

# 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),

Electronically Filed  
Feb 21 2024 01:58 PM  
Elizabeth A. Brown  
Clerk of Supreme Court

Case No: C-21-357927-1  
*Related Case A-22-853203-W*  
Docket No: 87884

# RECORD ON APPEAL VOLUME 9

ATTORNEY FOR APPELLANT  
MATTHEW TRAVIS JOHNSON # 1210652,  
PROPER PERSON  
P.O. BOX 650  
INDIAN SPRINGS, NV 89070

ATTORNEY FOR RESPONDENT  
STEVEN B. WOLFSON,  
DISTRICT ATTORNEY  
200 LEWIS AVE.  
LAS VEGAS, NV 89155-2212

**I N D E X**

<b><u>VOLUME:</u></b>	<b><u>PAGE NUMBER:</u></b>
1	1 - 232
2	233 - 464
3	465 - 696
4	697 - 928
5	929 - 1160
6	1161 - 1392
7	1393 - 1624
8	1625 - 1856
9	1857 - 1874

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER :</u>
2	5/25/2022	"Motion for the Appointment of Ozzy Fumo (of Counsel) to Act as Standby" Most Not Preferably Alexis Plunkett(s) Christopher Burk Jason Barrus and Erica Tosh, Daniel Schwartz, Lina Sakalauskas and "Klie" from Scott Poisson, et al" Request for Evidentiary Hearing in Each of the above Case Numbers	376 - 380
2	4/15/2022	2 Day Expedited Order for Transcript	238 - 239
8	10/24/2023	Application to Proceed in Forma Pauperis (Confidential)	1804 - 1806
1	10/12/2021	Bench Warrant	70 - 72
1	10/12/2021	Bench Warrant Return (Redacted)	73 - 75
1	10/18/2021	Bench Warrant Return (Unredacted) (Confidential)	76 - 78
1	2/22/2022	Case Appeal Statement	136 - 137
1	3/30/2022	Case Appeal Statement	201 - 202
3	6/16/2022	Case Appeal Statement	596 - 597
8	10/13/2023	Case Appeal Statement	1798 - 1799
3	7/6/2022	Certificate of Mailing	631 - 632
4	9/26/2022	Certificate Of Mailing	788 - 813
9	2/21/2024	Certification of Copy and Transmittal of Record	
1	8/3/2021	Criminal Bindover	1 - 12
1	8/3/2021	Criminal Bindover (Confidential)	13 - 35
1	2/18/2022	Direct Appeal "de Novo" Hearing Requested	123 - 135
8	2/21/2024	District Court Minutes (Continued)	1852 - 1856

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
9	2/21/2024	District Court Minutes (Continuation)	1857 - 1874
2	5/4/2022	Emergency Interpleadings and Motion to Compel in re January 3rd 2022 & December 27, 2021 as Renewed Request for De Novo in Order to Reset Time for Notice to the Court of Appeals and Proper Notice of Appeal to the Supreme Court of Nevada; "De Novo Hearing Requested"	303 - 317
8	1/4/2024	Emergency Letter of Motion to the Hon. Jennifer Schwartz Nevada Department of Corrections -Under NRAP 27-E Grievant's Statement Continuation Form "Hearing Requested"	1813 - 1842
2	5/4/2022	Emergency Motion for an Order to Suppress and Notice of Demand as Result of Incurred Emotional Distress; "Hearing Request; Joinder to: A-17-758861-C C-21-357927-1, CR21019840 C-17-323614-1, CR033713, 21P01275, C1248384A and C1237802A (Case Number 21P01950)	298 - 302
2	5/4/2022	Emergency Motion for an Order to Suppress Criminal Complaint Filed April 26th, 2021; "Suppression Hearing Requested"	291 - 297
1	4/2/2022	Emergency Motion for an Order to Suppress Hearing from December 6th, 2021. "De Novo Hearing Requested"	213 - 226
2	5/19/2022	Emergency Motion for the Production of All Exculpatory Evidence Being Withheld by the Prosecution, "Hearing Requested"	375 - 375
1	4/6/2022	Emergency Motion Requesting Hearing, De Novo, and Release to Intensive Supervision;	227 - 232

