/1/2022; AS A

HEARING ON 10/11/2022

TIME: 11:30 AM

BRANDEIS BRIEF

"HEARING REQUESTED"

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 5th,

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, while

defaming the character Page Number: 1 of an innocent man.

P.32

CLERK OF THE COURT

MAR 29 2022

RECEIVED

STATEMENT OF FACTS: Kidapped from his home in

1 Iowa, On July 14, 2021, MATTHEW TRAVIS HOUSTON (hereinafter "Petitioner-Appellant")
2 was abducted from his hotel room at the Best Western located at [REDACTED] 3041
3 St Rose Parkway in Henderson, Nevada, as he was not served with any sort of
4 summons or WARRANT, nor was told or read that he had any kind of rights. This
5 false arrest prevented Petitioner-Appellant from attending his appointment the very
6 next day at Nevada Retina Specialists, with Dr. Tyson Ward on July 15, 2021, while
7 this continued imprisonment of his person also prevented him from attending his medical
8 disability ruling in Reno, Nevada, on August 15, 2021, with Dr. Dwagleri. Both appointments
9 of which had been scheduled by the abductors, SEDAWICK's Dianne Ferrante, and her
10 alleged supervisor, Rosemarie McMorris-Alexander, as was the booking of his room.
11

12 The Petitioner-Appellant's attempt at release from CEISE was intended so that he could
13 search for, and hopefully, retrieve his service animals. However, the now-dismissed counsel, J. Wood
14 and Benard Little, provided misinformation regarding the lack of a directly related "City Jail
15 Detainer Hold". Counsel had told Petitioner-Appellant, all the while coercing his client into a
16 potential release from custody, that he "did not see a detainer hold" when, in fact, there was.
17 This coercion of the client by his previous representation created a second double-jeopardy -
18 in LAS VEGAS MUNICIPAL COURT #1248354A + #C1237802A; with the first being by J. Wood
19 in the EIGHTH JUDICIAL DISTRICT COURT 21-CR-019840 + 21-CR-035713. A. Goldstein never visited
20 Mr. Houston. These traumatic events are a cruel and unusual punishment being inflicted upon an abused
21 and innocent man, who was forced into an involuntary relocation, with unnecessary hardships
22 causing the eviction of his law office located at 435 South Linn Street #927, in Iowa
23 City, Iowa (52241), \$36.5 million of property damage, and the destruction of his K-9(s).
24 Due to crimes both civil and criminal, not to mention the willful omissions of Rosemarie
25 McMorris-Alexander and Dianne Ferrante, SEDAWICK and the prosecutions most unlawful use
26 of overreaching tactics in their exploitation of the innocent man has put the Petitioner-Appellant
27 into an unmanageable state of duress, homelessness, and extensive incarceration. Not at any
28 time did Mr. Houston make any threats or acts of harassment, extortion or
29 aggravated stalking towards any of the parties in Mr. Houston's cases or anybody
30 else. It is in FACT Mr. Houston **1511** is the victim of crime.



PERSONAL RESTRAINT PETITION,
 (and now continued)
 Page No. 28 of "PETITION FOR A WRIT OF HABEAS
 AND Letter of Motion To: CORPUS"



CLARK COUNTY COURTS
EIGHTH JUDICIAL DISTRICT COURT
LAS VEGAS TOWNSHIP JUSTICE COURT

REGIONAL JUSTICE CENTER
 200 LEWIS AVENUE
 LAS VEGAS, NEVADA 89155
 (702) 671-4528

Steven D. Grierson
 Clerk of the Court

PLEASE TAKE NOTICE THAT THE ORIGINAL
 PETITION FOR POST-CONVICTION RELIEF WAS
 PREPARED AS PART OF "DIRECT APPEAL"
 March 7, 2022 AND FILED AS "NOTICE OF APPEAL" HOWEVER,
 THIS "COMPLETE" DOCUMENT IS TO BE
 Re: Case No: N/A SUBMITTED AS AN (EXHIBIT 1) IN
 THE RELATED CASE NUMBER TO BE ASSIGNED BY
 Dear Matthew Travis Houston THE CLERK TITLED:
 Matthew Travis Houston vs. Gene Porter, et al

This office is in receipt of Petition for Writ of Habeas Corpus. We are unable to process for
 the reason(s) stated below.
 which is to be JOINDER TO A-17-758861-C.

- ☒ Filing fee in the sum of \$270.00 is required by money order, cashier's check, or personal check (must be pre-printed).
- ☐ Document(s) cannot be filed as presented. Please refer to our website www.clarkcountycourts.us for the proper paperwork to file.
- ☐ Please contact the Legal Aid Office for further assistance (702)386-1070 or civil.lawselfhelpcenter.org
- ☐ Other PAGE NUMBER 29 is to be filed by petitioner, plaintiff in way do many FEDERAL JURISDICTIONS? TO INSURE THAT THE DOCUMENTS ARE PROPERLY PROCESSED, PLEASE RETURN THIS LETTER WHEN THE REQUESTED ITEMS ARE RETURNED TO US.

Sincerely,
 Clerk of the Court
 #56

Deputy Clerk, Deputy

RECEIVED
 MAR 29 2022
 CLERK OF THE COURT

To the clerk: 28 pages total... March 10th, 2022
 The next 20 pages is ~~are~~ my original petition,
 followed an application to proceed in forma
 pauperis. I would like that also on the
 record for my pro se 3rd party personal injury
 case No. A-17-758861-C. Thank you,

X. Matthew Travis Houston
 Matthew Travis Houston

28

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. 84281 on March 10th, 2022. Had either Anthony
8 M. Goldstein, Jeremy Woods, Bernard 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 Bernard Little that "because
19 he was white, he would not qualify for aid from the Bail Bond Project."
20 Social worker Cassandra Diaz, 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 ^{-you-} [petitioner-appellant] authorized Bernard
24 Little (or someone from their office) to act as a POWER
25 OF ATTORNEY so that ^{-you-} [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 Sakakuskas, 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 LKMPD into acting as a modern
19 day Gestapo. Therefore it is asked to this court,
20

21 "a conspiracy is possible... is it not?" In fact, it
22 is no conspiracy that Sedgwick's interest off of the petitioner-
23 appellant is making quite a bit of money when not having to
24 pay the injured worker(s) their legally and rightfully
25 entitled benefits. (Now if you please skip ahead to page 49-55) You
26 will PLEASE TAKE NOTICE of this now amended:

27 "EMERGENCY OPPOSITION OF REMAND

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

EXHIBIT
AND EXHIBIT THE PETITIONER-APPELLANT?

Page Number 3

(See pages 49-55) ←

P. 34-new 80-86 ←

No. 1210652 @ H.D.S.P.
P.O. Box 650
Indian Springs, NV 89070-0650

To date, the Appellant's "PETITION FOR JUDICIAL REVIEW OF
THE EVENTS OF DECEMBER 6th, 2021" has been ignored by the
courts, even before the illegal arrest of the petitioner-appellant
on July 14th, 2021 because judicial ineptitude and procedural
mistakements ought NEVER happen. However, due to particular
individuals acts in temerity and carelessness, these errors throw
monkeywrenches into particular parts of the machine, therefore
preventing the lawful turnings in the wheels of justice from working
towards the forces of good, and all that it is of. It is hereby
asked to this court, "are these most cruel and inhumane injustices to be
accepted by our judicial system and ^{the} people of the State of Nevada?"
It was asked by the most falsely accused Appellant, (OFFICIALLY before
the 13th of October, 2021) that this case be opposed and completely dismissed,
as proven by the original motion's pages "1-6" which were put on record
by the clerk when they were stamped "RECEIVED OCT 2021 CLERK # 49-56
OF COURT". The originals are at the offices of Bernard Little, et al
who neglected their duties in providing this court with truth, contributing to
malpractice and is an additional cause of this wrongful conviction. This error
shows the tendency of judicial officers of Las Vegas to parade the
elements of oppression and facism. As a result, the Appellant prays
that prosecutorial malice, misconduct, wanton disregard and careless neglect
be lessened, if not completely eliminated while reading of the observations
and the theory of District Attorney Mr. Jim Garrison who is,
most unfortunately no longer with us. May he provide this court
with motivation in a reminder to all of the call of duty in
encouragement to unhinder, repair and more equally balance the
scale of justice in the community of Lost Wages, Nevada
that is still part of the good old United States of America:

Page Number 4

-1 Interview With District Attorney Jim Garrison

0 as he is clearly in opposition to government interference:

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

17
18 What worries me deeply, and I have seen it exemplified
19 in this case, is that we in America are in great
20 danger of slowly evolving into a proto-facist state.
21 It will be a ~~different~~ different kind of facist state
22 from the one of the Germans evolved; theirs grew
23 out of depression and promised bread and work, while
24 ours, curiously enough, seems to be emerging from
25 prosperity. But in the final analysis, it's based on
26 power and on the inability to put human goals and
27 human conscience above the dictates of the state.
28 It's 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 fascism 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 Any opinion Gee Jon? NOW SEE P. 134 and P. 135... I didn't think so.

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

Page Number 7

FORUM

KILLING MACHINE

DID NEVADA'S INNOVATIVE
GAS CHAMBER INSPIRE HITLER?

BY SCOTT CHRISTIANSON

On February 8, 1924, in a stone-and-concrete shack that for 40 years had served as the Nevada state prison's barbershop, a Chinese immigrant and convicted killer named Gee Jon became the first person ever executed in a gas chamber. Inside the sealed room two wooden chairs with armrests had been positioned a few feet apart—Gee's accomplice had also been scheduled to die but received a commutation. In front of and between the chairs stood a small metal device that would spray hydrocyanic acid, commercially known as cyanogen. A state spokesman insisted one deep breath by the condemned man would paralyze his lungs, displace the oxygen in his body and cause instant and painless death. Witnesses would be spared any painful outcries.

Prior to the execution, the warden staged a rehearsal with a stray white cat and two kittens. He estimated the cats died within 15 seconds. The test revealed a small leak, which was quickly patched to avert the poisoning of witnesses or staff.

It appeared Gee needed about six minutes to die, though the gas clouding the windows made it difficult to see inside. The warden pronounced the method "a wonderful and humane way of execution." Unlike hanging (by which an inmate might suffer for up to 15 minutes), electrocution (which could take three or four jolts) or a firing squad (which sometimes didn't cause instant death), gas first produced unconsciousness. The state's largest newspaper, the *Nevada State Journal*, began its coverage by pronouncing, "Nevada's novel death law is upheld by the highest court—humanity."

Eighteen days after Gee's death, in Munich, a right-wing radical named Adolf Hitler went on trial for his role in the failed Beer Hall Putsch. The previous year U.S. newspapers had reported on Hitler's extraordinary ability to sway crowds and his deep hatred of Jews, Communists, Bolsheviks and liberals, as well as his embrace of the trappings of fascism that had been introduced in 1922 by Italy's Benito Mussolini.

One of Hitler's friends who visited him in jail and kept him abreast of developments in the U.S. was Ernst "Putzi" Hanfstaengl, a six-foot-four German American patrician graduate of Harvard and descendent of a Union army general who had helped carry Abraham Lincoln's coffin. When Hanfstaengl wasn't entertaining his friend with his piano playing, he stimulated Hitler's imagination with stirring accounts of skyscrapers, gangsters and college football chants. He also translated and read aloud from British and U.S. newspapers. Hitler had been gassed

and temporarily blinded while serving on the front during World War I, so he already knew gas was an ugly, painful and unpredictable weapon, and he disclaimed its use in battle. He would have been interested to learn about what the Americans had done in Nevada.

After being convicted and receiving a five-year sentence, Hitler began composing his own political creed, which he first titled *Eine Abrechnung* (Settling Accounts) but later changed to *Mein Kampf* (My Struggle). He wrote, "If at the beginning of the war and during the war, 12 or 15,000 of these Hebrew corrupters of the people had been held under poison gas, as happened to



Gee Jon

hundreds of thousands of our very best German workers in the field, the sacrifice of millions at the front would not have been in vain." Decades later Lucy Dawidowicz, a historian of the Holocaust, wrote, "Did the idea of the final solution originate in this passage, germinating in Hitler's subconscious for some 15 years before it was to sprout into practical reality?"

Another biographer observed, "Hitler's concept of concentration camps as well as the practicality of genocide owed, so he claimed, to his studies of English and U.S. history. He admired the camps for Boer prisoners in South Africa and for the Indians in the Wild West, and he often praised to his inner circle the efficiency of America's extermination—by starvation and uneven combat—of the red savages who could not be tamed by captivity." Hitler learned about the American enslavement

of blacks and Jim Crow laws enforcing racial segregation, about the shipment of Native Americans to faraway prisons via boxcars and recent court rulings

National Origins Act, which called for eugenic quotas."

Historians have not yet turned up direct evidence that Hitler's thinking was influenced by the first successful use of the gas chamber, but the event was in the headlines during his trial, imprisonment and the writing of *Mein Kampf*. At the same time, delegations of German officials, criminologists and legal scholars were touring the American penal system, inspecting prison conditions and methods of punishment. These visits were also widely reported in Germany and most certainly read by executives at certain chemical companies. After all, cyanide was their business.

The Nevada gas chamber.



upholding the involuntary sterilization of the unfit. Yet another historian noted that *Mein Kampf* displayed Hitler's "keen familiarity with the recently passed U.S.

Scott Christianson is author of *The Last Gasp: The Rise and Fall of the American Gas Chamber*, published this month by the University of California Press.

DOES THE FIRST AMENDMENT PROTECT LAST WORDS?

That is the question posed in a 2001 law review article by Kevin Francis O'Neill, who was the lead counsel in a suit filed by the ACLU to prevent Ohio wardens from removing "offensive" language from the final statements of condemned prisoners. O'Neill notes that the Anglo-Saxon tradition of last words dates back to at least 1388; even accused witches and slaves were given the opportunity. Today, some states allow last words to be uttered only out of earshot of witnesses, while Texas gives its condemned an open microphone. Here are memorable examples of inmates exercising their right to free speech one final time. For more, see Robert Elder's new book, *Last Words of the Executed* (University of Chicago Press).

"You motherfuckers haven't paid any attention to anything I've said in the last 22 and a half years; why would anyone pay any attention to anything I've had to say now?" —Richard Cooney II (Ohio, 2008), when asked if he'd like to make a statement

"Give my apologies to the families of the victims." —Arthur Bishop (Utah, 1988)

"Let Mama know I still love her." —Cornelius Singleton (Alabama, 1992)

"Being born black was against me." —John Young (Georgia, 1985)

"I am innocent of this crime." —Eugene Perry (Arkansas, 1997)

"I forgive all who have taken part in any way in my death." —Ronald O'Bryan (Texas, 1984)

"The act I committed to put me here was not just

heinous, it was senseless. But the person that committed that act is no longer here." —Napoleon Beazley (Texas, 2002)

"I'd rather be fishing." —Jimmy Glass (Louisiana, 1987)

Silently flipped off witnesses as gas billowed around him. —Donald Harding (Arizona, 1992)

"I can't imagine losing two children. If I was y'all, I would have killed me." —Dennis Dowthitt (Texas, 2001)

"You are about to witness the damaging effect electricity has on Wood." —Frederick Wood (New York, 1963)

"Living has been hard, and now it's time to die." —Johnny Taylor Jr. (Louisiana, 1984)

"Freedom at last, man." —John Rook (North Carolina, 1985)

"You doing that right?" —Stanley "Tookie" Williams (California, 2005), founder of the Crips street gang, after a nurse took 10 minutes to insert the needle

"Hurrah for anarchy!" —the Haymarket defendants (Chicago, 1887), in unison

"God, you're a dirty son of a bitch, because I'm innocent." —Robert Pierce (California, 1956)

"I'm human! I'm human!" —David Lawson (North Carolina, 1994), screaming to be heard through the thick glass separating him from witnesses. Lawson had asked that his execution be televised.

