

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
Mar 20 2024 11:21 AM
Elizabeth A. Brown
Clerk of Supreme Court

Case No: C-21-357927-1
Related Case A-22-853203-W
Docket No: 88275

RECORD ON APPEAL VOLUME 1

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

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Alameda S. Gustin

CLERK OF THE COURT

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

STATE OF NEVADA,

Plaintiff,

vs.

MATTHEW HOUSTON, AKA,
MATTHEW TRAVIS HOUSTON,

Defendant

District Court Case No.: C-21-357927-1

Dept: X

Justice Court Case No.: 21-CR-019840

CERTIFICATE

I hereby certify the foregoing to be a full, true and correct copy of the proceedings as
the same appear in the above case.

Dated this 2nd day of August, 2021

Haumony Retzler

Justice of the Peace, Las Vegas Township

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

STATE OF NEVADA,

Plaintiff,

vs.

MATTHEW HOUSTON, AKA,
MATTHEW TRAVIS HOUSTON,

Defendant

District Court Case No.:

Justice Court Case No.: 21-CR-019840

BINDOVER and ORDER TO APPEAR

An Order having been made this day by me that **MATTHEW HOUSTON, AKA, MATTHEW TRAVIS HOUSTON**, be held to answer before the Eighth Judicial District Court, upon the charge(s) of **Make threat/false info re act of terrorism/WMD [51522]** committed in said Township and County, on December 23, 2020 .

IT IS FURTHER ORDERED that said defendant is commanded to appear in the Eighth Judicial District Court, Regional Justice Center, Lower Level Arraignment Courtroom "A", Las Vegas, Nevada on August 04, 2021 at 8:00 AM for arraignment and further proceedings on the within charge(s).

IT IS FURTHER ORDERED that the Sheriff of the County of Clark is hereby commanded to receive the above named defendant(s) into custody, and detain said defendant(s) until he/she can be legally discharged, and be committed to the custody of the Sheriff of said County, until bail is given in the sum of \$500.00/\$500.00 Total Bail and Electronic Monitoring - High Level.

Dated this 2nd day of August, 2021



Justice of the Peace, Las Vegas Township

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JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

THE STATE OF NEVADA, 2021 APR 27 P 2:34

Plaintiff,

-vs-

MATTHEW HOUSTON, aka,
Matthew Travis Houston #7035801,

Defendant.

JUSTICE COURT
LAS VEGAS, NEVADA

CASE NO:

21CR019840

BY 3JG

DEPT NO:

3

DA CASE NO: 202115878C

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

/mab
LVMPD EV# 210300101590
(TK) 3

**Justice Court, Las Vegas Township
Clark County, Nevada**

Department: 03

Court Minutes



LD13878396

21-CR-019840

State of Nevada vs. HOUSTON, MATTHEW TRAVIS

Lead Atty: Public Defender

8/2/2021 9:00:00 AM Preliminary Hearing (In Custody)

Result: Bound Over

**PARTIES
PRESENT:**

State Of Nevada
Attorney
Defendant

Merback, William
Little, Benard H
HOUSTON, MATTHEW TRAVIS

Judge: Letizia, Harmony
Court Reporter: MacDonald, Kit
Court Clerk: Boyd, Thomas

PROCEEDINGS

Attorneys:	Little, Benard H	HOUSTON, MATTHEW TRAVIS	Added
Events:	Unconditional Bind Over to District Court Review Date: 8/3/2021 <i>Defendant unconditionally waives right to Preliminary Hearing. Defendant Bound Over to District Court as Charged. Defendant to Appear in District Court for Arraignment.</i> Case Closed - Bound Over District Court Appearance Date Set <i>Aug 4 2021 8:00AM: In Custody</i> Defendant to be released OR at entry of plea <i>with Low Level Electronic Monitoring in District Court</i> This case to be dismissed <i>21-CR-0333713</i> Bail Stands - Cash or Surety <i>Amount: \$500.00</i> <i>Counts: 001 - \$500.00/\$500.00 Total Bail</i> Release Order - Bail AND Electronic Monitoring - High Level Bail Condition - Stay Away From Victim		
Plea/Disp:	001: Make threat/false info re act of terrorism/WMD [51522] Disposition: Waiver of Preliminary Hearing - Bound Over to District Court		

**Justice Court, Las Vegas Township
Clark County, Nevada**

Department: 03

Court Minutes



L013833560

21-CR-019840

State of Nevada vs. HOUSTON, MATTHEW TRAVIS

Lead Atty: Public Defender

**7/19/2021 8:00:00 AM Arrest Warrant Return
Hearing (In Custody)**

Result: Matter Heard

PARTIES PRESENT: State Of Nevada Wyse, Seleste
Attorney Cox, G. Darren
Defendant HOUSTON, MATTHEW TRAVIS

Judge: Pro Tempore, Judge

Court Reporter: MacDonald, Kit

Pro Tempore: Stoberski, Holly S.

Court Clerk: Boyd, Thomas

PROCEEDINGS

Attorneys:	Cox, G. Darren	HOUSTON, MATTHEW TRAVIS	Added
	Public Defender	HOUSTON, MATTHEW TRAVIS	Added

Hearings:	8/2/2021 9:00:00 AM: Preliminary Hearing	Added
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Events: Initial Appearance Completed

Defendant Advised of Charges on Criminal Complaint, Waives Reading of Criminal Complaint

Defendant Identified as Indigent

Defendant and the Court discussed the appointment of counsel and defendant requested appointment of counsel.