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Oral Argument; Hearing Requested; Jury Trial Demanded	
1	3/15/2022	Emergency Motion to Oppose Remand and Dismiss Case in It's Entirety.	138 - 144
3	7/25/2022	Emergency Motion to Stay the Remittitur in All Appeals of Matthew Travis Houston, Not Limited to 79408, 8056, 80562-COA, 84281, 84417, 84418, 84477, 84478, 84885, 84886, and 84887 Pending Application to the Supreme Court of the United States for a Writ of Certiorari	641 - 643
2	5/19/2022	Emergency Motion to Strike from the Record "Information" File August 3rd, 2021; "Suppression Hearing Requested" and a "De Novo Hearing Requested"	366 - 374
2	4/13/2022	Emergency Motion to Withdraw Plea; Hearing Requested; Jury-Trial Demanded; Joinder to: A-17-758861-C	233 - 237
1	3/29/2022	Emergency Notice of Appeal to and Response to "Order Granting in Party, Denying in Part Defendant's Pro Per Motion to Dismiss Counsel" from 2/1/2022.; Part II of Personal Restraint Petition	145 - 200
2	4/18/2022	Emergency Opposition to "Guilty Plea Agreement" and Motion to Suppress Document Filed on August 4th, 2021. "De Novo Hearing Requested"	247 - 253
1	8/4/2021	Guilty Plea Agreement	43 - 51
1	8/3/2021	Information	36 - 37
1	12/8/2021	Judgment of Conviction (Plea of Guilty)	101 - 103

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	4/2/2022	Memorandum of Points and Authorities in Support of Request for Transcripts at State Expense	210 - 211
2	4/28/2022	Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference	280 - 285
2	5/11/2022	Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference	342 - 348
3	6/9/2022	Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference	510 - 514
3	6/17/2022	Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference	598 - 602
3	7/6/2022	Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference; "De Novo Hearing Requested" (Unfiled)	634 - 640
2	4/18/2022	Motion for an Order to Appear by Phone or Video and Notice of Motion	254 - 254
1	1/3/2022	Motion to Dismiss Counsel; Requesting Order Setting Hearing	104 - 109
3	6/15/2022	Motion to Obtain a Copy of a Sealed Record (Presentence Investigation Report - NRS 176.156) on an Order Shortening time; Notice of Motion and Motion	590 - 595

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
1	10/5/2021	Motion to Withdraw as Attorney of Record and Appoint Alternate Counsel in Order for Defendant to Withdraw His Guilty Plea	52 - 54
4	6/6/2023	Motion to Withdraw Counsel "Hearing Requested"	898 - 906
3	6/22/2022	Motion(s) to Stay Remittitur(s) in 84477 and 84478 and Renewed Motion for an Order to Suppress Hearing from December 6th, 2021 and Motion for an Order to Taleen Pandukht to Read Both the Direct Appeal Filed February 18th, 2022 and Factual Evidence Filed March 29th, 2022 in re State's Opposition to Petitioner's Emergency Motion for an Order to Suppress Hearing from December 6th, 2021; "de Novo Hearing(s) Requested Since December 27th, 2021" "De Novo Hearing(s) Requested Since December 27th, 2021"	603 - 630
6	9/21/2023	Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed in Part and Dismissed in Part	1217 - 1221
2	5/3/2022	Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed; Rehearing Denied	286 - 290
3	7/28/2022	Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed; Rehearing Denied; Petition Denied	644 - 652
8	1/16/2024	Notice of Hearing	1850 - 1851
2	5/11/2022	Notice of Motion	341 - 341
8	1/6/2024	Notice of Motion and Emergency Motion for Modification of Sentence Under NRCF	1843 - 1849

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER :</u>
		59, NRCP 60 and NRAP 27-E "Hearing Requested"	
1	3/31/2022	Notice of Motion and Motion for Transcripts at State Expense	203 - 209
3	7/6/2022	Notice of Motion; "De Novo Hearing Requested"	633 - 633
8	10/24/2023	Notice of Motion; Notice of Motion and Motion to Withdraw Counsel and for Production of Client Files and Other Relief: Motion to Withdraw Counsel and for Production of Client Files and Other Relief "Hearing Requested"	1800 - 1803
3	6/9/2022	Objection to Taleen R. Pandukht	515 - 521
2	5/10/2022	Order Denying Defendant's All Pending Motions	338 - 340
3	6/2/2022	Order Denying Defendant's Pending Motions	492 - 494
6	10/5/2023	Order for Production of Inmate Matthew Houston, aka, Matthew Travis Houston, BAC #1210652	1222 - 1224
3	6/2/2022	Order for Production of Inmate Matthew Travis Houston, BAC #1210652	495 - 497
2	4/26/2022	Order for Transcript	278 - 279
1	2/1/2022	Order Granting in Part, Denying in Part Defendant's Pro Per Motion to Dismiss Counsel	120 - 122
7	10/6/2023	Part III of Personal Restraint Petition, Response to "Finding of Fact, Conclusion of Law and Order Filed September 06, 2023; Emergency Notice of Appeal and Continued /Renewed Response to "Order Granting in Part, Denying in Part	1510 - 1624