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

EMERGENCY MOTION TO OPPOSE REMAND
AND DISMISS CASE
IN ITS ENTIRETY

* drawn October 13th, 2021 @ C.C.D.C.
* certified by U.S.P.S. October 13th, 2021
* received by Clerk of the Court October 18th, 2021
* was fwd to Clark County Public Defender
instead of filed into ^{this} case. This warrants
equitable tolling. It also shows procedural error(s).
* shows grounds for emotional distress ~~endured~~ ^{endured}
by the Def. since the court incurred error
contributed to the cause of ^{aid of} ineffective counsel
leading to wrongful conviction as the court failed in
responding to Benark Little's motion to WITHDRAW (See p.125-
p.127)
he had submitted on October 5th, 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, ^(are obviously not) and entitled to the privileges of normal citizens.
* to illustrate to the court and for the sake of justice, ~~it will show~~
a comparison and contrast will be shown ~~to~~ of the relationship
between potential Page Number 8 world conspiracy and
what's known as truth.

-last truth. And to ask this court again: Is there
a conspiracy against Matthew Travis Houston, or just
~~the~~ ~~the~~ A WORLDWIDE GOVERNMENT CONSPIRACY
TO CONCEAL THE TRUTH FROM THE PUBLIC?

In the short span of six years, twenty-three
English scientists who worked on Star Wars-type
projects have died under questionable circumstances.
All of them had worked on different facets of
electronic warfare, which includes UFO research. A
list of the deceased and the dates and circumstances
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. Jonathan 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

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Page Number 9

P. 40

- 1 11. October 1986. Vimal Dajihai: 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 Goerling: 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 Beckham: 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 Rolfe Schoenherr, ^{ruled a} 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 ^{being} ^{prisoned} - Author's Note pages 396-397
- 25 from The Doomsday Conspiracy by (In re) "judgement",
- 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...", "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

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

REPRESENTATIVENESS

Many of the probabilistic questions for which people are concerned belong to one of the following types:

- What is the probability that object A belongs to class B?
- What is the probability that event A originates from process B? What is the probability that process B 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.⁷ This approach to the judgement
28 of probability leads to serious errors, because similarity, or

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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.²

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 ~~probabilities~~ ~~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:

1 Dick is a 30-year-old man. He is married
2 with no children. A man of high
3 ability and high motivation, he promises
4 to be quite successful in his field.
5 He is well liked by his colleagues.
6

7 This description was intended to convey no information
8 relevant to the question of whether Dick is an
9 engineer or a lawyer. Consequently, the probability
10 that Dick is an engineer should equal the proportion
11 of engineers in the group, as if no description had
12 been given. The subjects, however, judged the
13 probability of Dick being an engineer to be .5
14 regardless of whether the stated proportion of
15 engineers in the group was .7 or .3. Evidently,
16 people respond differently when given no evidence
17 and when given worthless evidence. When no
18 specific evidence is given, prior probabilities are
19 properly utilized; when worthless evidence is given,
20 prior probabilities are ignored.³

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

1 parameter (that is to the average height in the
2 population of men). The similarity of a simple
3 statistic to a population parameter does not
4 depend on the size of the sample. Consequently,
5 if probabilities are assessed by representativeness,
6 that the judged probability of a sample statistic
7 will be essentially independent of sample size.
8 Indeed, when subjects assessed the distributions
9 of average height for samples of various sizes,
10 they produced identical distributions. For example,
11 the probability of obtaining an average height greater
12 than 6 feet was assigned the same value for
13 samples of 1000, 100, and 10 men.⁴ Moreover,
14 subjects failed to appreciate the role of sample
15 size even when it was emphasized in the formulation
16 of the problem. Consider the following question:

17
18 A certain town is served by two hospitals.
19 In the larger hospital about 45 babies
20 are born each day; and in the smaller
21 hospital about 15 babies are born each day.
22 As you know, 50% of all babies are boys.
23 However, the exact percentage varies from day
24 to day. Sometimes it may be higher than
25 50%, sometimes lower.
26 For a period of 1 year, each hospital
27 recorded the days on which more than 60%
28 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:

28

1 Imagine an urn filled with balls of which
2 $\frac{2}{3}$ are of one color and $\frac{1}{3}$ of another.
3 One individual has drawn 5 balls from
4 the urn, and found that 4 were red and
5 1 was white. Another individual has drawn
6 20 balls and found that 12 were red and
7 8 were white. Which of the two individuals
8 should feel more confident that the urn
9 contains $\frac{2}{3}$ red balls and $\frac{1}{3}$ white balls,
10 rather than the opposite? What odds
11 should each individual give?
12

13 In this problem, the correct posterior odds are
14 8 to 1 for the 4:1 sample and 16 to 1 for the 12:8
15 sample, assuming equal prior probabilities. However, most
16 people feel that the first sample provides much stronger
17 evidence for the hypothesis that the urn is predominantly
18 red, because the proportion of red balls is larger in the
19 first than in the second sample. Here again,
20 intuitive judgements are dominated by the sample
21 proportion and are essentially unaffected by the size of
22 the sample, which plays a critical role in the
23 determination of the actual posterior odds.⁵ In addition,
24 intuitive estimates of posterior odds are far less
25 extreme than the correct values. The underestimation
26 of the impact of evidence has been observed
27 repeatedly in problems of this type.⁶ It has
28 been labeled "conservatism".

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

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1 Misconceptions of chance are not limited to
2 naive subjects. A study of the statistical
3 institutions of experienced research psychologists⁸
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

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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, then 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.⁹
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.

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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

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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.
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.
28

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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 causal
9 explanations for it. 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.¹²
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

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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

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

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

19 In addition to familiarity, there are other factors, such as
20 salience, which affect the retrievability of instances. For example,
21 the impact of seeing a house burning on the subjective probability of
22 such accidents is probably greater than the impact of reading
23 about a fire in the local paper. Furthermore, recent
24 occurrences are likely to be relatively more available than earlier
25 occurrences. It is a common experience that the subjective
26 probability of traffic accidents rises temporarily when one
27 sees a car overturned by the side of the road.
28

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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. Is it 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* (roar) 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.

Different tasks elicit different search sets. For example, suppose you are asked to rate the frequency with which abstract words (thought, 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 study¹⁵ 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.

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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

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estimate the number of distinct committees of various sizes, their estimates were a decreasing ~~or~~ monotonic function of committee size.¹⁶ For example, the median estimate of the number of committees of 2 members was 70, while the estimate for committees of 8 members was 20 (the correct answer is 45 in both cases).

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

Illusory correlation. Chapman and Chapman¹⁷ have described an interesting bias in the judgement of the frequency with which two events co-occur. They presented naive judges with information concerning several hypothetical mental patients. The data for each patient consisted of a clinical diagnosis and a drawing of a person made by the patient. Later the judges estimated the frequency with which each diagnosis (such as paranoia or suspiciousness) had been accompanied by various features of the drawing (such as peculiar eyes). The subjects markedly overestimated the frequency of co-occurrence of natural associates, such as suspiciousness and peculiar eyes. This effect was labelled illusory correlation. In their erroneous

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1 judgements of the data, to which they had been exposed,
2 naive subjects "rediscovered" much of the common, but
3 unfounded, clinical lore concerning the interpretation of the
4 draw-a-person tests. The illusory correlation effect was
5 extremely resistant to contradictory data. It persisted
6 even when the correlation between symptoms 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

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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.¹⁸ 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,

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

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.

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Biases in the evaluation of conjunctive and disjunctive events.

In a recent study by Bar-Hillel¹⁹ 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 events²⁰ 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

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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,

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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_{90} . For example, the true values should fall below X_{90} for 1% of the quantities and above X_{90} for

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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 investigators²¹ have obtained probability distribution
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.

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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.

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

DISCUSSION

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

The reliance on heuristics and the prevalence of biases are not restricted to laymen. Experienced researchers are also prone to the same biases when they think intuitively.

For example, the tendency to predict the outcome that best represents the data, with insufficient regard for prior probability, has been observed in the intuitive judgements of individuals who have had extensive training in statistics.

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

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

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

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

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

The empirical analysis of cognitive biases has implications for the theoretical and applied role of judged probabilities. Modern decision theory²⁴ regards subjective probability as the quantification of an idealized person. Specifically, the subjective probability of a given event is defined by the set of bets about this event that such a person is willing to accept. An internally consistent, or coherent, subjective probability measure can be derived for an individual if his choices among bets satisfy certain principles, that is, the axioms of the theory. The derived probability is subjective in the sense that different individuals are allowed to have different probabilities for the same event. The major contribution of this approach is that it provides a rigorous subjective interpretation of probability that is applicable to unique events and is embedded in a general theory of rational decision.

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

The inherently subjective nature of probability has led many students.

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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.

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NEVADA COMMISSION ON
JUDICIAL DISCIPLINE
1000 E. 3rd Street, Suite 200
Reno, Nevada 89501
Telephone: (775) 333-3333
Fax: (775) 333-3334
www.nvcjd.com

February 15, 2023

Matthew Houston
High Desert State Prison
PO Box 650
Indian Springs, NV 89070

Dear Mr. Houston:

We are in receipt of your correspondence dated 2/10/2023. This office can only process and review complaints on a "Verified Statement of Complaint" form with an original signature. I have enclosed a complaint form together with an information brochure concerning this Commission. When we receive the completed and signed form, we will process your request. The documents received today will be attached to the complaint when received. Please note that the Commission does not provide copies of the Nevada Code of Conduct as we are not staffed or budgeted to do so. If you have any questions regarding the process, feel free to contact this office.

Sincerely,

NEVADA COMMISSION ON
JUDICIAL DISCIPLINE

A handwritten signature in cursive script, reading "Kadie Seghieri", is written over the typed name.

Kadie Seghieri
Paralegal/Management Analyst II

Enclosures

STATE OF NEVADA
COMMISSION ON JUDICIAL DISCIPLINE
110 South 1st Street
Reno, Nevada 89501

CONFIDENTIAL

Matthew Houston
High Desert State Prison
PO Box 650
Indian Springs, NV 89070

3A14

NEVADA DEPARTMENT OF CORRECTIONS

LEGAL MAIL

NAME	DOC#	UNIT
REPORT TO CONTROL ADMIN FOR THE FOLLOWING:		
LEGAL MAIL		
CERTIFIED MAIL		
REGISTERED MAIL		
DATE	OFFICER	
INMATE SIGNATURE	DOC#	DATE

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(S)

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.

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NO 1210652 C MUST
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Indian Springs, NV 89070

1 Pages of the EXHIBIT numbered 45-48 are
2 original documents showing proof that ~~William~~ David Kelly, #7143,
3 #C6056 Capital Police Montero, Radenta Blacic, Rosemary McMorris-
4 Alexander, Jonathan Shockley, Sheriff Joe Lombardo,
5 Tierra Danielle Jones, Bernard Little, #12025 Jeremy Wood,
6 Cassandra Diez, Michael P. Villani, Steven B. Wolfson, #001565
7 #12480 Kristina A. Rhoades, David M. Jones, Laura Goodman, #013390
8 #5674 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 these 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, 7th 2022
28 and demanded \$270.⁰⁰. How is Joe Biden gonna pay that?

(SEE PAGE No. 28) Page Number 44

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 1117MCTTSIRI 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 95 City, Iowa of the
"BAICK 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.

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

See Next Page

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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 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. 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 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)

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OF 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.

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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.

How Much You Will Get	
Your monthly benefit before deductions	\$1,375.00
Deductions:	
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

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C-21-357927-1

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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	\$1,375.00

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/ApplyMB/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.-

Page Number 48
C-21-357927-1

P. 79

RECEIVED

Americans w/ Disability

FILED

MAR 14 2022

Act of 1990, 1993

MAR 15 2022

CLERK OF THE COURT

CLERK OF COURT

1 MATTHEW TRAVIS HOUSTON, P.C.
2 1. S. Main St #300
3 LV, NV 89101

10/13/
2021

4
5 EIGHTH JUDICIAL DISTRICT
6 LV, NV COORD
7 Clark County, NV
8

Hearing: 4/06/2022
Time: 1:30 PM

9 Houston Def et al C-21-357927
10 vs) 21-CR-019840
11 NEVADA Plan 21-CR-033713
12 C1237B02A + C1248304A

13 EMERGENCY MOTION TO
14 OPPOSE REMAND AND
15 DISMISS CASE IN
16 ITS ENTIRETY.

RECEIVED
JCT 18 2021

17 for the 5th year; since 9/30/
18 2016, Houston is disabled from
19 catastrophic 45' fall @ Mandalay
20 Bay Resort. He survived 10/1/2017.
21 He is surviving the illegal
22 deprivation of his Ka unit
23 Johnny Cash and the puppy
24 he was training, until 7-14-2021. His
25 dogs must be returned ASAP.
26

Page Number 49
PAGE NUMBER 1 OF 6

L NOW SEC STATE FROM 10/18/2021

P.80

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.

Page Number 50

PAGE NUMBER 2 OF 6

P.81

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.

Page Number 51

PAGE NUMBER 3 OF 6

P.82

Dec. under pen. of perjury.

X M.T.H. M.T.H. 10/13/2021

AFFIDAVIT Pt. #2

1

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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-chopping of kg
Johnny Cash and Little Luke Dogs)
an eviction of Houston's
law office in Iowa City, Iowa,
@ 435 S. Lin St #927.

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

It's 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-verbally
impaired documents of truth. M.T.H. 10/13/2021

Page Number 52

PAGE NUMBER 4 OF 6

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 botched

15 by the attorneys he had to

16 face, and too many

17 other problems. I would

18 think the courts would

19 appreciate Houston P.O. SE's

20 efforts at restoring justice

21 to the great State of

22 Nevada, and that the

23 courts would appreciate

24 advocacy for of one man
25 being illegally deprived of his
26 service animals. -M.T. M.P.C.

Page Number 53

PAGE NUMBER 5 of 6

P.84



LAS VEGAS NV 890

13 OCT 2021 PM 5 L

PAGE NUMBER 6 of 6

W
Saster.
P.5

is.
ty,

w pors
is quati
na volute, et al.

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

Las Vegas, NV 89101-630000

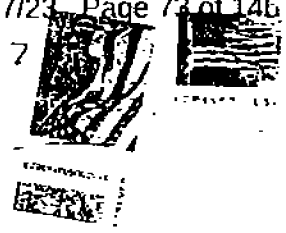
8/15/21

Page Number 54

P.85

HOSP
PO Box 65c
Indian Springs, NV
89070-0650

LAS VEGAS NV 890
9 MAR 2022 PM 3 L



DEPUTY OF THE CLERK
ATTN: HEATHER UNGERMANN
CLERK OF THE COURT
STEVEN D. GREGORY
IN RE: C-21-357427-1
Regional Justice Center
200 Lewis Ave, 3rd Floor
Las Vegas, NV
89155-1160

RECEIVED
MAR 14 2022
CLERK OF THE COURT

89101-830000

27 MAR 2022
2202 8 0 2474
U.S. MAIL PERMIT NO. 1000 LAS VEGAS NV 89101

Page Number 55

CORRECTION
PHILIP NICE

Top Floor at the Tower

"On the top floor, we have a very small tower, which is the top of the tower, the top of the tower, the top of the tower."

THE PROJECT IS IMPOSSIBLY ENORMOUS. It sprawls across city blocks and beyond. It contains trillions of parts and counting, accumulated into one mountainous human effort. Its mass is seismic, its height is dominating, and it keeps growing. It's a project best measured not in feet, miles or megatons, but in lives.