Public Defender Appointed

Bail Argument Heard

The Court has heard arguments from the prosecution and defense counsel regarding custody of the Defendant

Individualized Custody Status Hearing Held

The Court conducted an individualized determination regarding the defendant's custody status. Both the State and the Defendant's provisionally appointed counsel had the opportunity to present evidence and argument regarding the Defendant's custody status. The Court has also considered factors set forth in NRS 178.4853 and NRS 178.498 and has considered the Defendant's financial resources when a financial affidavit was available and/or when the defendant was present in court.

Bail Reset - Cash or Surety

Counts: 001 - \$500.00/\$500.00 Total Bail

**Release Order - Bail AND Electronic Monitoring -
High Level**

Bail Condition - Stay Away From Victim

**Justice Court, Las Vegas Township
Clark County, Nevada**

Department: 03

Court Minutes



L013599013

21-CR-019840 State of Nevada vs. HOUSTON, MATTHEW TRAVIS

5/13/2021 7:30:00 AM Arrest Warrant Request

Result: Arrest Warrant Issued

**PARTIES
PRESENT:**

Judge: Letizia, Harmony

Court Clerk: Boyd, Thomas

PROCEEDINGS

Events: Request for Arrest Warrant Filed

Review Date: 5/17/2021

Filed

Request Granted

Probable Cause Found

Arrest Warrant Ordered to be Issued-Bail Cash or Amount: \$3,000.00

Surety

Counts: 001 - \$3,000.00/\$3,000.00 Total Bail

Bail Condition - Electronic Monitoring

Medium

Bail Condition - Stay Away From Victim

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

FILED

THE STATE OF NEVADA,

Plaintiff,

-vs-

MATTHEW HOUSTON, aka,
Matthew Travis Houston #7035801,

Defendant.

CASE NO:

DEPT NO:

2021 MAY 17 4 21
21CR019840
LAS VEGAS NEVADA
BY *[Signature]*
DEPUTY

REQUEST FOR ARREST WARRANT

COMES NOW, STEVEN B. WOLFSON, District Attorney, and requests that a Warrant of Arrest be issued for the above named Defendant pursuant to NRS 171.106 and the Complaint and/or Affidavit(s) attached hereto and incorporated herein by this reference.

STEVEN B. WOLFSON
DISTRICT ATTORNEY
Nevada Bar #001565

PROBABLE CAUSE FOUND: X

BAIL: \$3K + mid-level + stay away

PROBABLE CAUSE NOT FOUND: _____

[Signature]

JUSTICE OF THE PEACE,
LAS VEGAS TOWNSHIP

HARMONY LETIZIA

21 - CR - 019840

AWR

Request for Arrest Warrant Filed
13596514



RECEIVED

APR 27 2021

LAS VEGAS JUSTICE COURT
CRIMINAL DIVISION

WARRANT ELECTRONICALLY GENERATED AND ENTERED INTO NCJIS***** DO NOT MANUALLY ENTER INTO NCJIS ********JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA**

State Of Nevada VS HOUSTON, MATTHEW TRAVIS ID# : 7035801	Case No: 21-CR-019840 Warrant No: 21CR019840-2021-1 Dept No: 03 Agency: LVMPD
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Arrest Warrant

THE STATE OF NEVADA,

TO: ANY SHERIFF, CONSTABLE, MARSHALL, POLICEMAN, OR PEACE OFFICER IN THIS STATE:

A COMPLAINT AND AN AFFIDAVIT UPON OATH HAS THIS DAY BEEN LAID BEFORE ME ACCUSING
HOUSTON, MATTHEW TRAVIS, OF THE CRIME(S);**BAIL TERMS**

COUNTS	CHARGE	CASH	SURETY
001	Make threat/false info re act of terrorism/WMD [51522] [F]	\$3,000.00	\$3,000.00

YOU ARE, THEREFORE, COMMANDED FORTHWITH TO ARREST THE ABOVE NAMED DEFENDANT AND BRING
HIM BEFORE THIS COURT, OR IF THE COURT HAS ADJOURNED, THAT YOU DELIVER HIM INTO THE CUSTODY
OF THE SHERIFF OF THE COUNTY OF CLARK.

THIS WARRANT MAY BE SERVED AT ANY HOUR OF THE DAY OR NIGHT

GIVEN UNDER MY HAND THIS **13th DAY OF May 2021**

JUSTICE OF THE PEACE IN AND FOR SAID TOWNSHIP

Harmony Letizia

Warrant Conditions

Bail Condition - Stay Away From Victim

Bail Condition - Electronic Monitoring

Medium

SHERIFF'S RETURNI HEREBY CERTIFY THAT I RECEIVED THE ABOVE AND FORGOING WARRANT ON THE _____ DAY
OF _____, _____, AND SERVED THE SAME BY ARRESTING AND BRINGING DEFENDANT,
_____, INTO COURT THIS _____ DAY OF _____.