I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		Defendant's Pro Per Motion to Dismiss Counsel" from 2/1/2022; as a Brandies Brief "Hearing Requested" (Continued)	
8	10/6/2023	Part III of Personal Restraint Petition, Response to "Finding of Fact, Conclusion of Law and Order Filed September 06, 2023; 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 Brandies Brief "Hearing Requested" (Continuation)	1625 - 1794
2	5/6/2022	Personal Restraint Petition and Continued Petition for a Writ of Habeas Corpus, and Motion for Production of Complete Case Transcripts; "Requesting an Order to Appear"	318 - 337
3	6/10/2022	Petition for Judicial Review; "Order to Appear is Requested" as is "Hearing Requested" Followed by a Joinder to Case No. #A-17-758861-C Dept. #29 that Hearing is April 6th, 2022.	522 - 534
3	6/14/2022	Preliminary Opposition and Notice of Formal Objection to Any Sort of Vexatious Litigant Order, Notice of Appeal and Any Other Sort of Chicanery Kristina Rhoads Tries to Conjure Up from the Demons of Injustice; "De Novo Requested"	535 - 589
1	11/2/2021	Presentence Investigation Report (Unfiled) (Confidential)	86 - 93
2	5/25/2022	Renewed Motion to Withdraw Plea	390 - 400

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
8	10/12/2023	Renewed Notice of Appeal "Hearing Requested" "Joinder of Appeal" to Case No. A-17-758861-C Dept. No. 29	1795 - 1797
4	10/3/2022	Request for Transcript Pursuant to NRAP 9(a)(3)	814 - 816
1	10/8/2021	State's Notice of Manual Filing of Exhibit 1 for 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	67 - 69
1	10/5/2021	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; Hearing Requested	55 - 66
2	4/21/2022	State's Opposition to Defendant's Emergency Motion to Withdraw Plea	271 - 277
2	4/19/2022	State's Opposition to Petitioner's Emergency Motion for an Order to Suppress Hearing from December 6, 2021	255 - 270
1	8/4/2021	Transcript of Hearing Held on August 2, 2021	38 - 42
2	4/18/2022	Transcript of Hearing Held on August 4, 2021	240 - 246
2	5/16/2022	Transcript of Hearing Held on December 6, 2021	349 - 365
4	1/13/2023	Transcript of Hearing Held on December 6, 2021	861 - 873

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	1/5/2023	Transcript of Hearing Held on October 11, 2021	850 - 852
4	1/10/2023	Transcript of Hearing Held on October 25, 2021	853 - 860
2	5/26/2022	Unfiled Document(s) - "Renewed Motion to Suppress Hearing from December 6th, 2021 and Motion for an Order to Taleen Pandukht to Read 03/29/2022 in Re State's Opposition to Petitioner's Emergency Motion for an Order to Suppress Hearing from December 6th, 2021" "Rehearing Requested" and "De Novo Hearing Requested" (Continued)	401 - 464
3	5/26/2022	Unfiled Document(s) - "Renewed Motion to Suppress Hearing from December 6th, 2021 and Motion for an Order to Taleen Pandukht to Read 03/29/2022 in Re State's Opposition to Petitioner's Emergency Motion for an Order to Suppress Hearing from December 6th, 2021" "Rehearing Requested" and "De Novo Hearing Requested" (Continuation)	465 - 484
4	6/30/2023	Unfiled Document(s) - Attorney Letter w/ Copy Unfiled Notice of Motion Motions for Modification of Sentence	907 - 913
3	7/30/2022	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Intervention and Interpleading of Joinder to A-22-853203-W in Department XI in re Motion to Retax "de Novo Hearing Requested" (Continued)	653 - 696
4	7/30/2022	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Intervention and Interpleading of Joinder to A-22-	697 - 708