This is a description of the Genesis II tower of Babel, perhaps somewhat accurately captured in well-known illustrations like those of Peter Bruegel the Elder and others.

But it is also a description of human civilization itself, generation upon generation, course upon course, life upon life. The top level is the newest: an active layer of material, technology and human activity. From here, the view is spectacular. Looking down at the clouds below, and the world below that, as from the window of an aircraft, how can you be anything but dazzled at the civilization that built such a vantage point as this?

Here's how. Look inside.

Inside are the laborers. Inside are their taskmasters. Inside is human suffering of our own making.

One generation atop another atop another has set over itself its elites and travailed under them, laying the walls, the arches, the beams of human history and stacking them high with lives of ignorance, confusion, poverty and affluence, failure, fatality, fear, strife, murder and suicide, violence and war. When the mass sufferings reach a breaking point, new elites have arisen and pushed the masses into new tasks—and brought new suffering. The levels below us are catastrophically out of course—but we just pile on more of the same and keep building. This is not so much a metaphor. This is the human condition.

This is the very nature of human beings. No amount of oppression, suffering or death has caused us to stop worshipping our own human will. We exert our will on the less powerful, and the will of the more powerful is exerted on us by our elites—kings, politicians, dictators and other taskmasters.

We oppress, raid, steal, dehumanize and mass-slaughter hundreds and thousands and millions because of our indestructible belief that human beings can rule ourselves. *After all*, we say, *just look at our tower.*

Human beings seem driven by a conviction, even if sub-conscious, that we are operating independently from our Creator—that, in fact, He may well want to destroy us, and that if we are to escape His punishment, we must do it together: we must make and submit to our human taskmasters, and we must build this tower. *We will live our own way.* How far will

we take this belief? To the grave.

Here on the top floor, we are enjoying the view. But at this late stage of construction, the structure, out of plumb, out of level, yet ever taller, is swaying out of control.

Our elites—and we—are now actively demolishing those few strong columns our Creator gave us that still remain standing: man and wife, parents and children, ideals of human freedom and accountability. It is becoming clear, if we will just see it, that we and our elites are hopelessly, terminally underqualified to build our own lives, let alone civilization. Deadly serious world elites are now telling us to cover our faces (made in the semblance of our Creator); stay inside; subject our bodies to injections and other medical mandates; eat insects instead of meat; live in pods; let criminals go unpunished; believe lies about the distant and recent past; forfeit our liberty; own no homes, vehicles, or other personal property; tolerate, wear, ingest or implant surveillance devices; forfeit our children's minds and sexuality; have no children at all, before or after they are conceived; have no family; give up our nationalities and eventually leave Earth altogether. No privacy, no freedom, no property, no family, no man or woman, no country, no Earth—no choice.

We could believe that our Creator made us for a purpose other than to destroy us. We could submit to His occasional punishment in order to better reach the potential He created humans to achieve, and live according to His will. Instead, we believe He must be resisted or denied altogether, and we must submit instead to the punishment, will and dehumanization of radical, destructive, insane elites who view us not as children of God but almost literally as ants.

Open your eyes. Our Creator is exposing to us the fundamental flaw, not just of a particular political party or ideology or class, but of human civilization itself. It's time to see this tower for what it really is.

Read "Mystery of Civilization" in Herbert W. Armstrong's book *Mystery of the Pyramids*.



Howard B. Lewis
CLERK OF THE COURT

NO. 50, 1300 - 1400 - FALSE CLAIMS OF DEBIT
AT SHAW - 1300 - 1400 - MONROIS ALEXANDER AND

1. Case No. A-29 85981 - Case No. A-29 85981 - Case No. A-29 85981
 2. Case No. A-29 85981 - Case No. A-29 85981 - Case No. A-29 85981
 3. Case No. A-29 85981 - Case No. A-29 85981 - Case No. A-29 85981
 4. Case No. A-29 85981 - Case No. A-29 85981 - Case No. A-29 85981
 5. Case No. A-29 85981 - Case No. A-29 85981 - Case No. A-29 85981
 6. Case No. A-29 85981 - Case No. A-29 85981 - Case No. A-29 85981
 7. Case No. A-29 85981 - Case No. A-29 85981 - Case No. A-29 85981
 8. Case No. A-29 85981 - Case No. A-29 85981 - Case No. A-29 85981
 9. Case No. A-29 85981 - Case No. A-29 85981 - Case No. A-29 85981
 10. Case No. A-29 85981 - Case No. A-29 85981 - Case No. A-29 85981

CLARK COUNTY,

(SEE

DIANE FERRANTE

DIANNE FERRANTE.

SECRET

1998-1999: 100% (100%)

1. REDACTED SECTION REDACTED TO

SECRET

The following is a list of the names of the persons who have been appointed to the various positions in the Department of the Interior, under the act of March 3, 1879, entitled "An Act to provide for the better management of the public lands, and for other purposes."

EXHIBIT 1 *Estimated percentage of total U.S. population that is nonwhite, 1980-2000*

Year	Nonwhite
1980	10.5
1985	11.5
1990	12.5
1995	13.5
2000	14.5

W "HYPNOTIC SUGGESTION"

_____ _____ _____

July, 23/2020 - "Mr Morris Alexander threats" eat their hearts

C1237802A

LLV# 10700079898 - Harassment charge

FTA
WANT
MUN/1
COURT

Dec. 23, 2020 - Redenta Black VM

Dec. 31, 2020 - Capitol Report Number 20C 900043 and 210300101590

March 16, 2021 - Report from Capitol Police Montero to D. Kelly and Jason Lewis' IRS 2 IOWA FOWLER

March 22, 2021 - F. Edge / D. Kelly / R. Black interview

March 30, 2021 - Kelly sign declaration of warrant

May 11, 2021 - Nevada Pretrial Risk Assessment

21CR033713

21CR019810 - JC # 1 AUGUST, 2021

July 14, 2021 -

False Arrest

210700065245

2. J.C. ... ng to waive? 21CR033713 - EXTORTION

3. Info. filed 6/20/21 - alleged CPA signed by Little

AUG. 4. Initial Arrangement - Villanar - Samantha Albright

J.C. Hearing filed

Kristine Sanx

10:56 am CPA signed filed

~~Sept 7~~ moved f/ CDC to City Jail

September 7th, 2021 - released from CDC on ankle

met w/ Pittman and Fumo

Sept. 30, 2021 - 2106275 - ...

OCT. 1 - ...

5 - 21061950 application filed, also for Remand

7 - 21061950 (2nd) 1950 order sitting facing

11 - Scott A. Fomson, Kristine A. Alvarado, Maria Jones, Teri Berkshire

Nov. 17 - House Arrest - Leslie Lebbberg, Patricia M. Branch such

25 - Nancy Becker, V. Boyd, T. Berkshire, W. J. Marbach, P. S. Little

28 - served 21061950 Amy Chelini without attorney present (no

Nov. 1 - Nancy Becker, Teri Berkshire, Victoria Boyd argument
Confirmation of Goldstein

Nov. 24 - Maria Jones, Medaly, Kearney, V. Boyd

Dec. 6 - 2021 Goldstein + Joan T. Jones, Jr. (injured 1 week continuous)

Dec. 8 - 2021 - dropped 21CR033713 Dec. 10 - visit / interview by Aug (court)

detective and DA. Enclosed
July-2020 - R. Mc Morris "eat their hearts reports" the 1st TPO

Event # 210600045671

12.06.2021

12.08.2021:

clerk - Michaela Tapia
Recorder - Victoria Boyd

from J.O.C.: who is G.D. Cox? Beloris Scott
CCPD?

~~H. 01-2021 - Nancy Becker~~

21CR033713 - EXTORTION

4.26.21

~~21CR019440~~ - fake Threats of Terrorism
21CR019440 Roderita Black

event # 210300101540
DA case # 2021158780

6/11/21 alleged rape message & where's the proof?
210600045671

There was no rape message left or phone call made 6/11/2021

7.14.21 arrest
210700065245

21PO1275
expired 9/30/2021

8.02.21
~~8.01.21~~ 21CR033713 - extortion

8.21.357427.1 - stalking hearing waiver
10.17.21 = 21 = house arrest

~~8.02.21~~

~~8.03.21~~

~~10.27.21~~ 6:56 am
INFORMATION = stalking (GTA signed)
FILED

8.04.21 - hearing from 8.02.21 filed

8.04.21 - 2nd TPO filed w/ 10.56 am

10.5.21 - 2nd TPO filed w/ 10.56 am

10.26.21 - served - 2nd TPO 21PO1950 no B. Little - attorney present

12.06.21 - Monday sentencing 12.08.21 - JOC

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
DECLARATION OF WARRANT/SUMMONS
 (N.R.S. 171.106)
 (N.R.S. 53 amended 7/13/1993)

"PRINT"

21-CR-018240
 DWT
 Declaration of Warrant Summons (Allied)
 13533732



FILED

"Click to Add/Edit Event: # on All Pages"

Event Number: **210300101690**
 2021 APR 21 P 2:34

STATE OF NEVADA) Houston, Matthew

) ss: ID#:

JUSTICE COURT
 LAS VEGAS NEVADA

COUNTY OF CLARK) DOB:

SS#:

BJG

D. Kelly, being first duly sworn, deposes and says:

That He is a Detective with the Las Vegas Metropolitan Police Department, being so employed for a period of 19 years, assigned to investigate the crime(s) of Threat/False Info Re Act of Terrorism NRS 202.445 committed on or about 12/23/2020, which investigation has developed Houston, Matthew as the perpetrator thereof.

THAT DECLARANT DEVELOPED THE FOLLOWING FACTS IN THE COURSE OF THE INVESTIGATION OF SAID CRIME, TO WIT:

On 03/16/2021 (1), Kelly #7416 was notified by Capital Police Officer Montero #05056 of incidents involving an individual named Matthew Houston who was threatening to commit acts of violence unless his workman's compensation appeal was resolved.

On 12/23/2020 at 0103 am Matthew Houston left a voicemail on the main telephone line for Office for Consumer Health Assistance located at 332 W. Sahara #100 Las Vegas, NV 89102 from phone number: [REDACTED] Redenta Blacio who is the Ombudsman for Workers Compensation returned Houston's phone call at 0828 am the same day. Houston told Blacio that he had an appeal before the Nevada Supreme Court and alleged he was being harassed by his insurer Sedgwick CMS Nevada Attorney for Injured workers and the Department of Administration Hearings Division. Blacio asked if he had filed a complaint with the Division of Industrial Relations Workers Compensation Section and Houston responded that he had filed several complaints with them and again stated he was being harassed by everyone. As Blacio started to explain the process, Houston became angry and began yelling about knowing the process and being harassed and that he should be afforded all the benefits instead of being harassed by government agencies. He then stated to Blacio that "They shouldn't be surprised if/when he goes on a mass shooting rampage like the one committed on October 1st". Blacio does not remember if Houston used the words "if" or "when". Blacio attempted to calm Houston down but was unsuccessful. Houston attempted to call back two more times but Blacio did not answer the calls. No phone calls or voicemails were recorded.

I conducted an interview with Blacio on 03/22/21 with Detective F. Edge #1645 and obtained Blacio's taped statement regarding the incident. Blacio stated she was scared that Houston would carry out his threats, and

LVMPS 0161687 0001 WORD 2/11

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
CONTINUATION

Event #: 210300101590

after the phone call notified her supervisor. A Capital Police report was generated under Report Number 20C900043 which was taken on 12/31/20. I also completed an LVMPD report under LVMPD Evt# LLV 210300101590

On 07/23/2020 Houston also made threats to Rosemarie McMorris who is employed by Houston's insurer. McMorris filed an LVMPD crime report under Evt# LLV200700099898 for Harassment. Details of the report indicate Houston threatened to murder every employee of Sedgwick and their families and "Eat their hearts" and an Arrest warrant for harassment was submitted at that time.

On 03/16/2021 Jason Lewis [REDACTED] advised Capital Police that Houston also has made threats to the Department of Administration Hearings Division of Northern Nevada located in Carson City leaving a voicemail stating "I need immediate assistance because I am going to fucking murder every fucking employee at Mandalay Bay, MGM and everyone in the state of Nevada if you fucking people don't give me my fucking money."

Capital Police officer Montero had local Iowa PD officer Fowler [REDACTED] verify Houston's physical address as 435 S Linn St Apt 927, Iowa City IA 52240. Fowler stated that Houston has been responsible for 21 calls for service in Iowa City and is mentally ill and constantly on & off his prescribed medication.

Due to the fact that Houston through the means of oral communication made the threat "They shouldn't be surprised if/when he goes on a mass shooting rampage like the one committed on October 1st" and therefore, intimidated and alarmed Black and her coworkers. There is Probable Cause to believe that Houston made a Threat/False Info Re Act of Terrorism NRS 202.446.

Wherefore, Declarant prays that a Warrant of Arrest be issued for suspect Houston, Matthew on the charge(s) of Threat/False Info Re Act of Terrorism NRS 202.446.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed on this 30th day of March, 2021.

DECLARANT: [Signature] 7463

WITNESS: [Signature] 8645

DATE: 03-30-21

WHERE IS THE APPROVAL PAGE TO THIS?
 LAS VEGAS METROPOLITAN POLICE DEPARTMENT
 DECLARATION OF WARRANT/SUMMONS

(N.R.S. 171.108)
 MALARKEY = (N.R.S. 53 amended 7/13/1993) NOW SEE MALARKEY-(S):
 "PRINT"

"Click to Add/Edit Event # on All Pages" Key 1) C-M Event Number: 210300101890 - 0014
 Key 2) C-M See 21060045671 4
 Key 3) C-M See 200700079898 4
 STATE OF NEVADA) Houston, Matthew
) ss: ID# 7035801
 COUNTY OF CLARK) DOB: [REDACTED] SS# [REDACTED] 7.14.21 LV MUNK # C1237802A
 210700065245

NOW SEE MOTIONS TO SUPPRESS THIS

D. Kelly, being first duly sworn, deposes and says: DON MALARCHY
 MOST MALIGNANT

That He is a Detective with the Las Vegas Metropolitan Police Department, being so employed for a period of 19 years, assigned to investigate the crime(s) of Threat/Fake Info Re Act of Terrorism NRS 202.448 committed (on or about 12/23/2020) which investigation has developed Houston, Matthew as the perpetrator thereof. Then why isn't David Kelly sure of the exact date of these false accusations?
 THAT DECLARANT DEVELOPED THE FOLLOWING FACTS IN THE COURSE OF THE INVESTIGATION OF SAID CRIME, TO WIT: What sort of "incidents" were these?

this was no part of appeal. This is from a case of neglect, which R. Black neglected her duties in helping resolve. These are the contributions.

On 03/16/2021 I D. Kelly #7413 was notified by Capital Police Officer Montero #C6056 of incidents involving an individual named Matthew Houston who was threatening to commit acts of violence unless his workmen's compensation appeal was resolved. Explanation for my sort of process: why would Houston need any Supreme Court appeal was already in the process?

On 12/23/2020 at 0903 am Matthew Houston left a voicemail on the main telephone line for Office for Consumer Health Assistance located at [REDACTED] from phone number [REDACTED] in the process?

Redenta Black who is the Ombudsman for Workers Compensation returned Houston's phone call at 0929 am the same day. Houston told Black that he had an appeal before the Nevada Supreme Court and alleged he was being harassed by his insurer Sedgwick CMS Nevada Attorney for injured workers and the Department of Administration Hearings Division. Black asked if he had filed a complaint with the Division of Industrial Relations Workers Compensation Section and Houston responded that he had filed several complaints with them and again stated he was being harassed by everyone. As Black started to explain the process, Houston became angry and began yelling about knowing the process and being harassed and that he should be afforded all the benefits instead of being harassed by government agencies. He then stated to Black that "They shouldn't be surprised when he goes on a mass shooting rampage like the one committed on October 1st" Black does not remember if Houston used the words "if" or "when". Black attempted to calm Houston down but was unsuccessful. Houston attempted to call back two more times but Black did not answer the calls. No phone calls or voicemails were recorded. if she remember then why did she make any claims at all?