JOSEPH LOMBARDO, SHERIFF, CLARK COUNTY, NEVADA

BY: _____, DEPUTY



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. ^{BY} **BJG**

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/presidential-actions/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_315PM.pdf

noted: “[w]hen you’re dealing with an emerging infectious disease outbreak, you are always behind where you think you are...”⁶

Governor Sisolak issued a Declaration of Emergency in the State of Nevada on March 12, 2020. On Sunday, March 15, 2020, Governor Sisolak ordered all K-12 schools in the State of Nevada closed through April 6, 2020. Later that same day, he announced further directives, which included: closing state offices to the public, a call to transition to working as much as possible over the phone or online for essential services, and strongly encouraged gaming properties to close to the public. Governor Sisolak stated these efforts are required “protect the health and safety of the public and our state workforce while ensuring that the important work of our state government does not grind to a halt.” Further, he noted that we all “must do what we can to be part of the solution and share[] responsibility for each other as Nevadans.”⁷

Clark County, as well as many cities therein, issued their own Declarations of Emergency in response to the COVID-19 outbreak.⁸ Federal, state, and local courts also responded to the outbreak with varying administrative orders, citing the COVID-19 outbreak as good cause to suspend court proceedings or scale back operations.

The U.S. District Court for the District of Nevada continued all trials through April 20, 2020, among other modifications and visitor restrictions “to do its part in slowing the spread of COVID-19.”⁹

The Nevada Supreme Court and Court of Appeals imposed visitor restrictions to minimize exposure, noting, “... the best way to prevent illness is to avoid being exposed to the virus.”¹⁰

The Eighth Judicial District Court issued Administrative Order 20-01, which suspended all jury trials for 30 days and encouraged any essential hearings to be heard through alternative means to in-person appearances. Additionally, the order provided restrictions on public and employee entry into the courthouse.¹¹ Three days later, through Administrative Order 20-02, the court discontinued in-person meetings or gatherings and issued a direction to conduct court business through social distancing.¹²

The Las Vegas Justice Court issued Administrative Order 20-03, which provided for amended procedures due to the COVID-19 outbreak. However, all preliminary hearings, regardless of

⁶ <https://www.nytimes.com/2020/03/16/us/politics/trump-coronavirus-guidelines.html>,
https://twitter.com/ABC/status/1239638144955437056?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1239638144955437056&ref_url=https%3A%2F%2Fwww.redditmedia.com%2Fmediaembed%2Ffr106%3Fresponsive%3Dtrue%26is_nightmode%3Dfalse

⁷ <https://nvhealthresponse.nv.gov/preparation-in-nv/>,
http://gov.nv.gov/News/Press/2020/Governor_Sisolak_Updates_Public_on_State_Action_and_Guidance_Regarding_COVID-19/

⁸ https://www.fox5vegas.com/coronavirus/las-vegas-clark-county-surrounding-cities-declare-state-of-emergency/article_7e1d4c6a-672d-11ea-be3d-6f2ce56da2c4.html,

⁹ <https://www.clarkcountybar.org/wp-content/uploads/USDC-NV-03-16-2020-Press-Release-Final.pdf>

¹⁰ <https://nvcourts.gov/COVID-19-restrictions/>

¹¹ http://www.clarkcountycourts.us/res/rules-and-orders/2020-03-14_11_43_36_admin%20order%2020-1.pdf

¹² http://www.clarkcountycourts.us/res/rules-and-orders/2020-03-16_09_07_52_administrative%20order%2020-02.pdf

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%202020-03.pdf>

¹⁴ <https://www.cnn.com/2020/03/14/health/coronavirus-asymptomatic-spread/index.html>,
<https://science.sciencemag.org/content/early/2020/03/13/science.abb3221?rss=1>,
<https://www.sciencenews.org/article/coronavirus-most-contagious-before-during-first-week-symptoms>,
<https://www.foxnews.com/media/dr-siegel-bars-concerts-coronavirus-highly-contagious>

¹⁵ <https://www.politico.com/news/2020/03/16/trump-recommends-avoiding-gatherings-of-more-than-10-people-132323>

**THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
13 - 35
WILL FOLLOW VIA
U.S. MAIL**



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,

-vs-

MATTHEW HOUSTON, aka,
Matthew Travis Houston,
#7035801

Defendant.

CASE NO: C-21-357927-1

DEPT NO: X

INFORMATION

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

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
11 Nevada Bar #001565

12 BY

13 KRISTINA A. RHOADES
14 Chief Deputy District Attorney
15 Nevada Bar #012480
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27 21CR019840/erg/L-4
28 LVMPD EV#210300101590
(TK3)



1 CASE NO. C357927

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IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP

4

CLARK COUNTY, STATE OF NEVADA

5

6 STATE OF NEVADA,

)

7

PLAINTIFF,

)

8 VS.

)

CASE NO. 21-CR-019840

9

MATTHEW TRAVIS HOUSTON,

)

10

DEFENDANT,

)

11

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-I-C, 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, REDENTA BLACIC,
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
21 C.C.R. NO. 65
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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



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**

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

9 **THE STATE OF NEVADA,**
10 **Plaintiff,**

11 **-vs-**

12 **MATTHEW HOUSTON, aka,**
13 **Matthew Travis Houston,**
14 **#7035801**

15 **Defendant.**

CASE NO: C-21-357927-1

DEPT NO: X

15 **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 Blacic, 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

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: *Bernard H. Little*

13 *Br #12025*

14 *[Signature]*

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24 AGREED TO BY:

25 *#9598*
26 *[Signature]*
27 KRISTINA ALPHOADES
28 Chief Deputy District Attorney
Nevada Bar #612480