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		853203-W in Department XI in re Motion to Retax "de Novo Hearing Requested" (Continuation)	
4	10/26/2022	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Motion for the Justice Court of Las Vegas Township	817 - 821
4	8/4/2022	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Motion for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference	781 - 787
4	7/30/2022	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Motion in re Emergency Petition for a Writ of Mandamus and Other Extraordinary Writs Not Limited to the "OMG! It's the *Classified Super* Top Secret Man-Ders-\$-Dues-Ta-Me-Damned-US-Exponentially" "De Novo Requested"	709 - 735
1	1/3/2022	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Motion Requesting Hearing, De Novo, and Release to Intensive Supervision; Oral Argument; Hearing Requested; Jury Trial Demand	110 - 116
4	5/11/2023	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Motion to Consolidate and Produce Plaintiffs Direct Appeal "Hearing Requested"; Valid Reason in Supported Grounds of Emergency Interpleadings of Factual Merit and Motion to Compel in Regards to Dismissal from June 26th, 2020; Notice of Appeal to the 9th Circuit Court of Appeals and Response to "Order" from Case Number 2:19-CV-	874 - 890

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
		01371, Document 29 in Her Abuse of Discretion and Erroneousness from August 26th, 2022; Emergency Ex Parte Letter of Motion Invoking Local Rule LR IA 1-4 to Set Aside Local Rules of Proactive 1-1, 1-2 and 26-7; Ex Parte Letter of Motion ass a Joinder to all Cases of the Plaintiff (See 2;19-CV-01472-AIG-OJA) "De Novo Hearing Requested"; Notice of Appeal to Judgement from August 16th, 2022 and Emergency Motion to Vacate Dismissal from August 16th, 2022 "De Novo Hearing Requested"; Emergency Motion to Reopen Case from October 26th, as an Ex Parte Response to Document 33 and Order of Magistrate Daniel J. Albreghts Requesting His Recusal in Honor, Response to Document 33 (Filed 10/14/22 in case 2;19-cv-01472-APG-OJA) Memorandum "AKA" Another "Miranda-Memo-Ran-Damned"; Ex Parte Letter of Motion to United States Magistrate Judge Daniel J. Albreghts See EJDC No. A-17-758861-C; Emergency Ex Parte Letter of Motion to US District Court Magistrate Daniel J. Albreghts in Response to Order from October 7th, 2022 (Document 11) and Motion to Stay all Documents in all Cases of Reverend Matthew Travis Houston "De Novo Requested" Ex Parte Letter of Motion (Now See EJDC A-17-758861-C and - Memorandum - in 2:22-cv-01285 "Not Stricken" //AKA/ form Case No. 2:22-cv-01285: Previously Filed as Document No. 7 "Miranda-Memo-Ran-Damned"; Emergency 'Joinder of Accountability' and a Retroactive Joinder of Appeal to	

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER :</u>
		Consolidate My Will and Renewed Caveat this 15th day of October, 2022 on as "Nevada Department of Corrections Grievant's Statement Continuation Form" as an Emergency Mot, to Recuse "DJA" - AKA Daniel J. Albreghts LVMPD ID # is ; 7035801	
8	10/24/2023	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Motion to Modify and/or Correct Illegal Sentence under NRCP 59 and NRCP 60 "Hearing Requested"	1807 - 1812
1	10/21/2021	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Motion to Oppose Remand and Dismiss Case in It's Entirety	79 - 85
4	9/13/2023	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Motion to Withdraw Plea under NRCP 59 and NRCP 60 "Hearing Requested" "Reset De Novo Hearing from: June 15, 2022"; Et Al. (Continued)	919 - 928
5	9/13/2023	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Motion to Withdraw Plea under NRCP 59 and NRCP 60 "Hearing Requested" "Reset De Novo Hearing from: June 15, 2022"; Et Al. (Continued)	929 - 1160
6	9/13/2023	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Motion to Withdraw Plea under NRCP 59 and NRCP 60 "Hearing Requested" "Reset De Novo Hearing from: June 15, 2022"; Et Al. (Continuation)	1161 - 1216