I conducted an interview with Black on 03/22/21 with Detective F. Edge #5846 and obtained Black's taped statement regarding the incident. Black stated she was scared that Houston would carry out his threats, and she's not sure of what she heard, well after Q & A 12/23/2021, or it was it on or about?

if she's not sure of what Houston said, why would she have interpreted the p. 3 recorded phone call as a threat?

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

CONTINUATION

Event #: 210300101690-001

Who was this? why isn't this individual named in report? After the phone call (notified her supervisor.) A Capital Police report was generated under Report number 2009000343 which was taken on 12/31/20. I also completed an LVMPD report under LVMPD Ev# LLV 210300101690 well after 01/01 or about 12/23/2021.

where's the proof of this? On 07/23/2020 Houston also made threats to Rosemarie McMorris who is employed by Houston's insurer. McMorris filed an LVMPD crime report under Ev# LLV200700009898 for Harassment. Details of the report indicate Houston threatened to murder every employee of Sedgwick and their families and "Eat their hearts" and an Arrest warrant for harassment was submitted at that time.

Again, where's the proof? why isn't this in DISCOVERY? Obviously this 'discovery' is incomplete. On 03/18/2021 Jason Lewis [REDACTED] advised Capital Police that Houston also has made threats to the Department of Administration Hearings Division of Northern Nevada located in Carson City leaving a voicemail stating "I need immediate assistance because I am going to fucking murder every fucking employee at Mandalay Bay, MGM and everyone in the state of Nevada if you fucking people don't give me my fucking money."

EVIDENCE OF INCOMPETENCE:

Capital Police officer Montero had local Iowa PD officer Fowler ([REDACTED]) verify Houston's physical address as [REDACTED]. Fowler stated that Houston has been responsible for 21 calls for service in Iowa City and is mentally ill and constantly on & off his prescribed medication.

Again, where's the proof of any of this? Due to the fact that Houston through the means of oral communication made the threat "They shouldn't be surprised when he goes on a mass shooting rampage like the one committed on October 1st" and therefore, intimidated and alarmed Blacic and her coworkers. There is Probable Cause to believe that Houston made a Threat/Fake Info Re Act of Terrorism NRS 202.448.

Wherefore, Declarant prays that a Warrant of Arrest be issued for suspect Houston, Matthew on the charge(s) of Threat/Fake Info Re Act of Terrorism NRS 202.448.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Executed on this 30th day of March, 2021.

DECLARANT: [Signature] 7413

WITNESS: [Signature] Edge 8645

DATE: 03-30-21

Case Report Number:
LLV210300101590-001



LAS VEGAS METROPOLITAN
POLICE DEPARTMENT

Case Report

Administrative

Case Report Number	LLV210300101590-001	Verification	
Subject	Terroristic Threats- Redents, Black	Verification Level	
Disposition	Active	Precinct	Bolden Area Command
Entered On	3/23/2021 10:40:05 AM	Jurisdiction	Las Vegas, City of
Entered By	Kelly, David	Grid	
Reported On	3/22/2021	Sector	U3
Reporting Officer	Kelly, David	Map	
Reporting Agency	LV - LAS VEGAS METROPOLITAN POLICE DEPARTMENT	Best	
		Census/Geo Code	
		Call Source	
Report Type		Related Cases	
Assisted By		Means	
Occurred On (Date and Time)	Wednesday 12/23/2020 9:29:00 AM	Other Means	
Or Between (Date and Time)		Motives	
Location		Other Motives	
CSZ		Vehicle Activity	
Location Name		Direction Vehicle Traveling	
		Cross Street	
		Notified	

For Exceptional Clearances

Clearance Basis
Exceptional Clearance Date

Narrative

On 03/16/2021 I.D. Kelly #7413 was notified by Capital Police Officer Montero #C6556 of incidents involving an individual named Matthew Travis Houston who was threatening to commit acts of violence unless his workman's compensation appeal was resolved

On 12/23/2020 at 0903 am Matthew Houston left a voicemail on the main telephone line for Office for Consumer Health Assistance located at [REDACTED] from phone number [REDACTED] Redents Blacic who is the Ombudsman for Workers Compensation returned Houston's phone call at 0929 am the same day. Houston told Blacic that he had an appeal before the Nevada Supreme Court and alleged he was being harassed by his insurer Sedgwick CMS Nevada Attorney for injured workers and the Department of Administration Hearings Division. Blacic
Printed 3/23/2021 11:12 AM

Page 1 of 7

P.5

Case Report Number:
LLV210300101590-001

LAS VEGAS METROPOLITAN
POLICE DEPARTMENT



asked if he had filed a complaint with the Division of Industrial Relations Workers Compensation Section and Houston responded that he had filed several complaints with them and again stated he was being harassed by everyone. As Blacic started to explain the process, Houston became angry and began yelling about knowing the process and being harassed and that he should be afforded all the benefits instead of being harassed by government agencies. He then stated to Blacic that "They shouldn't be surprised ~~if~~when he goes on a mass shooting rampage like the one committed on October 1st" Blacic does not remember if Houston used the words "if" or "when". Blacic attempted to calm Houston down but was unsuccessful. Houston attempted to call back two more times but Blacic did not answer the calls. No phone calls or voicemails were recorded.

I conducted an interview with Blacic on 03/22/21 with Detective F. Edge #8645 and obtained Blacic's taped statement regarding the incident. Blacic stated she was scared that Houston would carry out his threats, and after the phone call notified her supervisor. A Capital Police report was generated under Report Number 20C800043 which was taken on 12/31/20.

On 07/23/2020 Houston also made threats to Rosemarie McMorris who is employed by Houston's insurer. McMorris filed an LVMPD crime report under Evt# LLV200700066898 for Harassment. Details of the report indicate Houston threatened to murder every employee of Sedgwick and their families and "Eat their hearts" and an Arrest warrant for harassment was submitted.

On 03/16/2021 Jason Lewis [REDACTED] advised Capital Police that Houston also has made threats to the Department of Administration Hearings Division of Northern Nevada located in Carson City leaving a voicemail stating "I need immediate assistance because I am going to fucking murder every fucking employee at Mandalay Bay, MGM and everyone in the state of Nevada if you fucking people don't give me my fucking money."

Capital Police office: Montana had local Iowa PD officer Fowler [REDACTED] verify Houston's physical address as [REDACTED]. Fowler stated that Houston has been responsible for 21 calls for service in Iowa City and is mentally ill and constantly on & off his prescribed medication.

Due to the fact that Houston through the means of oral communication over the telephone made the threat "They shouldn't be surprised ~~if~~when he goes on a mass shooting rampage like the one committed on October 1st" and therefore, intimidated and alarmed Blacic and her coworkers. There is Probable Cause that Houston made a threat/Fake Info Re act of Terrorism NRS 202.448.

Offense _____

Printed 3/23/2021 11:12 AM

Page 2 of 7

P. 6

Case Report Number:
LLV210300101590-001

LAS VEGAS METROPOLITAN
POLICE DEPARTMENT



Height
Weight
Hair
Resident Nonresident
POB
DLN
DL State
DL Country

SSN
Registered Sex
Offender
EXP Date (RSO)
Accent
Nationality
Immigration
Status

Scars, Marks and Tattoos

[REDACTED]

Languages Spoken

[REDACTED]

Attire
Employer/School
Employer Address
Employer CSZ
Occupation/Grade

MO
Other MO
Habitual Offender
Status

Notes

Victims _____

Name: Black, Redenta

Victim Type Individual

Victim of 51522 - Make Threat/False Info Re Act Of Terrorism/Wind(F)-NRS 202.448 - IBR 13C

Printed 3/23/2021 11:12 AM

Page 4 of 7

P. 8

Case Report Number:
LLV210300101890-001



LAS VEGAS METROPOLITAN
POLICE DEPARTMENT

Aliases

[REDACTED]

Alerts

Addresses

Address	City	State	Country
Business [REDACTED]	Las Vegas, NV	Clark	United States

Phones

[REDACTED]

Emails

[REDACTED]

Scars, Marks and Tattoos

[REDACTED]

Languages Spoken

[REDACTED]

Case Report Number:
LLV210300101690-001



LAS VEGAS METROPOLITAN
POLICE DEPARTMENT

Marital Status
Sex Female
Race White
Ethnicity Hispanic or Latino
DOB [REDACTED]
Age 58
Eye Color
Hair Color
Facial Hair
Complexion
Height
Weight
Hand
Resident Resident
POB
DLN
DL State

DL Country
SSN
Attire
Employer/School
Employer Address
Employer CSZ
Occupation/Grade
Teeth
Injury
Registered Sex
Offender
EXP Date (RSO)
Accent
Nationality
Immigration
Status

Offender Relationships

[REDACTED]	
S - Houston, Matthew	Relationship Unknown

Circumstances
Just. Hom. Circ.

LEOKA Info

Type
Assignment

Activity
ORI-Other Jurisdiction

Notes

Witnesses

Printed 3/23/2021 11:12 AM

Page 6 of 7

P. 10

Case Report Number:
LLV210300101590-001



LAS VEGAS METROPOLITAN
POLICE DEPARTMENT

Other Entities _____

Properties _____

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
 "PRINT"

"Click here to add/edit Event # or Subject's Name"

Event #: LLV210300101590
 Statement Of: Redenta Blacio (RB)

SPECIFIC CRIME:

DATE OCCURRED:

TIME OCCURRED:

LOCATION OF OCCURRENCE:

☐ CITY OF LAS VEGAS

☐ CLARK COUNTY

NAME OF PERSON GIVING STATEMENT: Redenta Blacio (RB)

DOB:

SOCIAL SECURITY #:

RACE:

SEX: F

HEIGHT:

WEIGHT:

HAIR:

EYES:

WORK SCHEDULE:

DAYS OFF:

HOME ADDRESS:

HOME PHONE:

WORK ADDRESS:

WORK PHONE:

BEST PLACE TO CONTACT:

EMAIL:

BEST TIME TO CONTACT:

The following is the transcription of a tape-recorded interview conducted by Det. David Kelly (DK), P# 7413, and Det. Parrish Edge (FE), P#8845, LVMPD Counter Terrorism Section, on 03/22/2021 at 0925 hours.

DK: Okay this is event 210300101590, operator this is officer D. Kelly, P#7413, conducting a taped interview with Redenta Blacio, um it is R-E-D-E-N-T-A Blacio B-L-A-C-I-O, ah the date and time is March 22nd, and the time is 9:25 AM., and we are currently located at [REDACTED] and this interview is in regards to investigation of a terroristic threat, that occurred at the same address. Also present is officer a F. Edge, P#?

FE: 8845

DK: Um Ms. Blacio before we begin are you aware this interview is being recorded?

RB: Yes.

DK: Would you say your name and spell your last name?

RB: Redenta, last name is Blacio B-L-A-C-I-O.

DK: Okay, either Off. Edge or I made any promises to you to get me a statement?

RB: No.

For Official Use Only

VOLUNTARY STATEMENT
(Continuation)

Statement Of: Rodents Black (RB)

Event #: LLV210300101600

DK: And are you giving this statement of your own free will?

RB: Yes.

DK: Awesome. So yeah, can you just tell me what happened in regards to this incident?

RB: Okay on um December 23rd, um I received an email from our administrative assistant indicating that Mr. Huston had called and left a message and wanted us um to return his call. I am the workers compensation on Buds - Ombudsman and he had some workers compensation issues, so the email came to me. I called him on the 23rd, at 9:03 when I a - when he answered the phone, he basically indicated that he was on the other phone with the Federal Department of Labor, as well as myself, and he said he was taped recording both phone calls.

Um he never said he had any issue with a not wanting to talk to me, I mean he continued the conversation, um indicating how he had been wronged by the workers compensation system, and every entity in Workers Compensation Nevada Attorney for Injured Workers, a his workers compensation insurer third party administrative which was Sedwick, and um I tried to um deescalate the situation explaining um workers compensation was a process. Um he was alleging harassment by his third party administrator Sedwick, by the Nevada Attorney for Injured Workers, um the Department of Administration, the hearings, he had um, had some hearing and he did not prevail, and um he currently shared he had a hearing pending um at the Nevada Supreme Court, I do believe.

But he's very um disgruntled, a so again I tried to calmed him down, and when I explained that workers compensation was a just a process, just trying to explain to him is a process, he um - he started yelling, that he knows workers compensation um and how he was being harassed and he should be provided everything because he was the injured worker.

Um Instead of being harassed by government agencies, and then he stated that we should not be surprised um he used the word if/or when I'm sorry I don't remember if or when he um goes on a mass shooting rampage like um the one committed on October 1st. I attempted - I attempted to calm him down that failed, so I disc - I disconnected the call, he attempted to call back, I did not pick up the call. I called my supervisor who said that um we needed to file a report with Capital Police, um because of the statement he said, you know if/or when he, he said he, goes on um ...

DK: ... right.

RB: ... a the shooting spree, like October 1st, then - that really concerned me.

DK: And um did you - did you make a, filed a report with Capital Police?

RB: Yes I did. Yes I did, I filed a report with Capital Police, and um they have my statement and the online report, the number is 20C900043. Um after that um, they reached out to me, it was over the Christmas holiday, so things were scattered um, I also um - the officer asked me to reach out to Sedwick, who is the third party administrated as well as the Division of Industrial Relations, who is my former employer. So, I do - I do know the District Manager over there.

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P.13

VOLUNTARY STATEMENT
(Continuation)

Statement Of: Redenta Black (RB)

Event #: LLV210300101500

VICTIM OF NASHVILLE, TN TERRORIST ATTACK CBJ
and um she had shared with me that he had called the DIR, that they did filed a report because of the third party notification that Sedwick had notified them of their concern of Mr. (Huston) um it took a few days, it was after Christmas, I don't remember the exact day but Rosemary McMorris, who is the manager of Sedwick finally reached out to me, and she shared with me, that they had also filed a report, because they were also concerned with um their well being.

Because he had threatened her, the adjuster, the supervisor, um and to the point where they were working from home and Sedwick had to hire security for them, while they were working at home because of the threats that Mr. (Huston) made against them, um that's where we are with that.

CBJ

DK: And did they um, let you know what the nature of those threats were?

RB: No they did not, because I'm no longer the regulator.

DK: Okay.

RB: Um I'm not privy to a lot information that I would've been privy to had I still been part of, in the regulatory agency.

DK: And - and how approximately how long has this situation been going on with Mr. Huston?

RB: Um...

DK: Approximately...

RB: ... approximately, when I talked to him in December um, gosh it at least I - I think, God it sounded like it was a like month - a month and half before when Sedrick had complaint, it was already something that had been done, prior to him reaching out to us and making that threat.

DK: Okay, um...

RB: ... I don't know a time, I'm so sorry they didn't share that with me.

DK: No, that's okay. Um and then when he called back, a did he leave messages?

RB: He did but unfortunately we did not saved them. Um they were again late, I forward them to my supervisor, didn't do anything, but unfortunately, I'm so sorry they were not saved.

DK: That's - that's okay. Did - did you listen to those messages?

RB: Um n - I just heard his name and then I just sent it forward.

DK: Okay.

RB: Because I just did not.

DK: Okay, and then um...