1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court
3 hereby certify that:

- 4 1. I have fully explained to the Defendant the allegations contained in the
5 charge(s) to which guilty pleas are being entered.
6 2. I have advised the Defendant of the penalties for each charge and the restitution
7 that the Defendant may be ordered to pay.
8 3. I have inquired of Defendant facts concerning Defendant's immigration status
9 and explained to Defendant that if Defendant is not a United States citizen any
10 criminal conviction will most likely result in serious negative immigration
11 consequences including but not limited to:
12 a. The removal from the United States through deportation;
13 b. An inability to reenter the United States;
14 c. The inability to gain United States citizenship or legal residency;
15 d. An inability to renew and/or retain any legal residency status; and/or
16 e. An indeterminate term of confinement, by with United States Federal
17 Government based on the conviction and immigration status.

18 Moreover, I have explained that regardless of what Defendant may have been
19 told by any attorney, no one can promise Defendant that this conviction will not
20 result in negative immigration consequences and/or impact Defendant's ability
21 to become a United States citizen and/or legal resident.

- 22 4. All pleas of guilty offered by the Defendant pursuant to this agreement are
23 consistent with the facts known to me and are made with my advice to the
24 Defendant.
25 5. To the best of my knowledge and belief, the Defendant:
26 a. Is competent and understands the charges and the consequences of
27 pleading guilty as provided in this agreement,
28 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 3rd day of August, 2021.

ATTORNEY FOR DEFENDANT

erg/L-4

Steven D. Grierson

1 INFM
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

7 I.A. 8/4/21
8 8:00 A.M.
9 PD

9 THE STATE OF NEVADA,
10 Plaintiff,

CASE NO: C-21-357927-1

11 -vs-

DEPT NO: X

12 MATTHEW HOUSTON, aka,
13 Matthew Travis Houston,
14 #7035801

INFORMATION

Defendant.

15 STATE OF NEVADA }
16 COUNTY OF CLARK } ss.

17 STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State
18 of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

19 That MATTHEW HOUSTON, aka, Matthew Travis Houston, the Defendant(s)
20 above named, having committed the crime of AGGRAVATED STALKING (Category B
21 Felony - NRS 200.575 - NOC 50333), on or between December 23, 2020 and June 10, 2021,
22 within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes
23 in such cases made and provided, and against the peace and dignity of the State of Nevada, did
24 willfully, unlawfully, feloniously, and maliciously engage in a course of conduct directed
25 towards REDENTA BLACIC and/or ROSEMARIE MCMORRIS and/or JONATHAN
26 SHOCKELY that would cause a reasonable person to feel terrorized, frightened, intimidated,
27 harassed, or fearful for their immediate safety or the immediate safety of a family or household
28 member, by threatening to go on a mass shooting rampage similar to 1 October and/or making

V:\2021\15878\202115878C-INFM-(MATTHEW TRAVIS HOUSTON)-001.DOCX

EXHIBIT "1"

Case Number: C-21-357927-1

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. RHOADES
13 Chief Deputy District Attorney
14 Nevada Bar #012480
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27 21CR019840/erg/L-4
28 LVMPD EV#210300101590
(TK3)



0042
DARIN F. IMLAY, PUBLIC DEFENDER
NEVADA BAR NO. 5674
BENARD H. LITTLE, DEPUTY PUBLIC DEFENDER
NEVADA BAR NO. 12025
PUBLIC DEFENDERS OFFICE
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
Telephone: (702) 455-4685
Facsimile: (702) 455-5112
Benard.Little@clarkcountynv.gov
Attorneys for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

v.

MATTHEW HOUSTON,

Defendant,

CASE NO. C-21-357927-1

DEPT. NO. X

DATE: October 11, 2021
TIME: 8:30 a.m.

**MOTION TO WITHDRAW AS ATTORNEY OF RECORD AND APPOINT
ALTERNATE COUNSEL IN ORDER FOR DEFENDANT TO WITHDRAW HIS
GUILTY PLEA**

COMES NOW, the Defendant, MATTHEW HOUSTON, by and through
BENARD H. LITTLE, Deputy Public Defender, and hereby because Mr. Houston would like to
pursue withdrawing his guilty plea.

This Motion is based upon all the papers and pleadings on file herein, the attached
Declaration of Counsel, Memorandum of Points and Authorities in support hereof, and oral
argument at the time set for hearing this Motion.

DATED this 5th of October, 2021.

DARIN F. IMLAY
CLARK COUNTY PUBLIC DEFENDER

By: /s/Benard H. Little
BENARD H. LITTLE, #12025
Deputy Public Defender

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BENARD H. LITTLE makes the following declarations:

1. I am an attorney duly licensed to practice law in the State of Nevada; I am the Deputy Public Defender assigned to represent the Defendant in the instant matter, and I am familiar with the facts and circumstances of this case.

2. That Mr. Houston would like to pursue a motion to withdraw his guilty plea. Mr. Houston's best claim at achieving that goal may be to claim ineffective assistance of counsel. I cannot claim myself as ineffective.

I declare under penalty of perjury that the foregoing is true and correct. (NRS 53.045).

EXECUTED this 5th day of October, 2021.

