



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

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

Electronically Filed
Jan 19 2024 02:00 PM
Elizabeth A. Brown
Clerk of Supreme Court

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

January 19, 2024

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

RE: MATTHEW HOUSTON vs. CALVIN JOHNSON

S.C. CASE: 87884

D.C. CASE: A-22-853203-W

Dear Ms. Brown:

Pursuant to your Order Directing Entry and Transmission of Written Order, dated January 17, 2024, enclosed is a certified copy of the Order filed January 19, 2024 in the above referenced case. If you have any questions regarding this matter, please do not hesitate to contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Amanda Hampton
Amanda Hampton, Deputy Clerk

1 ORDR

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

5 *****

6 MATTHEW HOUSTON #7035801

CASE NO. A-22-853203-W

7 Plaintiff,

DEPARTMENT XVII

8 vs.

9 CALVIN JOHNSON

10 Defendant.

11 **ORDER**

12
13 This matter having come before the Court December 6, 2023 on Mr. Houston's emergency
14 motion to modify and/or correct illegal sentence,

15 IT IS HEREBY ORDERED that Mr. Houston's motion is DENIED.

16 In the instant motion Mr. Houston failed to provide any sort of legal argument or analysis to
17 support the contention his sentence was in any way illegal. An illegal sentence is a sentence "at
18 variance with the controlling sentencing statute or [is] illegal in the sense that the court goes beyond
19 its authority by acting without jurisdiction or imposing a sentence in excess of the statutory
20 maximum provided." Edwards v. State, 112 Nev. 704, 708, 918 P.2d 321, 325 (1996) (internal
21 citations omitted).

22
23 Mr. Houston freely and voluntarily entered his guilty plea before Judge Villani on August 4,
24 2021 to one count of Aggravated Stalking, NRS 200.575. Aggravated Stalking carries a penalty
25 range of anywhere from two (2) years to fifteen (15) years in the Nevada Department of Corrections.
26 This is a probationable offense, however, pursuant to the Guilty Plea Agreement sentencing is
27 entirely up to the Court and whether he were to receive probation or not is in the discretion of the
28

1 sentencing judge. *See* August 4, 2021 Guilty Plea Agreement from case C-21-375927-1 p3: 14-16;
2 4:1-2.

3 December 6, 2021, the date set for sentencing, the State of Nevada played a voicemail
4 wherein Mr. Houston called one of the named victims and in the angriest tone coupled with extreme
5 foul language demonstrated he will not abide by the Court's order to have no contact. When the
6 voicemail was played there was no contention that Mr. Houston did not leave that message.
7

8 The Court then sentenced Mr. Houston to a maximum of ninety-six (96) months with a
9 minimum parole eligibility of twenty-four (24) months in the Nevada Department of Corrections
10 with ninty-three (93) days credit for time served. The criminal case was rightfully and properly
11 before Judge Jones as she was the assigned department for Mr. Houston at the time of sentenceing.
12 Judge Jones' sentence did not exceed the maximum penalty allowed for the charge of aggravated
13 stalking. The sentence was not illegal.
14

15
16 Dated this 19th day of January, 2024

17 

18
19 **15A C1F 3E3F A443**
20 **Jennifer Schwartz**
21 **District Court Judge**

22 January 19, 2024



CERTIFIED COPY
ELECTRONIC SEAL (NRS 1.190(3))

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Matthew Houston, Plaintiff(s)

CASE NO: A-22-853203-W

7 vs.

DEPT. NO. Department 17

8 Calvin Johnson, 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: 1/19/2024

15 Alexis Duecker

alexis@amdlawlv.com

16 Clark County DA

pdmotions@clarkcountyda.com

17 Department XVII

Dept17LC@clarkcountycourts.us