Page 3 of 8

P. 14

**VOLUNTARY STATEMENT
(Continuation)**

Statement Of: Redanta Blacic (RB)

Event #: LLV210300101590

RB: ... I just thought it was better for me, just...

DK: ... sure, that's understandable.

RB: Just send it to my supervisor.

DK: And then when he called, did he called um a this main office number?

RB: Would he did, the first time he called the main office number, and then because I was working remotely, um I had a cellular phone that's an office phone, it's a 775 number, and when I do that um I call off that number because no one picks up a restricted call from my phone.

DK: Okay. *why wouldn't she answer if Houston called back? if she was truly afraid why didn't she file*

RB: So, I use that phone, and that's a 775 number and that's the phone I used and that's the one *complaint* he would - would he tried originally right away to call back on that one, I ignored it he didn't leave any messages, but when he did call back after, he did call back on the mainline. Which *center* is the one I forwarded to my supervisor *then 4 months later?*

DK: Okay, and forgive me for not knowing all the appropriate division...

RB: ... uh-um...

DK: ... and ...

RB: ... oh I'm sorry...

DK: ... and organization...

RB: ... uh-um...

OBJECTION:

DK: ... involved with this process, but do you know if he made any threats to the Nevada Department of Administration Hearings Division of Northern Nevada?

RB: Um - um no I do not.

DK: Okay. *How does RB "know" that he made threats to Sedwick?*

RB: Um, I know that he made threats to Sedwick, I know that the Division of Industrial Relations Workers Compensation Section because Sedwick reported them, were reported to him to them, because they were concerned. Um they filed a verbal with Capital Police.

DK: Okay. *Why did Sedwick make those false reports?*

RB: But, I - for what the Division of Industrial Relations Workers Compensation Section said, Mr. Huston did not threaten them directly, he just... *well what did he "just..."?*

DK: Okay. And when - when you were on the phone with Mr. Huston...

VOLUNTARY STATEMENT
(Continuation)

Statement Of: Radenka Blacic (RB)

Ent #: LLV210300101680

RB: ... uh-um...

DK: ... he made the -- the threats were you, a did you believe that he (unintelligible)

((crosstalk))

RB: ... *tone and manner is illegal pursuant to the First Amendment* without question, I was fearful, I was, I was -- I was distraught and I was fearful, because of his *new run-in? he did make the threats.* tone and his manner. And I been doing workers-comp since 1998, um actually as an audit investigator, so I -- I had threats, I had all those types of things um said to me in the past. Um you know workers-comp is not a system that breeds positivity (laughter).

DK: Sure. *As so if she did have experience, why did she not report the audit? Why did she deny her duty in helping Houston for a*
RB: [it's a, so but he -- he scared me I mean, I still get upset, his is how many months later. And he frightens me, his tone, because he said if/or when he, he said he -- he, not someone, he said *a* *gray.* he, and he was frightening, I -- I was fearful.

DK: Okay. And again what was the date of this phone call?

RB: Um it was, um December, um 23rd.

DK: And do you remember roughly what time?

RB: Yeah it was 9:03, because I -- I logged it right away, I have, I sent...

DK: ... okay approximately how long did the conversation last?

RB: Um I wanna say maybe ten minutes, ten -- fifteen minutes, at the most.

DK: Okay and he made the threat... *How did Houston make a threat if none of the phone calls were recorded or logged?*

RB: ... at the most...

DK: ... toward the end of the conversation?

RB: Yes, yes it was just like I said as soon as he said that and I couldn't calmed him down, and he frighten me, um because again I'm not generally frighten, it's not ...

DK: ... okay...

RB: ... something I -- I, I'm like I'm done, so I disconnected the call, and I called, I talked to my supervisor right away, I called them on my cell phone saying, a -- you need to know this, because...

DK: Okay, um so what I'm gonna do is um I'm gonna file a Las Vegas Metropolitan Police Department report.

RB: Uh-uh.

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P.16

**VOLUNTARY STATEMENT
(Continuation)**

Statement Of: Radenja Blacic (RB)

Event #: LLV210300101690

DK: For this crime.

RB: Okay.

DK: Um and I'm gonna use you as a witness in the victim of the State, and I used your statement as part of the um packet. Um I just wanna make sure you're okay with if I send to court...

RB: ... yes that's fine...

DK: ... and that you might have to testify or ...

RB: ... that's fine...

DK: ... something like that.

RB: Because as I said, he frighten me.

DK: No worries.

RB: And that – that's not generally something that happens.

DK: No, and it's against the law to do that.

RB: You know, okay (laughter).

DK: It's, it's - it's good that you, that you know that you – you went through the Capital Police to – to...

RB: ... uh-uh...

DK: ... to start this process, to get it going. Um Det. Edge do you have any questions?

FE: No.

DK: Um okay, would this end the interview the time is, the same people are present, and the time is 9:35 AM.

THIS VOLUNTARY STATEMENT WAS COMPLETED AT 3320 W. Sahara Ave., Unit#100, Las Vegas Nevada 89102
ON THE 22nd DAY OF March, 2021, AT 0935 HOURS.

**NOTICE OF INTENT TO USE AUDIOVISUAL TECHNOLOGY PURSUANT TO NRS
171.1975 TO PRESENT LIVE TESTIMONY AT PRELIMINARY EXAMINATION DUE TO
COVID-19 OUTBREAK**

Pursuant to NRS 171.1975, if the preliminary hearing in this matter is conducted during the COVID-19 outbreak, the State of Nevada intends to present the testimony of all victims and witnesses, regardless of geographical location, through the use of audiovisual technology. The court must allow the use of such audiovisual technology if good cause exists.¹

Prior to the preliminary hearing in this matter, the witness will be sworn and will sign the previously provided declaration, which acknowledges that "the witness understands that he or she is subject to the jurisdiction of the courts of this state and may be subject to criminal prosecution for the commission of any crime in connection with his or her testimony, including, without limitation, perjury, and that the witness consents to such jurisdiction."²

There is good cause existing to limit in-person testimony at a preliminary hearing during the COVID-19 outbreak due to the following facts and circumstances:

On March 11, 2020, the World Health Organization, noting their deep concern as to "both [] the alarming levels of spread and severity, and [] the alarming levels of inaction," to the COVID-19 outbreak, officially declared the outbreak as a pandemic. While doing so, the WHO noted they "have never before seen pandemic that can be controlled," and since they were first notified, they have "called everyday /sic/ for countries to take urgent and aggressive action," further noting, "[w]e have rung the alarm bell loud and clear."³

Since this classification of the COVID-19 outbreak as a pandemic, Federal, State, County, and Local governments across the United States of America have taken swift and significant action to prevent the spread of this disease.

On Friday, March 13, President Trump declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak.⁴ Three days after this initial proclamation, President Trump and the White House Coronavirus Task Force issued stronger guidelines in an effort to slow the spread of this disease. Notably, the guidelines stated "[e]ven if you are young, or otherwise healthy, you are at risk and your activities can increase the risk for others. It is critical that you do your part to slow the spread of the coronavirus." President Trump called for gatherings to be no larger than ten people and to avoid eating and drinking in bars, restaurants, or food courts.⁵ Finally, the Director of the National Institute of Allergy and Infectious Diseases

¹ NRS 171.1975.1 "... if good cause otherwise exists, the magistrate must allow the witness to testify at the preliminary examination through the use of audiovisual technology."

² NRS 171.1975.2

³ <https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>

⁴ <https://www.whitehouse.gov/the-press-office/2020/03/13/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak>

⁵ <https://www.whitehouse.gov/briefings-statements/coronavirus-guidelines-america/>

https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20_coronavirus-guidance_8.5x11_313PM.pdf

noted: “[w]hen you’re dealing with an emerging infectious disease outbreak, you are always behind where you think you are....”⁶

custody status, are still expected to proceed in person, although alternative appearances for the attorneys are "encouraged when possible."¹³

While there are precautionary measures in place to screen for those exhibiting symptoms of the virus before entering the courthouse, the courthouse is open to the public as of March 16, 2020. A person infected with this virus, and who is contagious, may take up to two weeks to exhibit the symptoms that are the current focus of any screening. Further, multiple new studies strongly suggest that those who are infected, but are asymptomatic, are likely a significant force driving the spread of COVID-19.¹⁴ Finally, President Trump declared COVID-19 an "invisible enemy."¹⁵

Considering preliminary hearings are still scheduled and expected to be heard in the Las Vegas Justice Court, where attorneys are encouraged to use alternative methods to appear, limiting the in-person testimony of all victims and witnesses is required in the interest of public health and the safety of our community. Therefore, the State of Nevada intends to introduce such testimony at the preliminary hearing through the use of audiovisual technology should this hearing proceed during the COVID-19 outbreak.

¹³ <http://www.lasvegasjusticecourt.us/Admin%20Order%2020-03.pdf>

¹⁴ <https://www.cnn.com/2020/03/14/health/coronavirus-symptoms/index.html>

<https://science.sciencemag.org/content/early/2020/03/13/science.abb3221.full>

<https://www.sciencemag.org/article/coronavirus-most-contagious-before-during-first-week-symptoms>

<https://www.foxnews.com/media/dr-slate-hmm-concerts-coronavirus-highly-contagious>

¹⁵ <https://www.politico.com/news/2020/03/16/trump-recommends-a-rodine-gatherings-of-more-than-10-people-132322>

21-CR-01864C
CRJ
Clerk: Comp. 1
13633221



JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

THE STATE OF NEVADA, APR 27 2 34

Plaintiff,

JUSTICE COURT
LAS VEGAS, NV, CASE NO:

21CR019840

-vs-

BY _____ 3JG

DEPT NO:

3

MATTHEW HOUSTON, aka.
Matthew Travis Houston

DA CASE NO: 202115878C

Defendant.

CRIMINAL COMPLAINT

The Defendant above named having committed the crime of MAKING THREATS OR CONVEYING FALSE INFORMATION CONCERNING ACT OF TERRORISM (Category B Felony - NRS 202.448, 202.4415 - NOC 51522), in the manner following, to wit: That the said Defendant, on or about the 23rd day of December, 2020, at and within the County of Clark, State of Nevada, did then and there willfully, unlawfully, maliciously, and feloniously, by means of oral, written or electronic communications make a threat or convey false information concerning an act of terrorism with the intent to injure, intimidate, frighten, alarm, or distress any person, whether or not that person is actually injured, intimidated, frightened, alarmed or distressed, to REDENTA BLACIC and/or the OFFICE OF CONSUMER HEALTH ASSISTANCE, 332 West Sahara Avenue, No. 100, Las Vegas, Clark County, Nevada, by threatening to go on a mass shooting rampage similar to 1 October.

All of which is contrary to the form, force and effect of Statutes in such cases made and provided and against the peace and dignity of the State of Nevada. Said Complainant makes this declaration subject to the penalty of perjury.

04/26/21

/s/mt
LVMPD EV# 210300-101590
(3)

RECEIVED COURT CLERK'S OFFICE CLARK COUNTY JUSTICE COURT (202115878C) COMP (MATTHEW TRAVIS HOUSTON) CR 15878C

NEVADA PRETRIAL RISK (NPR) ASSESSMENTDefendant's Name: **MATTHEW HOUSTON**

Booking #: [REDACTED]

Assessment Date: **5-11-2021**Assessor: **AT**County: **Clark**Defendant's Name: **MATTHEW HOUSTON**

DOB:

AGE: **36**Case/Booking #: **21-CR-019840**Dept #: **JC-3**Address: **NOT INTERVIEWED**Contact Phone #: **N/A**# of Current Charges: **1**

City:

State: Zip:

Most Serious Charge: **Make threat/false info re act of terrorism/WMD** Total Bail at booking: **TBD****SCORING ITEMS****SCORE**

1. Does the Defendant Have a Pending Pretrial Case at Booking?

No If yes, list case # and jurisdiction:

0

2. Age at First Arrest (include juvenile arrests)

First Arrest Date **9-08-2005**

21 to 35 yrs

1

3. Prior Misdemeanor Convictions (past 10 years)

One to five

1

4. Prior Felony/Gross Misd. Convictions (past 10 years)

One or more

1

5. Prior Violent Crime Convictions (past 10 years)

None

0

6. Prior FTAs (past 24 months)

None

0

7. Substance Abuse (past 10 years)

Prior multiple arrests for drug use or possession/alcohol/drunkenness

2

8. Mitigating Verified Stability Factors (limit of -2 pts. total deduction)

None verified

0**TOTAL SCORE:****5**Risk Level: **Moderate**OVERRIDE?: ☐ Yes☒ No

Override Reason(s):

If Other, explain: _____

Final Recommended Risk Level: **Moderate**☐ LOW☒ MODERATE☐ HIGHER

Supervisor/Designee Signature _____

Date: **5-11-2021**21-CR-019840
NPR
Nevada Risk Assessment Tool
12564402

Revised 3/2021



NEVADA PRETRIAL RISK (NPR) ASSESSMENT

Defendant's Name: **MATTHEW HOUSTON**

Booking #: **7035801**

Felony convictions: **1**

YEAR	STATE	CHARGE
2019	NV	DUI, ABOVE LEGAL LIMIT, (3+)

Misdemeanor Convictions: **7 (13 IN DUI x2 Counts)**

FTAS: **2**

Detainers: **N/A**

Pending Cases: **FTA WANT LV MUNI COURT #C1237802A**

Event # 2007 00099898

Revised 3.2021

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
DECLARATION OF ARREST REPORT

TCR1149369

☐ County Jail☐ City Jail☐ Adult☐ Juvenile

Bureau: NWAC

ID#		EVENT #		ARRESTEE'S NAME (LAST)		(FIRST)		(MIDDLE)		SSA#	
		LLV210700065245		HOUSTON		MATTHEW		TRAVIS			
RACE	SEX	DOB		HGT	WGT	HAIR	EYES	POB			
ARRESTEE'S ADDRESS				STREET		BLDG/APT #		CITY		STATE	
OCCURRED				ARREST		LOCATION OF ARREST (NUMBER, STREET, CITY, STATE, ZIP CODE)					
DATE: 7/14/2021		TIME: 21:50		DATE: 7/14/2021		TIME: 21:50		3041 ST ROSE PKWY HENDERSON NEVADA 89052			
LOCATION OF CRIME (NUMBER, STREET, CITY, STATE, ZIP CODE)											
3041 ST ROSE PKWY HENDERSON NEVADA 89052											
CHARGES / OFFENSES											
BW - LVJCR - 51522 - F - MAKE THREAT/FALSE INFO RE ACT OF TERRORISM/WMD											
CONNECTING REPORTS (TYPE OR EVENT NUMBER)											
TCR / DOAR											

The undersigned makes the following declarations subject to the penalty of perjury and says: That I am a peace officer with the Las Vegas Metropolitan Police Department, Clark County, Nevada, being so employed for a period of approximately 5 year(s).

That I learned the following facts and circumstances which lead me to believe that the above named subject committed or was committing the offenses above at the location of 3041 ST ROSE PKWY HENDERSON NEVADA 89052 HENDERSON NEVADA 89052 and that the offense(s) occurred at approximately 21:50 hours on the 14th day of July, 2021.

Details for Probable Cause:

On July 14, 2021, I, Officer M. Mulligan P# 15657, operating as marked patrol unit 8X1, along with Officer J. Carroll P# 16715, operating as marked patrol unit 8X3, were conducting an investigation follow up at the Best Western Hotel, located at 3041 St. Rose Pkwy, Henderson, NV 89052, in regards to subject Houston, Matthew DOB : with a social of Houston was wanted out of Clark County for terroristic threats and harassment.

As Officers arrived at the Best Western Hotel, Officers made contact with management and conducted a ruse to get Houston out of his hotel room. As Houston walked up to the front desk, Officers made contact with Houston, and verbally asked him if his name was Houston, Matthew, where Houston said it was. Once Officers confirmed it was our subject, Officers arrested Houston on his warrants, and transported him down to CCDC where he was booked accordingly.