/s/ Benard H. Little
BENARD H. LITTLE

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NOTICE OF MOTION

TO: CLARK COUNTY DISTRICT ATTORNEY, Attorney for Plaintiff:

YOU WILL PLEASE TAKE NOTICE that the foregoing MOTION TO
WITHDRAW AS ATTORNEY OF RECORD will be heard on October 11, 2021, at 8:30 a.m. in
District Court, Department X.

DATED this 5th day of October, 2021.

DARIN F. IMLAY
CLARK COUNTY PUBLIC DEFENDER

By: /s/Benard H. Little
BENARD H. LITTLE, #12025
Deputy Public Defender

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that service of the above and forgoing MOTION was served via
electronic e-filing to the Clark County District Attorney's Office at motions@clarkcountydak.com
on this 5th day of October, 2021.

By: /s/Kayleigh Lopatic
An employee of the
Clark County Public Defender's Office

Heather S. Hume
CLERK OF THE COURT

MOT
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

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.

///

NOTICE OF HEARING

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the undersigned will bring the foregoing Motion on for setting before the above-entitled Court, in Department X thereof, on the 11th day of October, 2021, at the hour of 9:30 o'clock A.M., or as soon thereafter as counsel may be heard.

DATED this 5th day of October, 2021.

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

BY


KRISTINA A. RHOADES
Chief Deputy District Attorney
Nevada Bar #012480

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1 POINTS AND AUTHORITIES

2 STATEMENT OF THE CASE

3 Defendant Matthew Houston ("Defendant") was originally charged in the instant case
4 in Las Vegas Justice Court case number 21CR019840 with one (1) count of Making Threats
5 or Conveying False Information Concerning Act of Terrorism (Category B Felony), naming
6 victims Redenta Blacic and/or the Office of Consumer Health Assistance. At Initial
7 Arraignment Court, the Court imposed monetary bail of \$3,000 with the added condition of
8 mid-level electronic monitoring and no contact orders. Defendant's monetary bail was later
9 reduced to \$500 after argument in justice Court, with the added conditions of high-level
10 electronic monitoring and no contact orders.

11 Defendant was also charged in Las Vegas Justice Court case number 21CR033713 with
12 one (1) count of Extortion, naming victims Rosemarie McMorris and/or Jonathan Shockely.
13 Monetary bail was imposed in 21CR033713 in the amount of \$5,000 with high-level electronic
14 monitoring and no contact orders.

15 On August 3, 2021, pursuant to negotiations, an Information was filed in the instant
16 case charging Defendant with one (1) count of Aggravated Stalking (Category B Felony),
17 naming victims Redenta Blacic, Rosemarie McMorris, and Jonathan Shockely.

18 On August 4, 2021, Defendant pled guilty to Aggravated Stalking. Pursuant to the plea
19 agreement, the State had no opposition to probation with a mental health evaluation and any
20 recommended treatment as conditions of probation. The State agreed to dismiss case number
21 21CR033713 after sentencing, and further agreed to not oppose Defendant's own
22 recognizance release with low-level electronic monitoring after entry of plea.

23 Also pursuant to the signed plea agreement, **Defendant was ordered to stay away and**
24 **have no contact with Redenta Blacic, Rosemarie McMorris, and/or Jonathan Shockely.**

25 On or about September 7, 2021, after house arrest obtained the contact information for
26 the named victims, Defendant was released on low-level electronic monitoring. Defendant's
27 sentencing is currently scheduled for November 29, 2021.

28 ///

1 On or about Friday, October 1, 2021, Defendant called Jonathan Shockely at his place
2 of employment and left an aggressive and threatening voicemail that will be provided to the
3 Court at the time of filing the instant Motion. Exhibit I. Defendant is violent and aggressive
4 in this voicemail where he proceeds to verbally abuse both Jonathan Shockley and Rosemarie
5 McMorris. Based on his concerning actions that are a direct violation of this Court's orders
6 from August 4, 2021, the State requests that Defendant be remanded, and monetary bail be
7 reset to at least the originally imposed total amount from both justice Court cases of \$8,000
8 with the added condition of high-level electronic monitoring.

9 **STATEMENT OF FACTS**

10 In December 2020, Defendant left a voicemail on the main line for the Office of
11 Consumer Health Assistance. Defendant was and is contesting findings that had previously
12 been made regarding his Workers' Compensation issues. Victim Redenta Blacic called
13 Defendant back and tried to assist Defendant. Defendant became verbally aggressive and told
14 Ms. Blacic "They shouldn't be surprised if he goes on a mass shooting rampage like the one
15 committed on October 1st." Ms. Blacic tried to calm Defendant down but was unsuccessful
16 and the call ended. Defendant called Ms. Blacic back twice, but she did not answer. Ms. Blacic
17 was scared that Defendant would carry out his threats.

18 Capitol Police investigated and discovered that Defendant also made threats to the
19 Department of Administration Hearings Division of Northern Nevada by leaving a voicemail
20 stating, "I need immediate assistance because I am going to fucking murder every fucking
21 employee at Mandalay Bay, MGM and everyone in the state of Nevada if you fucking people
22 don't give me my fucking money."

23 In June 2021, Rosemarie McMorris, a Claims Operations Manager for Sedgewick (a
24 third-party administrator that handles workman compensation claims) reported to LVMPD
25 that Defendant, an injured worker who was denied compensation, was angry about being
26 denied and was directing his anger toward her.