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	7/30/2022	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Emergency Opposition and Notice of Formal Objection to Any Sort of Vexatious Litigant Order and Any and all Other Sort of Chicanery that "Gerri Lynn Hardcastle and the State Bar of Nevada, et al" May Attempt to Conjure up From the Demons of Injustice Known as "the Shadow Hills Church" and "Ernest May Elementary" "De Novo Hearing Requested"	736 - 780
1	11/30/2021	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Motion for a Writ of Subpoena Duces Tecum	94 - 100
6	10/5/2023	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Part II of Personal Restraint Petition, Response to "Findings of Fact, Conclusions of Law and Order Filed September 06, 2023; 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 02/01/2022; as a Brandeis Brief "Hearing Requested"; Et Al. (Continued)	1225 - 1392
7	10/5/2023	Unfiled Document(s) - Attorney Letter w/Copy of Unfiled Part II of Personal Restraint Petition, Response to "Findings of Fact, Conclusions of Law and Order Filed September 06, 2023; 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 02/01/2022; as a Brandeis Brief "Hearing Requested"; Et Al. (Continuation)	1393 - 1509

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
4	10/26/2022	Unfiled Document(s) - Attorney Letter w/Copy Unfiled Notice of Motion; Motion for Speedy Trial or in the Alternative Dismissal for Lack of Speedy and Timely Prosecution	822 - 849
3	5/26/2022	Unfiled Document(s) - Default Rejection Slip w/Copy of Unfiled Motion to Expedite Renewed Emergency Motion for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference and to Have Chambers Prepared Order Themselves "De Novo Hearing Demanded"	485 - 491
2	5/25/2022	Unfiled Document(s) - Default Rejection Slip w/Copy of Unfiled Renewed Emergency Motion and Order for Transportation of Inmate for Court Appearance or, in the Alternative, for Appearance by Telephone or Video Conference	381 - 389
4	7/24/2023	Unfiled Document(s) - Emergency Motion to Compel an Answer from SDS Chartered and Emergency Motion to Withdraw Counsel under NRAP 27-E and 9th.Cir.Rule.27-3 "Hearing Requested"; Unsigned Order	914 - 918
4	5/26/2023	Unfiled Document(s) - Inmate Correspondence w/Copy of Unfiled Emergency Letter of Motion - Request for Documents (on a Nevada Department of Corrections Grievant's Statement Continuation Form) "Hearing Requested"	891 - 897



I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER:</u>
3	6/9/2022	Unfiled Document(s) - Summons + Civil Counter Claim "De Novo Hearing Requested"	498 - 509
1	4/2/2022	Unsigned Document(s) - Order to Transcribe Records	212 - 212
1	1/26/2022	Verification of Providing Discovery Materials to Defendant	117 - 119

2021 ks)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 29, 2021**

C-21-357927-1      State of Nevada  
vs  
Matthew Houston

**November 29, 2021      8:30 AM      Status Check**

**HEARD BY:** Jones, Tierra      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Madalyn Riggio

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Houston, Matthew	Defendant
	Jones, Jr., John T.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Mr. Goldstein requested a week continuance so he can have another opportunity to visit Deft.  
COURT ORDERED, matter CONTINUED.

**CUSTODY**

CONTINUED TO: 12/6/21 8:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****December 06, 2021**

C-21-357927-1      State of Nevada  
vs  
Matthew Houston

**December 06, 2021      8:30 AM      Status Check**

**HEARD BY:** Jones, Tierra      **COURTROOM:** RJC Courtroom 14B

**COURT CLERK:** Michaela Tapia

**RECORDER:** Victoria Boyd

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goldstein, Anthony M.	Attorney
	Houston, Matthew	Defendant
	Little, Bernard G.	Attorney
	Rhoades, Kristina A.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Upon Court's inquiry, Deft. confirmed he no longer wished to withdraw his guilty plea. COURT ORDERED, Mr. Goldstein WITHDRAWN as counsel; Ben Little, Deputy Public Defender, CONFIRMED as counsel. Argument by the State. Argument by counsel. Victim Speaker SWORN and TESTIFIED to the Court. DEFT. HOUSTON ADJUDGED GUILTY of AGGRAVATED STALKING (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$250.00 Indigent Defense Civil Assessment fee, and \$3.00 DNA Collection fee, Deft. SENTENCED to a MAXIMUM of NINETY-SIX (96) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC), with NINETY-THREE (93) DAYS credit for time served. FURTHER, \$150.00 DNA Analysis fee WAIVED. BOND, if any, EXONERATED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 24, 2022**

C-21-357927-1      State of Nevada  
vs  
Matthew Houston

**January 24, 2022      1:30 PM      Motion to Dismiss**

**HEARD BY:** Roohani, Ellie      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:**  
Michaela Tapia

**RECORDER:** Deloris Scott

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Goodman, Laura	Attorney
	Little, Benard H	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft. not present.