***** End *****

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Sightseeing Officers: M. MULLIGAN

P# 15657

LVMPD 602 (Rev 02/18) Word 2013

*PRINT NAME (LAST, FIRST, MIDDLE, ETC.)						LAST HOLSTON		FIRST MATTHEW		MIDDLE TRAVIS		TRUE NAME LAST HOLSTON		FIRST MATTHEW		MIDDLE TRAVIS			
*HOME ADDRESS (STREET & AND STREET NAME)								BUILDING #		CITY		LAS VEGAS		STATE NV		ZIP 89101			
LINK																			
*DATE OF BIRTH	*SEX	*MARITAL	*RACE	*HEIGHT	*WEIGHT	*EYES	*HAIR		*T-SIZE	*SHOE SIZE	*CITIZENSHIP	USA				*ALIEN REGISTRATION #			
*LOCATION OF CRIME (STREET ADDRESS, CITY, STATE, ZIP) ☒ CC ☐ IV												*LOCATION OF ARREST (STREET ADDRESS, CITY, STATE, ZIP) 3041 ST ROSE PKWAY HENDERSON, NV 89002				☐ CURRENT ARREST ☒ DISCHARGED			
*ARREST TYPE	COUNT	THREATEN / CHASE #	CHRG	FUGITIVE	INmate	N	INmate				*CHARGE LITERAL		*ORD / INFO		*VAL.		*RECORD / INFO		
MV	LICOR	21-CR-018646	1	BKIDZ	☐	☒			HAVE THREATENAL INFO RE ACT OF TERRORISM				202448	3006					
** ARREST TYPE:																			
*OTHER JURISDICTION: LVCR				PC - PROBABLE CAUSE				ES - BORDERMAN SUMMONDER				BW - BREACH WARRANT				AW - ARREST WARRANT			
				RM - RETURNED				GR - GRANTED LAST INDICTMENT											

[illegible]

**Received
Las Vegas Justice Court
7/15/2021 1:00 AM**

Electronically Filed
8/4/2021 8:48 AM
Steven D. Grierson
CLERK OF THE COURT



1 CASE NO. C357927

2

3 IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP

4 CLARK COUNTY, STATE OF NEVADA

5

6 STATE OF NEVADA,

7 PLAINTIFF,

8 VS.

9 MATTHEW TRAVIS HOUSTON,

10 DEFENDANT,

11

CASE NO. 21-CR-019840

12 REPORTER'S TRANSCRIPT OF UNCONDITIONAL WAIVER

13

14 BEFORE THE HONORABLE HARMONY T. LETIZIA, JUSTICE OF THE PEACE

15

16 MONDAY, AUGUST 2, 2021

17 9:40 O'CLOCK A.M.

18

19 FOR THE PLAINTIFF:

W. JAKE MERBACK,
DEPUTY DISTRICT ATTORNEY

20

21 FOR THE DEFENDANT:

BENARD H. LITTLE,
DEPUTY PUBLIC DEFENDER

22

23

* * * *

24 REPORTED BY: KIT MACDONALD, C.C.R.
CERTIFICATE NO. 65

25

1 LAS VEGAS, CLARK COUNTY, NEVADA, MONDAY, AUGUST 2, 2021

2 9:40 O'CLOCK A.M.

3 * * * * *

4 THE COURT: MATTHEW HOUSTON, 21CR019840.

5 GOOD MORNING.

6 MR. LITTLE: AND, YOUR HONOR, I BELIEVE WE HAVE THIS
7 MATTER RESOLVED. WITH THE COURT'S PERMISSION, MR. HOUSTON IS
8 GOING TO WAIVE HIS RIGHT TO -- UNCONDITIONALLY WAIVE HIS RIGHT
9 TO PRELIMINARY HEARING TODAY. IN DISTRICT COURT HE'S GOING TO
10 PLEAD GUILTY TO ONE COUNT OF AGGRAVATED STALKING, CATEGORY B
11 FELONY, NAMING ALL VICTIMS. THE STATE HAS NO OPPOSITION TO
12 PROBATION FOR 24 MONTHS, WITH A TWO TO FIVE YEAR SUSPENDED
13 SENTENCE. HE'S TO HAVE NO CONTACT WITH THE NAMED VICTIM, AND
14 STAY AWAY. IF HE'S SUCCESSFUL DURING PROBATION, IT WILL BE
15 REDUCED DOWN TO A GROSS MISDEMEANOR, NON-FELONY OFFENSE FOR
16 AGGRAVATED STALKING, WAIVING ANY DEFECTS IN THE PLEADINGS.
17 HE'S ALSO TO RECEIVE, UPON ENTRY OF HIS PLEA, AN O.R. AT HIS
18 ENTRY OF PLEA, WITH LOW LEVEL ELECTRONIC MONITORING, AND HE'S
19 TO STAY AWAY AND A NO CONTACT ORDER WITH THE NAMED VICTIM
20 REN -- RED -- I'M ALWAYS GOING TO HAVE PROBLEMS WITH HIS NAME,
21 R-E-D-E-N-T-A, B L-A-C-K, AND THE OFFICE OF CONSUMER HEALTH
22 ASSISTANCE.

23 ADDITIONALLY, THE STATE WILL DISMISS CASE NO. 21CR033713.

24 MR. MERBACK: SO -- THAT'S ALL CORRECT. THE ONLY ISSUE
25 IS, THAT THERE'S ACTUALLY THREE DIFFERENT VICTIMS HE'S SUPPOSE

1 TO STAY AWAY FROM, AND THE ADDRESS, SO CAN I PUT THOSE ON THE
2 RECORD?

3 THE COURT: OF COURSE.

4 MR. MERBACK: IS THAT WHAT --

5 MR. LITTLE: YES.

6 MR. MERBACK: SO IT'S ROSEMARIE MCMORRIS, REDENTIA ELACIC,
7 AND ROSEMARIE -- DO YOU HAVE THAT LAST...

8 MR. LITTLE: I BELIEVE JASON LEWIS WAS THE THIRD --

9 MR. MERBACK: OKAY.

10 MR. LITTLE: -- ALLEGATION.

11 MR. MERBACK: AND SO THEN THE ADDRESS IS 9930 WEST
12 CHEYENNE. OTHER THAN -- WITH THAT INCLUDED, THAT'S ALL
13 CORRECT.

14 THE COURT: OKAY. SIR, IS THAT YOUR UNDERSTANDING OF THE
15 NEGOTIATIONS?

16 THE DEFENDANT: YES, YOUR HONOR.

17 THE COURT: YOU UNDERSTAND THAT THIS IS AN UNCONDITIONAL
18 WAIVER OF YOUR RIGHT TO HAVE A PRELIMINARY HEARING, WHICH
19 MEANS IT'S A PERMANENT WAIVER OF YOUR RIGHT TO HAVE A
20 PRELIMINARY HEARING?

21 THE DEFENDANT: YES, YOUR HONOR.

22 THE COURT: WHAT THAT MEANS FOR YOU IS ONCE YOU GET UP TO
23 DISTRICT COURT IF YOU DECIDED NOT TO GO THROUGH WITH THESE
24 NEGOTIATIONS YOU WOULD BE GOING DIRECTLY TO TRIAL ON THE
25 ORIGINAL CHARGES BUT YOU WOULD NOT BE COMING BACK TO THIS

1 COURT TO HAVE A PRELIMINARY HEARING, DO YOU UNDERSTAND?

2 THE DEFENDANT: YES, YOUR HONOR.

3 THE COURT: KNOWING ALL OF THIS, DO YOU WISH TO
4 UNCONDITIONALLY WAIVE YOUR RIGHT TO HAVE A PRELIMINARY
5 HEARING?

6 THE DEFENDANT: YES, YOUR HONOR.

7 THE COURT: IT APPEARS TO ME FROM THE CRIMINAL COMPLAINT
8 ON FILE THAT THE CRIMES OF MAKING THREATS OR CONVEYING FALSE
9 INFORMATION CONCERNING ACT OF TERRORISM, HAVE BEEN COMMITTED
10 AND THAT THE DEFENDANT, MATTHEW HOUSTON, HAS COMMITTED THESE
11 CHARGES. SIR, YOU'RE GOING TO APPEAR IN THE EIGHTH JUDICIAL
12 DISTRICT COURT ON THIS DATE.

13 THE CLERK: AUGUST 4TH AT 8 A.M.

14

15 (AT 9:42 A.M. THE PROCEEDINGS WERE RECESSED.)

16 * * * *

17 ATTEST: FULL, TRUE AND CERTIFIED TRANSCRIPT.

18 /S/KIT MACDONALD
19 KIT MACDONALD, C.C.R.
20 COURT REPORTER
C.C.R. NO. 65

21

22

23

24

25

REPORTER'S DECLARATION

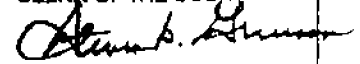
STATE OF NEVADA)
COUNTY OF CLARK)

I, KIT MACDONALD, A CERTIFIED COURT REPORTER IN AND
FOR THE STATE OF NEVADA, HEREBY DECLARE THAT PURSUANT TO NRS
239B.030 I HAVE NOT INCLUDED THE SOCIAL SECURITY NUMBER OF ANY
PERSON WITHIN THIS DOCUMENT.

I FURTHER DECLARE THAT I AM NOT A RELATIVE OR
EMPLOYEE OF ANY PARTY INVOLVED IN SAID ACTION, NOR A PERSON
FINANCIALLY INTERESTED IN THE ACTION.

/S/KIT MACDONALD
KIT MACDONALD, C.C.R.
C.C.R. NO. 65

Electronically Filed
8/3/2021 10:56 AM
Steven D. Grierson
CLERK OF THE COURT



INFM
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA A. RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

I.A. 8/4/21
8:00 A.M.
PD

THE STATE OF NEVADA,
Plaintiff,

CASE NO: C-21-357927-1

-vs-

DEPT NO: X

MATTHEW HOUSTON, aka,
Matthew Travis Houston,

INFORMATION

Defendant.

STATE OF NEVADA }
COUNTY OF CLARK } ss.

STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That MATTHEW HOUSTON, aka, Matthew Travis Houston, the Defendant(s) above named, having committed the crime of **AGGRAVATED STALKING (Category B Felony - NRS 200.575 - NOC 50333)**, on or between December 23, 2020 and June 10, 2021, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada, did willfully, unlawfully, feloniously, and maliciously engage in a course of conduct directed towards REDENTA BLACIC and/or ROSEMARIE MCMORRIS and/or JONATHAN SHOCKELY that would cause a reasonable person to feel terrorized, frightened, intimidated, harassed, or fearful for their immediate safety or the immediate safety of a family or household member, by threatening to go on a mass shooting rampage similar to 1 October and/or making

VA2021158078202115878C-INFM-(MATTHEW TRAVIS HOUSTON)-001.DOCX

1 verbal demands for payment to Defendant of the sum of "Workers Comp Claim" lawful money
2 of the United States, and that course of conduct did, in fact, cause REDENTA BLACIC and/or
3 ROSEMARIE MCMORRIS and/or JONATHAN SHOCKELY to feel terrorized, frightened,
4 intimidated, harassed, or fearful for their immediate safety or the immediate safety of a family
5 or household member and in conjunction therewith defendant did threaten REDENTA
6 BLACIC and/or ROSEMARIE MCMORRIS and/or JONATHAN SHOCKELY and/or with
7 the intent that REDENTA BLACIC and/or ROSEMARIE MCMORRIS and/or JONATHAN
8 SHOCKELY and/or be placed in reasonable fear of death or substantial bodily harm.

9 STEVEN B. WOLFSON
10 Clark County District Attorney
Nevada Bar #001565

11 BY

12 KRISTINA A. RHODES
13 Chief Deputy District Attorney
14 Nevada Bar #012480
15
16
17
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25
26

27 21CR019840/erg/L-4
28 LVMPD EV#210300101590
(TK3)

Electronically Filed
8/4/2021 6:06 AM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

1 GPA
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 KRISTINA A. RHOADES
6 Chief Deputy District Attorney
7 Nevada Bar #012480
8 200 Lewis Avenue
9 Las Vegas, NV 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,
10 Plaintiff,

11 -vs-

12 MATTHEW HOUSTON, aka,
13 Matthew Travis Houston,

14 Defendant.

CASE NO: C-21-357927-1

DEPT NO: X

GUILTY PLEA AGREEMENT

16 I hereby agree to plead guilty to: **AGGRAVATED STALKING (Category B**
17 **Felony - NRS 200.575 - NOC 50333)**, as more fully alleged in the charging document attached
18 hereto as Exhibit "1".

19 My decision to plead guilty is based upon the plea agreement in this case which is as
20 follows:

21 The State has no opposition to probation for a twenty-four (24) month period. The
22 parties stipulate to recommend a two (2) to five (5) year suspended sentence. Parties agree
23 Defendant will receive a mental health evaluation and any treatment as a condition of
24 probation, and retain the right to argue any other terms and conditions. The State will not
25 oppose dismissal of Case No. 21CR033713 after rendition of sentence. Defendant is to stay
26 away and have no contact with Redenta Blacio, Rosemarie McMorris, and/or Jonathan
27 Shockely. Defendant is to also stay away from 9930 West Cheyenne Avenue, Las Vegas,
28 Nevada. The State will not oppose Defendant's own recognizance release with low-level

\\CLARKCOUNTYDA.NET\CRM\CAJES\2023\11\18\702-671-2500-GPA-04MATTHEW TRAVIS HOUSTON-001.DOCX

1 electronic monitoring after entry of plea with all of the above stated no contact and stay away
2 orders. If I successfully complete probation and receive an honorable discharge, I may
3 withdraw my plea and plead guilty to AGGRAVATED STALKING (Gross Misdemeanor -
4 NRS 200.575(1), waiving any defects in that pleading, with credit for time served.

5 Defendant agrees and understands that he is ineligible for the reduction in his
6 sentence if one or more of the following events occur:

- 7 1. Defendant fails to interview for the presentence investigation;
- 8 2. Defendant fails to make any subsequent court appearance;
- 9 3. An independent magistrate, by affidavit review, confirms probable cause against him for
10 new criminal charges including reckless driving or DUI, but excluding minor traffic
11 violations;
- 12 4. Defendant fails to pay restitution in full; or
- 13 5. Defendant has been found by the Court to be in violation of his probation, regardless of
14 whether the Defendant is revoked or not.

15 I agree to the forfeiture of any and all weapons or any interest in any weapons seized
16 and/or impounded in connection with the instant case and/or any other case negotiated in
17 whole or in part in conjunction with this plea agreement.

18 I understand and agree that, if I fail to interview with the Department of Parole and
19 Probation, fail to appear at any subsequent hearings in this case, or an independent magistrate,
20 by affidavit review, confirms probable cause against me for new criminal charges including
21 reckless driving or DUI, but excluding minor traffic violations, the State will have the
22 unqualified right to argue for any legal sentence and term of confinement allowable for the
23 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have
24 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, life without
25 the possibility of parole, life with the possibility of parole after ten (10) years, or a definite
26 twenty-five (25) year term with the possibility of parole after ten (10) years.

27 Otherwise I am entitled to receive the benefits of these negotiations as stated in this
28 plea agreement.

CONSEQUENCES OF THE PLEA

I understand that by pleading guilty I admit the facts which support all the elements of the offense(s) to which I now plead as set forth in Exhibit "1".