27 ///

28 ///

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.

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 Sedgwick 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
who allowed it or by any Judge of the Court in which the original
charge is pending. Pending such revocation, the Defendant may
be held without bail by order of the Magistrate before whom he is
brought after arrest upon the second charge.

17 Subsection (11) of NRS 178.484, titled "Right to bail before conviction; exceptions;
18 imposition of conditions; arrest for violation of condition," states that "Before releasing a
19 person arrested for any crime, the Court may impose such reasonable conditions on the person
20 as it deems necessary to protect the health, safety and welfare of the community and to ensure
21 that the person will appear at all times and places ordered by the Court..." (Emphasis added).
22 NRS 178.484(12) further states as follows:

23 If a person fails to comply with a condition imposed pursuant to
24 subsection 11, the Court may, after providing the person with
reasonable notice and an opportunity for a hearing:

- 25 (a) Deem such conduct a contempt pursuant to NRS 22.010; or
26 (b) Increase the amount of bail pursuant to NRS 178.499.

27 NRS 178.499 states as follows:

28 ///

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,
if none, to the Defendant, **increase the amount of bail for good
cause shown.**

5 2. If the Defendant has been released on bail before the time when
6 the Motion to increase bail is granted, the Defendant shall either
return to custody or give the additional amount of bail.

7 (Emphasis added).

8 NRS 178.498 states "If the Defendant is admitted to bail, the bail must be set at an
9 amount which in the judgment of the Magistrate will reasonably ensure the appearance of the
10 Defendant and the safety of other persons and of the community, having regard to:

- 11 1. The nature and circumstances of the offense charged;
12 2. The financial ability of the Defendant to give bail;
13 3. The character of the Defendant; and
4. The factors listed in NRS 178.4853.

14 NRS 178.4853 factors are as follows:

- 15 1. The length of his residence in the community;
16 2. The status and history of his employment;
3. His relationship with his spouse and children, parents or other member of
his family and with his close friends;
17 4. His reputation, character and mental condition;
5. His prior criminal record, including, without limitation, any record of his
18 appearing or failing to appear after release on bail or without bail;
19 6. The identity of responsible members of the community who would vouch
for the reliability of the person;
20 7. The nature of the offense with which he is charged, the apparent
probability of conviction and the likely sentence insofar as these factors
21 relate to the risk of his not appearing;
22 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;
23 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.

24 Defendant has brazenly disregarded both the orders of the Court regarding his release
25 conditions and the conditions of his plea agreement, filed on August 4, 2021, that he has no
26 contact whatsoever with the three (3) named victims in this case. Defendant knowingly called
27 one of the named victims (Jonathan Shockely) and states "Jonathan, Jonathan, Jonathan," and
28 continues his voicemail to indicate that he has "figured out" who Rosemarie McMorris is.

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."

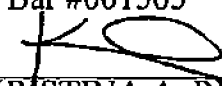
6 Defendant's brazen violations of this Court's orders, and his plea agreement, provide
7 good cause to increase/impose monetary bail. Defendant's underlying behavior in both justice
8 Court cases is concerning and aggressive. Defendant was given the opportunity to behave and
9 abide by the orders of 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.

13 CONCLUSION

14 Based upon the above, the State respectfully requests that this Court GRANT the
15 State's Motion to Remand Defendant and increase/impose monetary bail and high-level
16 electronic monitoring pending sentencing pursuant to NRS 178.484(12)(b) and NRS 178.499.

17 DATED this 5th day of October, 2021.

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

20 BY 

21 KRISTINA A. RHOADES
22 Chief Deputy District Attorney
Nevada Bar #012480

23 CERTIFICATE OF ELECTRONIC FILING

24 I hereby certify that service of the above and foregoing was made this 5th day of
25 October, 2021, by Electronic Filing to:

26 BENARD LITTLE, Deputy Public Defender
benard.little@clarkcountynv.gov

27 BY /s/ E. Goddard

28 21CR019840/erg/L-4

E. Goddard
Secretary - District Attorney's Office

EXHIBIT 1

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

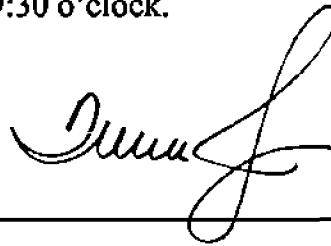
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2 **ORDER SHORTENING TIME**

3 TO: MATTHEW HOUSTON, aka, Matthew Travis Houston, and/or your legal counsel,
4 BENARD LITTLE, DEPUTY PUBLIC DEFENDER
5

6 In appearing to the satisfaction of the Court, and good cause appearing therefor,

7 IT IS HEREBY ORDERED that the forgoing Notice of Motion and Motion to Remand
8 Defendant and Increase Bail Pursuant to NRS 178.484(12) for Violating His Plea Agreement,
9 His Release Conditions, and Disobeying District Court Orders will be heard in Department X
10 on the 11th day of October, 2021, at the hour of 9:30 o'clock.
11

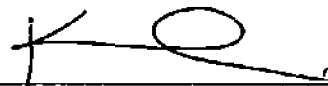
Dated this 5th day of October, 2021

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15 288 84B 42E7 FF18
16 Tierra Jones
District Court Judge

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

19
20 BY


21 KRISTINA A. RHOADES
22 Chief Deputy District Attorney
Nevada Bar #012480
23
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STATE OF NEVADA }
COUNTY OF CLARK } ss:

Your affiant requests the Court's permission for an Order Shortening Time for a hearing on State's Notice of Motion to Remand because the State is concerned for the safety of the community, particularly the safety of the named victims in the instant case, and requests that this issue be addressed as soon as possible.