Court noted the motion submitted by Deft. was largely unintelligible. Based on the Court's understanding of Deft's motion, COURT ORDERED, motion GRANTED IN PART, DENIED IN PART; the Public Defender is DISMISSED; request to recuse Judge Jones is DENIED AS MOOT; request for money is DENIED. Mr. Little indicated he would send his file to Deft. with the exception of the phone calls.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 06, 2022**

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C-21-357927-1      State of Nevada  
                                 vs  
                                 Matthew Houston

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**April 06, 2022      1:30 PM      Motion**

**HEARD BY:** Ellsworth, Carolyn      **COURTROOM:** RJC Courtroom 05B

**COURT CLERK:** Haly Pannullo

**RECORDER:** Aimee Curameng

**REPORTER:**

**PARTIES**

**PRESENT:**      Evans, Ronald James      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Defendant not present. COURT ORDERED, Motion OFF CALENDAR as this Court does not have jurisdiction.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 25, 2022**

C-21-357927-1      State of Nevada  
vs  
Matthew Houston

**April 25, 2022      9:00 AM      All Pending Motions**

**HEARD BY:** Roohani, Ellie      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Chris Harrington  
Deriontae Green

**RECORDER:** Aimee Curameng

**REPORTER:**

**PARTIES**

**PRESENT:** Rhoades, Kristina A.      Attorney  
State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Court noted Defendant not present and in the Nevada Department of Corrections.

Colloquy regarding Transcripts given to Deft. COURT ORDERED, State to provide Transcripts to Deft. FURTHER COURT ORDERED,

As to Defendant's, Pro Se Emergency Motion for an Order to Suppress Hearing from December 6, 2021, DENIED;

As to Defendant's, Emergency Motion Requesting Hearing De Novo, and Release to Intensive Supervision, DENIED IN ADVANCE;

As to Defendant's, Emergency motion to Withdraw Plea, DENIED IN ADVANCE;

As to Defendant's, Pro- Se Person Motion for An Order to Appear By Phone Or Video and Notice of Motion, DENIED IN ADVANCE;

PRINT DATE: 02/21/2024

Page 11 of 23

Minutes Date: August 04, 2021

**C-21-357927-1**

NDC



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 09, 2022**

C-21-357927-1      State of Nevada  
vs  
Matthew Houston

**May 09, 2022      9:00 AM      All Pending Motions**

**HEARD BY:** Roohani, Ellie      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:**  
Natalie Ortega

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- DEFENDANT'S EMERGENCY MOTION TO WITHDRAW PLEA

DEFENDANT'S PRO SE MOTION FOR AN ORDER TO APPEAR BY PHONE OR VIDEO AND  
NOTICE OF MOTION

MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR IN  
THE ALTERNATIVE FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE

EMERGENCY INTERPLEADINGS AND MOTION TO COMPEL IN RE January 3RD 2022

MOTION FOR ORDER TO SUPPRESS CRIMINAL COMPLAINT FILED April 26TH 2021

MOTION FOR ORDER TO SUPPRESS AND NOTICE OF DEMAND AS RESULT OF INCURRED  
EMOTIONAL DISTRESS

COURT ORDERED, the May 23, 2022 Motion and Order for Transportation of Inmate for Court  
Appearance or in the Alternative for Appearance by Telephone or Video Conference ADVANCED

PRINT DATE: 02/21/2024

Page 13 of 23

Minutes Date: August 04, 2021

and DENIED as MOOT as the hearings had already occurred.