I understand that as a consequence of my plea of guilty the Court must sentence me to imprisonment in the Nevada Department of Corrections for a minimum term of not less than TWO (2) years and a maximum term of not more than FIFTEEN (15) years. The minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment. I understand that I may also be fined up to \$5,000.00. I understand that the law requires me to pay an Administrative Assessment Fee.

I understand that, if appropriate, I will be ordered to make restitution to the victim of the offense(s) to which I am pleading guilty and to the victim of any related offense which is being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the State of Nevada for any expenses related to my extradition, if any.

I understand that I am eligible for probation for the offense to which I am pleading guilty. I understand that, except as otherwise provided by statute, the question of whether I receive probation is in the discretion of the sentencing judge.

I understand that I must submit to blood and/or saliva tests under the Direction of the Division of Parole and Probation to determine genetic markers and/or secretor status.

I understand that if I am pleading guilty to charges of Burglary, Invasion of the Home, Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled Substance, or Gaming Crimes, for which I have prior felony conviction(s), I will not be eligible for probation and may receive a higher sentencing range.

I understand that if more than one sentence of imprisonment is imposed and I am eligible to serve the sentences concurrently, the sentencing judge has the discretion to order the sentences served concurrently or consecutively.

I understand that information regarding charges not filed, dismissed charges, or charges to be dismissed pursuant to this agreement may be considered by the judge at sentencing.

///

1 I have not been promised or guaranteed any particular sentence by anyone. I know that
2 my sentence is to be determined by the Court within the limits prescribed by statute.

3 I understand that if my attorney or the State of Nevada or both recommend any specific
4 punishment to the Court, the Court is not obligated to accept the recommendation.

5 I understand that if the offense(s) to which I am pleading guilty was committed while I
6 was incarcerated on another charge or while I was on probation or parole that I am not eligible
7 for credit for time served toward the instant offense(s).

8 I understand that if I am not a United States citizen, any criminal conviction will likely
9 result in serious negative immigration consequences including but not limited to:

- 10 1. The removal from the United States through deportation;
- 11 2. An inability to reenter the United States;
- 12 3. The inability to gain United States citizenship or legal residency;
- 13 4. An inability to renew and/or retain any legal residency status; and/or
- 14 5. An indeterminate term of confinement, with the United States Federal
15 Government based on my conviction and immigration status.

16 Regardless of what I have been told by any attorney, no one can promise me that this
17 conviction will not result in negative immigration consequences and/or impact my ability to
18 become a United States citizen and/or a legal resident.

19 I understand that the Division of Parole and Probation will prepare a report for the
20 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
21 sentencing, including my criminal history. This report may contain hearsay information
22 regarding my background and criminal history. My attorney and I will each have the
23 opportunity to comment on the information contained in the report at the time of sentencing.
24 Unless the District Attorney has specifically agreed otherwise, the District Attorney may also
25 comment on this report.

26 WAIVER OF RIGHTS

27 By entering my plea of guilty, I understand that I am waiving and forever giving up the
28 following rights and privileges:

1. The constitutional privilege against self-incrimination, including the right to refuse to testify at trial, in which event the prosecution would not be allowed to comment to the jury about my refusal to testify.
2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense(s) charged.
3. The constitutional right to confront and cross-examine any witnesses who would testify against me.
4. The constitutional right to subpoena witnesses to testify on my behalf.
5. The constitutional right to testify in my own defense.
6. The right to appeal the conviction with the assistance of an attorney, either appointed or retained, unless specifically reserved in writing and agreed upon as provided in NRS 174.035(3). I understand this means I am unconditionally waiving my right to a direct appeal of this conviction, including any challenge based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings as stated in NRS 177.015(4). However, I remain free to challenge my conviction through other post-conviction remedies including a habeas corpus petition pursuant to NRS Chapter 34.

VOLUNTARINESS OF PLEA

I have discussed the elements of all of the original charge(s) against me with my attorney and I understand the nature of the charge(s) against me.

I understand that the State would have to prove each element of the charge(s) against me at trial.

I have discussed with my attorney any possible defenses, defense strategies and circumstances which might be in my favor.

All of the foregoing elements, consequences, rights, and waiver of rights have been thoroughly explained to me by my attorney.

I believe that pleading guilty and accepting this plea bargain is in my best interest, and that a trial would be contrary to my best interest.

I am signing this agreement voluntarily, after consultation with my attorney, and I am not acting under duress or coercion or by virtue of any promises of leniency, except for those set forth in this agreement.

1 I am not now under the influence of any intoxicating liquor, a controlled substance or
2 other drug which would in any manner impair my ability to comprehend or understand this
3 agreement or the proceedings surrounding my entry of this plea.

4 My attorney has answered all my questions regarding this guilty plea agreement and its
5 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

6 DATED this 3rd day of August, 2021. *Signature affixed with the*
7 *express consent of:*

8 Matthew Houston
9 MATTHEW HOUSTON, aka,
10 Matthew Travis Houston
11 Defendant

12 By: *Bernice Little*

13 *Bar #12005*

14 *[Signature]*
15
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17
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19
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21
22
23

24 AGREED TO BY: *#9598*

25 *[Signature]*
26
27 KRISTINA J. RHOADES
28 Chief Deputy District Attorney
Nevada Bar #612480

CERTIFICATE OF COUNSEL:

I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court hereby certify that:

1. I have fully explained to the Defendant the allegations contained in the charge(s) to which guilty pleas are being entered.
2. I have advised the Defendant of the penalties for each charge and the restitution that the Defendant may be ordered to pay.
3. I have inquired of Defendant facts concerning Defendant's immigration status and explained to Defendant that if Defendant is not a United States citizen any criminal conviction will most likely result in serious negative immigration consequences including but not limited to:

- a. The removal from the United States through deportation;
- b. An inability to reenter the United States;
- c. The inability to gain United States citizenship or legal residency;
- d. An inability to renew and/or retain any legal residency status; and/or
- e. An indeterminate term of confinement, by with United States Federal Government based on the conviction and immigration status.

Moreover, I have explained that regardless of what Defendant may have been told by any attorney, no one can promise Defendant that this conviction will not result in negative immigration consequences and/or impact Defendant's ability to become a United States citizen and/or legal resident.

4. All pleas of guilty offered by the Defendant pursuant to this agreement are consistent with the facts known to me and are made with my advice to the Defendant.
5. To the best of my knowledge and belief, the Defendant:
 - a. Is competent and understands the charges and the consequences of pleading guilty as provided in this agreement,
 - b. Executed this agreement and will enter all guilty pleas pursuant hereto voluntarily, and
 - c. Was not under the influence of intoxicating liquor, a controlled substance or other drug at the time I consulted with the Defendant as certified in paragraphs 1 and 2 above.

Dated: This 31st day of August, 2021.

ATTORNEY FOR DEFENDANT

erg/L-4

C-21-357927-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 04, 2021

C-21-357927-1 State of Nevada
vs
Matthew Houston

August 04, 2021 8:00 AM Initial Arraignment

HEARD BY: Villani, Michael **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Samantha Albrecht

RECORDER: Kristine Santi

REPORTER:

PARTIES

PRESENT:	Gutierrez, Seth	Attorney
	Houston, Matthew	Defendant
	Public Defender	Attorney

JOURNAL ENTRIES

- Deputized Law Clerk, Harley Beza present on behalf of the State.

NEGOTIATIONS are as contained in the Guilty Plea Agreement filed on 8/4/2021 and placed on the record by Mr. Gutierrez. DEFT. HOUSTON, ARRAIGNED AND PLED GUILTY TO AGGRAVATED STALKING (F). Court ACCEPTED plea, and ORDERED matter REFERRED to the Division of Parole and Probation (P&P) and SET for sentencing. Pursuant to negotiations, COURT FURTHER ORDERED, Deft. GRANTED Own Recognizance (OR) Release with LOW LEVEL ELECTRONIC MONITORING and Defendant shall stay away and have NO CONTACT with Redenta Blacic, Rosemarie McMorris and/or Jonathan Shockley; additionally Defendant shall STAY AWAY from 9930 West Cheyenne Avenue, Las Vegas, Nevada. Court DIRECTED Deft. to report to P&P within 24 hours of release.

OR/LOW LEVEL EMP

11/29/2021 8:30 AM SENTENCING (DEFT 16)

PRINT DATE: 05/07/2022

Page: 1 of 8

Minutes Date: August 04, 2021

C-21-357927 1

PRINT DATE 10/30/2022

Page 2 of 8

Minutes Date August 04, 2021

IN THE JUSTICE COURT OF THE Las Vegas TOWNSHIPCOUNTY OF Clark, STATE OF NEVADA

21PO1950

Rosemarie McMorris-Alexander

Applicant (print your name above),

VS.

CASE NO.: _____

DEPT: Case Reassigned to Dept.#14Matthew Travis HoustonAdverse Party (print the name of the person you want
protection from above).

APPLICATION FOR PROTECTION ORDER

1. Your information (you are the "Applicant").

Your name: Rosemarie McMorris-Alexander

(first)

(middle)

(last)

2. Who do you want to be protected from (this person is the "Adverse Party")?

Name: Matthew Travis Houston

(first)

(middle)

(last)

3. Who needs protection (check all that apply)?

☒ Me.☒ Minor child (see definition on bottom of page 2).☒ The following household members, including minor children not included in definition
on page 2.

Name	Date of Birth	Relationship to Applicant	Relationship to Adverse Party
Alyssa L Alexander	10/9/2017	Child	she is my daughter
Lillian R McMorris	12/23/1954	Parent	she is my mother

4. Why do you need to be protected from the person named above (you must check one)?

☒ The Adverse Party committed acts of stalking or aggravated stalking against me.

Definition of stalking, aggravated stalking and harassment:

Stalking: A person commits the crime of stalking when, without lawful authority, that person willfully or maliciously engages in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member. NRS 200.575(1).

Aggravated Stalking: A person who commits the crime of stalking and in conjunction therewith threatens the person with the intent to cause the person to be placed in reasonable fear of death or substantial bodily. NRS 200.575(2).

Harassment: A person commits harassment when: (a) Without lawful authority, the person knowingly threatens: (1) To cause bodily injury in the future to the person threatened or to any other person; (2) To cause physical damage to the property of another person; (3) To subject the person threatened or any other person to physical confinement or restraint; or (4) To do any act which is intended to substantially harm the person threatened or any other person with respect to his or her physical or mental health or safety; and (b) The person by words or conduct places the person receiving the threat in reasonable fear that the threat will be carried out. NRS 200.571.

☐ The Adverse Party committed a sexual assault on me.

Definition of sexual assault: A person commits sexual assault if they subject another person to sexual penetration, or forces another person to make a sexual penetration on himself or herself or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his or her conduct. NRS 200.366.

☒ **Protection of Children:** The parent or guardian of a child may petition any court of competent jurisdiction on behalf of the child for a temporary or extended order against a person who is 18 years of age or older and who the parent or guardian reasonably believes has committed or is committing a crime involving: (a) Physical or mental injury to the child of a nonaccidental nature; or (b) Sexual abuse or sexual exploitation of the child. NRS 33.400.

Are you applying on behalf of a minor child? ☐ No ☒ Yes

Child's name: Arco S Alexander

(first)

(middle)

(last)

As you complete the application, please keep in mind that you are filling in the questions as they pertain to the actions/incident committed upon the child.

5 How do you know the person you need protection from (check all that apply)?

- ☐ We are related by blood or marriage. Explain _____
- ☐ We are or used to be friends/acquaintances _____
- ☐ We are neighbors or reside in the same neighborhood. _____
- ☐ We are or were co-workers. _____
- ☒ Other (specify relationship): Workers Comp Claim _____

6 Are there any other current or prior court cases that involve you and the Adverse Party in any court?

- ☒ No. ? Really? So many cases
- ☐ Yes. If you know, please list the case type, county, state, and case number: _____

Don't know anything to do with
why I am not being paid my \$
Firearms / Guns. Once again Sedgwick has taken everything.
Does the Adverse Party own a gun or have a gun in his/her possession or control?

- ☐ No ☐ Yes ☒ I don't know. Or why Rosemary
intentionally neglected to discipline

8 **Most Recent Event.** Think about the most recent event. These questions ask about the most recent event only. Dianne Ferrante for

Approximate date it happened: 10/2021

City, State, Location where it happened: Las Vegas NV

Did the other person use or threaten to use a weapon? ☒ No ☐ Yes

everyday of my life since 10/1/2017
What Happened? Explain the most recent event and describe any injuries. Give specific and detailed information about the event. You can list past events on the next page. If you are filing on behalf of a child, include details about what happened to the child.

Event # CLV210600045671 (case no C357927/21CR019640). Matthew Houston called me and advised "I know where you live. I will rape and murder you, your 2 daughters." For this case he was arrested and entered into a plea agreement that he will not be sentenced for until 11/29/2021. In the interim he has been released with an ankle monitor.

and everyday of my life
I was encouraged by the detective and DA for the case above to obtain a protective order. A TPO was obtained on 10/20/2021 which expired 09/30/2021. Mr. Houston called and left a threatening message on 10/21/2021.

since 9/30/2016, X
Message forwarded to DA who encouraged me to file for a protective order as his actions indicate he may not abide by the plea agreement as he has a ready violator with the message left considering he was not to make contact.

See attached

Attach more pages if you need more room (pages 4a, 4b, 4c).

9. Past Events).

Think about any other times the person you want protection from threatened or abused you and/or the child/children. The following questions ask about any past events that may have happened.

Approximate Date: 06/17/2021

What Happened:

Event #: V21060004567 Matthew Houston called me and advised "I know where you live. I will rape and murder you and your 2 daughters."

Never said anything of the

Approximate Date:

What Happened:

10. Law enforcement involvement.

Was law enforcement informed? ☒ No ☐ Yes

a. If so, please provide a copy of the police/incident report.

Was anyone arrested? ☐ No ☐ Yes (Who)

Is the Adverse Party in jail? ☒ No ☐ Yes

11. Temporary Protections Requested (check all that apply).

Do not list any confidential addresses.
The other person will get a copy of this application and will see any addresses you write down.

☒ **Prohibited Activities.** The Adverse Party should not threaten, physically injure, or harass me and/or the minor child, either directly or through someone acting on his/her behalf.

☒ **No Contact or Restricted Contact.** The Adverse Party should not contact me and/or the minor child at all, either in person, by phone / text, by email or through social media.

☒ **Current Residence.** The Adverse Party should stay away from my current residence.

Do you and the Adverse Party live together? ☒ No ☐ Yes

If yes, whose name is listed on the lease/title? _____

Does the Adverse Party know where you live? ☐ No ☒ Yes

If no, is your address confidential? ☒ No ☐ Yes (don't list your address)

5504 Morningcross St.

Address

Las Vegas, NV 89130

City, State, Zip Code

Clark

County

Do you and the Adverse Party live in the same complex/property/trailer park? ☒ No ☐ Yes

☒ No. Should the Adverse Party stay away from the entire complex/property/trailer park? ☐ No ☒ Yes

☐ Yes. If so, explain the distance and need for protection in that complex/property/trailer park:

The distance between us is unknown. Mr. Houston indicated prior that he knew where I lived.

☐ **Personal Belongings.**

☐ I need to get my belongings. I want law enforcement to come with me to the Adverse Party's residence so I can pick up my belongings. The address I need to go to is (list street address, apartment number, city, state, zip):

☐ The other party needs to get his/her belongings. Law enforcement should come with the Adverse Party to my residence to pick up his/her belongings.

☒ **Work.** The Adverse Party should stay away from my workplace.