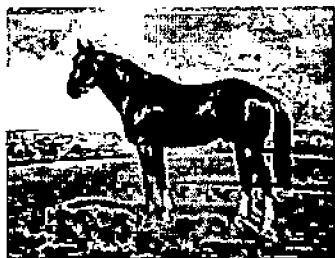
I declare under penalty of perjury that the foregoing is true and correct.

(Signature)

Evelyn Goddard

From: Evelyn Goddard
Sent: Tuesday, October 5, 2021 10:39 AM
To: Benard Little
Subject: C357927 - NOTM - STATE V HOUSTON
Attachments: Black and White1466.pdf

*Evelyn R. Goddard – Legal Secretary
Clark County District Attorney's Office
Litigation Team L-4
Ph. (702) 671-2818
E-Mail – evelyn.goddard@clarkcountydade.com*



1 **CSERV**

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

5
6 State of Nevada

CASE NO: C-21-357927-1

7 vs

DEPT. NO. Department 10

8 Matthew Houston
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 10/5/2021

15 G. Cox Coxgd@clarkcountynv.gov

16 Ben Little Benard.Little@ClarkCountyNV.gov

17 DA . Motions@ClarkCountyDA.com
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1 **NOTC**
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**

7
8 **DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

9 **THE STATE OF NEVADA,**
10 **Plaintiff,**

11 **-vs-**

CASE NO: C-21-357927-1

12 **MATTHEW HOUSTON, aka,**
13 **Matthew Travis Houston,**
14 **#7035801**

DEPT NO: X

15 **Defendant.**

16 **STATE'S NOTICE OF MANUAL FILING OF EXHIBIT 1**
17 **FOR STATE'S NOTICE OF MOTION AND MOTION TO REMAND DEFENDANT**
18 **AND INCREASE BAIL PURSUANT TO NRS 178.484(12) FOR VIOLATING HIS**
19 **PLEA AGREEMENT, HIS RELEASE CONDITIONS, AND**
20 **DISOBEYING DISTRICT COURT ORDERS**

21 **DATE OF HEARING: OCTOBER 11, 2021**
22 **TIME OF HEARING: 9:30 A.M.**

23 **COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County**
24 **District Attorney, through KRISTINA A. RHOADES, Chief Deputy District Attorney, and**
25 **notifies this Court that the State is filing one (1) compact disc containing the following:**

26 **Exhibit 1 – Disc 1: One (1) voicemail message recording**

27 **///**

28 **///**

///

///

1 This exhibit is noted in the State's Notice of Motion and Motion to Remand Defendant
2 and Increase Bail Pursuant to NRS 178.484(12) for Violating His Plea Agreement, His Release
3 Conditions, and Disobeying District Court Orders

4 DATED this 5th day of October, 2021.

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

8 BY

9 KRISTINA A. RHOADES
10 Chief Deputy District Attorney
11 Nevada Bar #012480

12 **CERTIFICATE OF ELECTRONIC FILING**

13 I hereby certify that service of the above and foregoing was made this 5th day of
14 October, 2020, by Electronic Filing to:

15 BENARD LITTLE,
16 DEPUTY PUBLIC DEFENDER
17 benard.little@clarkcountynv.gov

18 BY /s/ E. Goddard

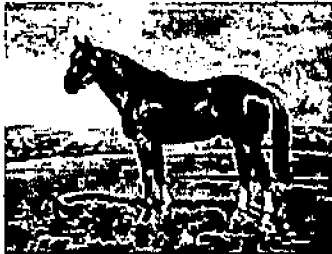
19 E. Goddard
20 Secretary for the District Attorney's Office

21
22
23
24
25
26 21CR019840/erg/L-4
27
28

Evelyn Goddard

From: Evelyn Goddard
Sent: Tuesday, October 5, 2021 10:37 AM
To: Benard Little
Subject: C357927 - NOTC - STATE V HOUSTON
Attachments: Black and White1465.pdf

*Evelyn R. Goddard – Legal Secretary
Clark County District Attorney's Office
Litigation Team L-4
Ph. (702) 671-2818
E-Mail – evelyn.goddard@clarkcountydade.com*



BNCH

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA

Plaintiff,

-vs-

MATTHEW HOUSTON, aka,
Matthew Travis Houston,
ID# 7035801

Defendant.

CASE NO: C-21-357927-1

DEPT NO: X

BENCH WARRANT

THE STATE OF NEVADA,

TO: Any Sheriff, Constable, Marshal, Policeman, or Peace Officer in any State:

IT APPEARING to the Court that MATTHEW HOUSTON, aka, Matthew Travis Houston was heretofore ordered to appear before the above-entitled Court on the 11th day of October, 2021, on the charge of AGGRAVATED STALKING (Category B Felony - NRS 200.575 - NOC 50333), and having failed to appear at said time, NOW, THEREFORE, YOU ARE COMMANDED to arrest and bring the said person before the Court, or, if the Court has adjourned, to deliver said person into the custody of the Sheriff of Clark County. The Warrant may be served at any hour day or night.