COURT FURTHER ORDERED, the May 25, 2022 Motions: Emergency Interpleading and Motion to Compel in re January 3, 2022, Motion for Order to Suppress Criminal Complaint filed April 26, 2021, and Motion for Order to Suppress and Notice of Demand as Result of Incurred Emotional Distress ADVANCED and DENIED WITHOUT PREJUDICE as being unintelligible and unsensible.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****June 01, 2022**

C-21-357927-1

State of Nevada

vs

Matthew Houston

**June 01, 2022****9:00 AM****Motion****HEARD BY:** Roohani, Ellie**COURTROOM:** RJC Courtroom 03E**COURT CLERK:**

Natalie Ortega

**RECORDER:** Jill Hawkins**REPORTER:****PARTIES****PRESENT:**Evans, Ronald James  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- COURT NOTED the direct appeal was already exhausted. Mr. Evans suggested to appoint counsel to determine if there were any legal basis. COURT ORDERED, counsel to be APPOINTED for the purposes of discussing the Habeas Corpus Petition. COURT FURTHER ORDERED, Defendant to be produced. COURT ADDITIONALLY ORDERED, Status Check SET regarding briefing schedule and status check. COURT NOTED Drew Christensen, Esq., would be contacted regarding the appointment of counsel. COURT ORDERED, Motion and Order for Transportation of Inmate for Court Appearance or in the Alternative for Appearance by Telephone or Video Conference DENIED as MOOT. Additionally, the June 13, 2022 Motion to Strike, Motion for Production and June 15, 2022 Motion for Appointment and Renewed Motion to Withdraw Plea ADVANCED and DENIED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 06, 2022**

C-21-357927-1      State of Nevada  
vs  
Matthew Houston

**July 06, 2022      9:00 AM      All Pending Motions**

**HEARD BY:** Roohani, Ellie      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:**  
Natalie Ortega

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Barker, Julia A	Attorney
	Houston, Matthew	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- MOTION AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR  
IN THE ALTERNATIVE FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE

MOTION TO OBTAIN A COPY OF A SEALED RECORD

COURT ORDERED, Motion And Order For Transportation Of Inmate For Court Appearance Or In  
The Alternative For Appearance By Telephone Or Video Conference DENIED as a hearing was  
already scheduled for July 13th. COURT ORDERED, Motion To Obtain A Copy Of A Sealed Record  
GRANTED; COURT DIRECTED the Public Defender's office to send Defendant a copy of the Pre-  
Sentence Investigation Report (PSI) to Defendant.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 13, 2022**

C-21-357927-1      State of Nevada  
vs  
Matthew Houston

**July 13, 2022      9:00 AM      All Pending Motions**

**HEARD BY:** Roohani, Ellie      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:**  
Natalie Ortega

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Duecker, Alexis M.	Attorney
	Evans, Ronald James	Attorney
	Houston, Matthew	Defendant
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- A853203 - EMERGENCY MOTION (S) AND ORDER FOR TRANSPORTATION OF INMATE FOR COURT APPEARANCE OR, IN THE ALTERNATIVE, FOR APPEARANCE BY TELEPHONIC OR VIDEO CONFERENCE

A853203 - EMERGENCY MOTION TO SET ASIDE DISMISSAL IN CASE A-17-758861-C , AFFIDAVIT OF DUE DILIGENCE IN PRO PART, PER PART TO RENEWED COUNTERCLAIM ;AND COMPLAINT(S)

A853203 - PLAINTIFF'S - MOTION FOR APPOINTMENT OF COUNSEL, IN THE NAME OF PITARRO AND FUMO CHTD., MISS EMILY STRAND ESQ. TO INTERVENE AS STANDBY

C357927 - MOTION TO STAY REMITTITUR IN 84477 AND 84478 AND RENEWED MOTION FOR AN ORDER TO SUPPRESS HEARING FROM 12/6/2021 AND MOTION FOR AN ORDER TO TALEEN PANDUKHT TO READ BOTH THE DIRECT APPEAL FILED 2/18/2022

PRINT DATE: 02/21/2024

Page 17 of 23

Minutes Date: August 04, 2021

C357927 - STATUS CHECK / BRIEFING SCHEDULE

Court explained to Defendant counsel had been appointed to Defendant. It understood he filed a Habeas Petition; however, the Court would prefer to allow his counsel to review the petition and supplement the petition for purposes of appeal. COURT ORDERED, Alexis Dueker, Esq., APPOINTED. Statement by Defendant regarding other cases and a death threat. COURT NOTED for the purposes of today all motion, with the exception of the Habeas Petition DENIED WITHOUT PREJUDICE. Ms. Dueker will speak with Defendant and this matter would be CONTINUED. COURT ORDERED, matter CONTINUED. COURT FURTHER NOTED at the continuance a briefing schedule would be set. If a supplement is to be filed, it should be filed forty-five (45) days from today. COURT DIRECTED the State to Prepare a Transport Order.