Do you and the Adverse Party work at the same place? ☒ No ☐ Yes

Is your work address confidential? ☐ No ☒ Yes (do not write details below)

Because she's obviously not
 Employer Does her job. I was Employer
 Address told by Sedgwick to report Address
 City, State, Zip Code _____ County _____ City, State, Zip Code _____ County _____

☒ **School/Daycare.** The Adverse Party should stay away from my school and/or the child's school/daycare. Dianne Ferrante grievance
to her supervisor,

Is the school/daycare address confidential? ☒ No ☐ Yes (do not write details below)

which is R.M.M.
 Ernest May Elementary School _____
 School/Daycare _____
 6350 W Washburn Rd _____
 Address _____
 Las Vegas, NV 89130 _____ Clark _____
 City, State, Zip Code _____ County _____

☒ **Other Places.** The Adverse Party should stay away from the following places that I and/or the minor children go to regularly.

Shadow Hills Church	_____
Location	Location
We are there weekly	_____
Why?	Why?
7811 Vegas Dr.	_____
Address	Address
Las Vegas, NV 89128	_____
City, State, Zip Code	City, State, Zip Code
Clark	County

About Extended Protection Orders:

This application automatically asks the judge to issue a 45-day temporary protection order without notifying the other person first.

You can also ask for an extended order that could last for up to 2 years.

If you do, the judge will set a hearing. You and the other person will have to appear in court and explain your side before the judge can extend the protection order.

12 Length of Protection Order.

☐ I want an order up to 45 days only.

☒ I want an order up to 45 days PLUS an extended order that could last up to 2 years.

13 Other Exhibits. You may attach documents, pictures, or anything else that you would like the judge to look at and consider when reviewing your application. The Adverse Party will receive a copy of all documents/evidence you provide.
Describe what you are attaching:

14 This document does not contain the personal information of any person as defined by NRS 603A.040.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Dated: 10/5/2021

Submitted by: /s/ Rosemarie McMorris-Alexander

(your signature)
Rosemarie McMorris-Alexander
print your name

VERIFICATION

I declare that I am the applicant in the above-entitled action; that I have read the foregoing application and know the contents thereof; that the pleading is true of my own knowledge, except for those matters therein contained stated upon information and belief, and that as to those matters, I believe them to be true. I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Dated: 10/5/2021

Submitted by: /s/ Rosemarie McMorris-Alexander

(your signature)
Rosemarie McMorris-Alexander
print your name

PLEASE TYPE OR PRINT CLEARLY

CONTINUATION PAGE

APPLICANT'S NAME: Rosemarie McMorris-Alexander

(NOTE: BE SPECIFIC AS TO WHO COMMITTED WHAT ACT OR ACT(S), AGAINST WHOM, WHEN, WHERE, WHETHER COMMITTED OR THREATENED; INDICATE APPROXIMATE DATE(S) AND LOCATION(S).)

CONTINUED FROM PAGE 2:

My fear is that it appears Mr. Houston is/or may be withdrawing his guilty plea and if he is not going to abide by the agreement or be incarcerated, he remains a threat to my children and I given he knows where I live. Houston never knew where anybody lived until already being in custody @ M.D.S.P.

This is what he agreed to and has already violated: (Houston never agreed to anything on August 4th, 2021 as he was in a state of reverential fear from the fact that Michael P. Villani was the same Minutes kangaroo who caused Houston's wrongful conviction & in dismissed case C-17-323614-1, C-17-323614-1
08/04/2021 8:00 AM

- Deputized Law Clerk, Haley Beza present on behalf of the State. NEGOTIATIONS are as contained in the Guilty Plea Agreement filed on 8/4/2021 and placed on the record by Mr. Gutierrez. DEFT. HOUSTON ARRAIGNED AND PLED GUILTY TO AGGRAVATED STALKING (F). Court ACCEPTED plea, and ORDERED, matter REFERRED to the Division of Parole and Probation (P&P) and SET for sentencing. Pursuant to negotiations, COURT FURTHER ORDERED, Deft. GRANTED Own Recognizance (OR) Release with LOW LEVEL ELECTRONIC MONITORING and Defendant shall stay away and have NO CONTACT with Redenta Bladic, Rosemarie McMorris and/or Jonathan Shockely; additionally Defendant shall STAY AWAY from 9930 West Cheyenne Avenue, Las Vegas, Nevada. Court DIRECTED Deft. to report to P&P within 24 hours of release. OR/LOW LEVEL EMP 11/29/2021 8:30 AM SENTENCING (DEPT. 10)

THE ATTACHED APPLICATION INCORPORATES THE CONTINUATION PAGE BY REFERENCE.

Page 1 of 1

Electronically Filed
05/17/2023 2:09 PM

Attorney General
CLERK OF THE COURT

1 **MOT**
2 **STEVEN B. WOLFSON**
3 **Clark County District Attorney**
4 **Nevada Bar #001565**
5 **KRISTINA A. RHOADES**
6 **Chief Deputy District Attorney**
7 **Nevada Bar #012480**
8 **200 Lewis Avenue**
9 **Las Vegas, Nevada 89155-2212**
10 **(702) 671-2500**
11 **Attorney for Plaintiff**

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MATTHEW HOUSTON, aka,
Matthew Travis Houston,
#7035801

Defendant.

CASE NO: C-21-357927-1

DEPT NO: X

**STATE'S NOTICE OF MOTION AND MOTION TO REMAND DEFENDANT
AND INCREASE BAIL PURSUANT TO NRS 178.484(12) FOR VIOLATING HIS
PLEA AGREEMENT, HIS RELEASE CONDITIONS, AND
DISOBEYING DISTRICT COURT ORDERS**

DATE OF HEARING: OCTOBER 11, 2021
TIME OF HEARING: 9:30 A.M.

HEARING REQUESTED

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through KRISTINA A. RHOADES, Chief Deputy District Attorney, and files this Notice of Motion and Motion to Remand Defendant and Increase Bail Pursuant to NRS 178.484(12) for Violating His Plea Agreement, His Release Conditions, and Disobeying District Court Orders.

This Motion is made and based upon all the papers and pleadings on file herein, the attached Points and Authorities in support hereof, and oral argument at the time of hearing, if deemed necessary by this Honorable Court.

///

the "points and authorities" 7.

POINTS AND AUTHORITIES

STATEMENT OF THE CASE

Defendant Matthew Houston ("Defendant") was originally charged in the instant case in Las Vegas Justice Court case number 21CR019840 with one (1) count of Making Threats or Conveying False Information Concerning Act of Terrorism (Category B Felony), naming victims Redenta Blacic and/or the Office of Consumer Health Assistance. At Initial Arraignment Court, the Court imposed monetary bail of \$3,000 with the added condition of mid-level electronic monitoring and no contact orders. Defendant's monetary bail was later reduced to \$500 after argument in justice Court, with the added conditions of high-level electronic monitoring and no contact orders.

Defendant was also charged in Las Vegas Justice Court case number 21CR033713 with one (1) count of Extortion, naming victims Rosemarie McMorris and/or Jonathan Shockely. Monetary bail was imposed in 21CR033713 in the amount of \$5,000 with high-level electronic monitoring and no contact orders.

On August 3, 2021, pursuant to negotiations, an Information was filed in the instant case charging Defendant with one (1) count of Aggravated Stalking (Category B Felony), naming victims Redenta Blacic, Rosemarie McMorris, and Jonathan Shockely.

On August 4, 2021, Defendant pled guilty to Aggravated Stalking. Pursuant to the plea agreement, the State had no opposition to probation with a mental health evaluation and any recommended treatment as conditions of probation. The State agreed to dismiss case number 21CR033713 after sentencing, and further agreed to not oppose Defendant's own recognizance release with low-level electronic monitoring after entry of plea.

Also pursuant to the signed plea agreement, Defendant was ordered to stay away and have no contact with Redenta Blacic, Rosemarie McMorris, and/or Jonathan Shockely.

On or about September 7, 2021, after house arrest obtained the contact information for the named victims, Defendant was released on low-level electronic monitoring. Defendant's sentencing is currently scheduled for November 29, 2021.

at time of sentencing for C 21CR033713 was recommended
double jeopardy and released 3/15/22

On or about Friday, October 1, 2021, Defendant called Jonathan Shockley at his place of employment and left an aggressive and threatening voicemail that will be provided to the Court at the time of filing the instant Motion. Exhibit 1. Defendant is violent and aggressive in this voicemail where he proceeds to verbally abuse both Jonathan Shockley and Rosemarie McMorris. Based on his concerning actions that are a direct violation of this Court's orders from August 4, 2021, the State requests that Defendant be remanded, and monetary bail be reset to at least the originally imposed total amount from both justice Court cases of \$8,000 with the added condition of high-level electronic monitoring.

STATEMENT OF FACTS

(none of this is fact. it is all allegations)

In December 2020, Defendant left a voicemail on the main line for the Office of Consumer Health Assistance. Defendant was and is contesting findings that had previously been made regarding his Workers' Compensation issues. Victim Redenta Blacic called Defendant back and tried to assist Defendant. Defendant became verbally aggressive and told Ms. Blacic "They shouldn't be surprised if he goes on a mass shooting rampage like the one committed on October 1st." Ms. Blacic tried to calm Defendant down but was unsuccessful and the call ended. Defendant called Ms. Blacic back twice, but she did not answer. Ms. Blacic was scared that Defendant would carry out his threats.

Capitol Police investigated and discovered that Defendant also made threats to the Department of Administration Hearings Division of Northern Nevada by leaving a voicemail stating, "I need immediate assistance because I am going to fucking murder every fucking employee at Mandaiay Bay, MGM and everyone in the state of Nevada if you fucking people don't give me my fucking money."

In June 2021, Rosemarie McMorris, a Claims Operations Manager for Sedgewick (a third-party administrator that handles workman compensation claims) reported to LVMPD that Defendant, an injured worker who was denied compensation, was angry about being denied and was directing his anger toward her.

1 Over a telephone call, Defendant told Ms. McMorris "I know where you fucking live,
2 you cunt. You and your 2 daughters will be raped and murdered if I don't get my fucking
3 money." Ms. McMorris was concerned because she in fact has two daughters, and never gave
4 Defendant that information. She was also concerned that Defendant obtained her home address
5 from the Internet. *why would def. do that? He was living in Texas.*

6 Ms. McMorris reported that Defendant threatened another employee, Jonathan
7 Shockely, as well, and further indicated that she previously reported similar behavior from this
8 same Defendant to the LVMPD in July 2020. In July 2020, Defendant left voice messages
9 threatening to murder every employee of Seagwick and their families and "eat their hearts."

10 ARGUMENT

11 NRS 178.487 provides that:

12 Every release on bail with or without security is conditioned upon
13 the Defendant's good behavior while so released, and upon a
14 showing that proof is evident or the presumption great, the
15 Defendant has committed a felony during the period of release, the
16 Defendant's bail may be revoked, after a hearing by the Magistrate
17 who allowed it or by any Judge of the Court in which the original
18 charge is pending. Pending such revocation, the Defendant may
19 be held without bail by order of the Magistrate before whom he is
20 brought after arrest upon the second charge.

21 Subsection (11) of NRS 178.484, titled "Right to bail before conviction; exceptions;
22 imposition of conditions; arrest for violation of condition," states that "Before releasing a
23 person arrested for any crime, the Court may impose such reasonable conditions on the person
24 as it deems necessary to protect the health, safety and welfare of the community and to ensure
25 that the person will appear at all times and places ordered by the Court..." (Emphasis added).

26 NRS 178.484(12) further states as follows:

27 If a person fails to comply with a condition imposed pursuant to
28 subsection 11, the Court may, after providing the person with
reasonable notice and an opportunity for a hearing:

- (a) Deem such conduct a contempt pursuant to NRS 22.010; or
- (b) Increase the amount of bail pursuant to NRS 178.499.

29 NRS 178.499 states as follows:

30 //

1 1. At any time after a District or justice's Court has ordered bail
2 to be set at a specific amount, and before acquittal or conviction,
3 the Court may upon its own Motion or upon Motion of the District
4 attorney and after notice to the Defendant's attorney or record or,
5 if none, to the Defendant, increase the amount of bail for good
6 cause shown.

7 2. If the Defendant has been released on bail before the time when
8 the Motion to increase bail is granted, the Defendant shall either
9 return to custody or give the additional amount of bail.

10 (Emphasis added).

11 NRS 178.498 states "If the Defendant is admitted to bail, the bail must be set at an
12 amount which in the judgment of the Magistrate will reasonably ensure the appearance of the
13 Defendant and the safety of other persons and of the community, having regard to:

- 14 1. The nature and circumstances of the offense charged;
15 2. The financial ability of the Defendant to give bail;
16 3. The character of the Defendant; and
17 4. The factors listed in NRS 178.4853.

18 NRS 178.4853 factors are as follows:

- 19 1. The length of his residence in the community;
20 2. The status and history of his employment;
21 3. His relationship with his spouse and children, parents or other member of
22 his family and with his close friends;
23 4. His reputation, character and mental condition;
24 5. His prior criminal record, including, without limitation, any record of his
25 appearing or failing to appear after release on bail or without bail;
26 6. The identity of responsible members of the community who would vouch
27 for the reliability of the person;
28 7. The nature of the offense with which he is charged, the apparent
probability of conviction and the likely sentence insofar as these factors
relate to the risk of his not appearing;
8. The nature and seriousness of the danger to the alleged victim, any other
person or the community that would be posed by the person's release;
9. The likelihood of more criminal activity by him after he is released; and
10. Any other factors concerning his ties to the community or bearing on the
risk that he may willfully fail to appear.

21 Defendant has brazenly disregarded both the orders of the Court regarding his release
22 conditions and the conditions of his plea agreement, filed on August 4, 2021, that he has no
23 contact whatsoever with the three (3) named victims in this case. Defendant knowingly called
24 one of the named victims (Jonathan Shockely) and states "Jonathan, Jonathan, Jonathan," and
25 continues his voicemail to indicate that he has "figured out" who Rosemarie McMorris is.

*2900, when
the proof?*

1 Defendant proceeds to scream into the phone stating "that's the piece of shit [referring to Ms.
2 McMorris] that made me more disabled." Defendant yells in a threatening manner that "they,"
3 referring to Shockely and McMorris are "pedophiles" and "worthless fucks." Defendant tells
4 Jonathan that he needs to "put [his] fucking address in that paperwork to you fucking little
5 fucker."

6 Defendant's brazen violations of this Court's orders, and his plea agreement, provide
7 good cause to increase/impose monetary bail. Defendant's underlying behavior in both justice
8 Court cases is concerning and aggressive. Defendant was given the opportunity to behave and
9 abide by the orders of the Court while out of custody, and he has utterly failed to do so in a
10 continued aggressive, violent, and frankly terrifying manner. The victims should not be
11 subjected to this behavior. Defendant's threats cause safety concerns for all involved in this

12 case. What about the safety of the Defendant and the 5
13 evictions SEDGWICK caused. What about the doctors
14 appointment Petitioner

CONCLUSION

15 Based upon the above, the State respectfully requests that this Court GRANT the
16 State's Motion to Remand Defendant and increase/impose monetary bail and high-level
17 electronic monitoring pending sentencing pursuant to NRS 178.484(12)(b) and NRS 178.499.

DATED this 5th day of October, 2021.

18 STEVEN B. WOLFSON
19 Clark County District Attorney
Nevada Bar #001565

20 BY

21 KRISTINA A. RHODES
22 Chief Deputy District Attorney
Nevada Bar #012480

CERTIFICATE OF ELECTRONIC FILING

23 I hereby certify that service of the above and foregoing was made this 5th day of
24 October, 2021, by Electronic Filing to:

25 BENARD LITTLE, Deputy Public Defender
26 benard.little@clarkcountynv.gov

27 BY /s/ E. Goddard

28 21CR019840/erg/L-4

E. Goddard
Secretary - District Attorney's Office

**PLEADING
CONTINUES
IN NEXT
VOLUME**