08/31/22 9:00 AM STATUS CHECK: BRIEFING SCHEDULE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 15, 2022**

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C-21-357927-1      State of Nevada  
   vs  
   Matthew Houston

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**August 15, 2022      9:15 AM      Motion to Stay**

**HEARD BY:** Lilly-Spells, Jasmin      **COURTROOM:** RJC Courtroom 12D

**COURT CLERK:**  
Alice Jacobson

**RECORDER:** Brittany Kanger-McGiffin

**REPORTER:**

**PARTIES**

**PRESENT:** Rhoades, Kristina A.      Attorney  
State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Deft and Defense counsel not present. COURT ORDERED, motion DENIED AS MOOT.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 31, 2022**

C-21-357927-1      State of Nevada  
                                 vs  
                                 Matthew Houston

**August 31, 2022      9:00 AM      Status Check**

**HEARD BY:** Roohani, Ellie      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:**  
Natalie Ortega

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT NOTED this matter should have been taken OFF CALENDAR as a briefing schedule had already been set.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 15, 2023**

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C-21-357927-1      State of Nevada  
                                 vs  
                                 Matthew Houston

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**November 15, 2023      9:00 AM      Motion**

**HEARD BY:** Schwartz, Jennifer      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Carmen Berentsen

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Botelho, Agnes M      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Deft. and their counsel, Ms. Alexis Duecker, Esq., not present.

COURT ORDERED, all future dates RESET to 12/6/23.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 06, 2023**

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C-21-357927-1      State of Nevada  
                                 vs  
                                 Matthew Houston

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**December 06, 2023      9:00 AM      Motion**

**HEARD BY:** Schwartz, Jennifer      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Carmen Berentsen

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Botelho, Agnes M      Attorney  
                                 Houston, Matthew      Defendant  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Charles Goodwin, Esq. provided a copy of Deft.'s file to Deft. on behalf of Ms. Alexis Duecker, Esq. COURT ORDERED, Motion GRANTED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross  
Misdemeanor**

**COURT MINUTES**

**January 19, 2024**

C-21-357927-1

State of Nevada

vs

Matthew Houston

**January 19, 2024**

**12:29 PM**

**Minute Order**

**HEARD BY:** Schwartz, Jennifer

**COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Carmen Berentsen

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Pursuant to July 13, 2023 Order in A858580 and January 8, 2024 Order in A853203 all Motions to Modify Sentence or Motion to Correct Illegal Sentence or Motion to Establish Factual Innocence shall be taken off calendar.

Additionally, Defendant s Emergency Letter of Motion to the Honorable Jennifer Schwartz scheduled for January 29, 2024 shall be vacated as there is no legal cause, basis, authority or jurisdiction for this Court to grant or order Mr. Houston s parole/release.

CLERK'S NOTE: A copy of this Minute Order was mailed to Defendant Matthew Houston at #1210652, HDSP, P.O. Box 650, Indian Springs, NV, 89070. //cb 1/19/24

# Certification of Copy and Transmittal of Record

State of Nevada }  
County of Clark } SS:

Pursuant to the Supreme Court order dated February 20, 2024, I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the complete trial court record for the case referenced below. The record comprises nine volumes with pages numbered 1 through 1874.

STATE OF NEVADA,

Plaintiff(s),

vs.

MATTHEW HOUSTON, aka, MATTHEW  
TRAVIS HOUSTON,

Defendant(s),

Case No: C-21-357927-1

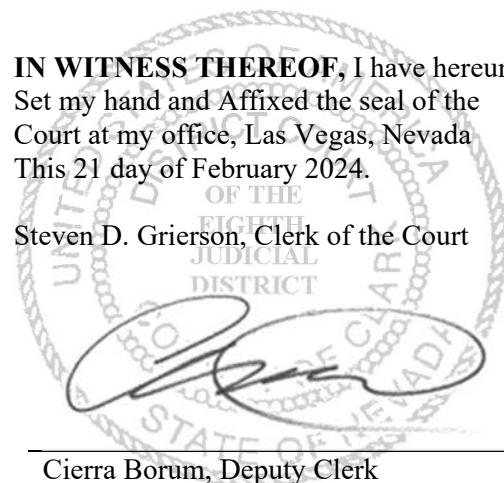
*Related Case A-22-853203-W*

Dept. No: XVII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 21 day of February 2024.

Steven D. Grierson, Clerk of the Court



Cierra Borum, Deputy Clerk