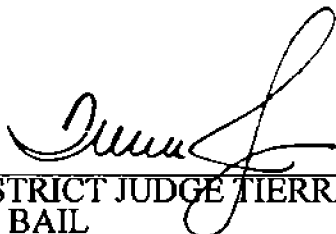
GIVEN under my hand this ____ day of October, 2021.

Dated this 12th day of October, 2021

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

BY


KRISTINA A. RHOADES
Chief Deputy District Attorney
Nevada Bar #012480


DISTRICT JUDGE TIERRA JONES
NO BAIL

DA#21CR019840/erg/L-4
LVMPD EV#210300101590/D. KELLY #7413
07151984; WMA; 481-06-1968
(TK3)

C79 F69 5640 B1BD
Tierra Jones
District Court Judge

BNCH
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, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MATTHEW HOUSTON, aka,
Matthew Travis Houston,
ID#7035801

Defendant.

CASE NO: C-21-357927-1

DEPT NO: X

BENCH WARRANT RETURN

MATTHEW HOUSTON, aka, Matthew Travis Houston, the Defendant above named, was heretofore ordered to appear before the above-entitled Court on the 11th day of October, 2021, on the charge of AGGRAVATED STALKING (Category B Felony - NRS 200.575 - NOC 50333), and having failed to appear at said time the Court issued a Bench Warrant for the arrest of said Defendant.

I hereby certify that I received a certified copy of the Bench Warrant and served the same by arresting the within Defendant on the ____ day of _____, 2021.

JOSEPH LOMBARDO
Sheriff, Clark County, Nevada

BY:

Deputy

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-21-357927-1

7 vs

DEPT. NO. Department 10

8 Matthew Houston
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Bench Warrant 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: 10/12/2021

15 G. Cox Coxgd@clarkcountynv.gov

16 Ben Little Benard.Little@ClarkCountyNV.gov

17 DA . Motions@ClarkCountyDA.com
18
19
20
21
22
23
24
25
26
27
28

Electronically Filed
10/18/2021

Steven B. Wolfson
CLERK OF THE COURT

BNCH
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001563
KRISTINA A. RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

-vs-

**MATTHEW HOUSTON, aka,
Matthew Travis Houston,
ID#7035801**

Defendant.

CASE NO: C-21-357927-1

DEPT NO: X

BENCH WARRANT RETURN

MATTHEW HOUSTON, aka, Matthew Travis Houston, the Defendant above named, was heretofore ordered to appear before the above-entitled Court on the 11th day of October, 2021, on the charge of AGGRAVATED STALKING (Category B Felony - NRS 200.575 - NOC 50333), and having failed to appear at said time the Court issued a Bench Warrant for the arrest of said Defendant.

I hereby certify that I received a certified copy of the Bench Warrant and served the same by arresting the within Defendant on the 17 day of OCT, 2021.

JOSEPH LOMBARDO
Sheriff, Clark County, Nevada

BY:

[Signature]
Deputy

\\CLARKCOUNTYDA.NET\CRM\CASE210211\58782021\5878C-BNCH-(MATTHEW TRAVIS HOUSTON)-001.DOCX

AA

10/13/21 10:35 DSD:RSJ

Electronically Filed
10/12/2021 3:24 PM

Alvin B. Shuman
CLERK OF THE COURT

BNCH

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA

Plaintiff,

-vs-

**MATTHEW HOUSTON, aka,
Matthew Travis Houston,
ID# 7035801**

CASE NO: C-21-357927-1

DEPT NO: X

Defendant.

1005542/160-158335

BENCH WARRANT

THE STATE OF NEVADA,

TO: Any Sheriff, Constable, Marshal, Policeman, or Peace Officer in any State:

IT APPEARING to the Court that MATTHEW HOUSTON, aka, Matthew Travis Houston was heretofore ordered to appear before the above-entitled Court on the 11th day of October, 2021, on the charge of AGGRAVATED STALKING (Category B Felony - NRS 200.575 - NOC 50333), and having failed to appear at said time, NOW, THEREFORE, YOU ARE COMMANDED to arrest and bring the said person before the Court, or, if the Court has adjourned, to deliver said person into the custody of the Sheriff of Clark County. The Warrant may be served at any hour day or night.

GIVEN under my hand this _____ day of October, 2021.

Dated this 12th day of October, 2021

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

BY

Kristina A. Rhoades
**KRISTINA A. RHOADES
Chief Deputy District Attorney
Nevada Bar #012480**

Tierra Jones
**DISTRICT JUDGE TIERRA JONES
NO BAIL**

**DA#21CR019840/erg/L-4
LVMPD EV#210300101590/D. KELLY #7413
07151984; WMA; 481-06-1968
(TK3)**

**C7B F89 5840 B1BD
Tierra Jones
District Court Judge**

Blm Blu
5'10 170

**THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
76 - 78
WILL FOLLOW VIA
U.S. MAIL**



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

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

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

October 21, 2021

Attorney: Public Defender
Clark County Public Defender
309 S 3rd Street Suite #2
Las Vegas NV 89101

Case Number: C-21-357927-1
Department: Department 10

Defendant: Matthew Houston

Attached are pleadings received by the Office of the District Court Clerk which are being forwarded to your office pursuant to Rule 3.70.

Pleadings: **Emergency Motion**

Rule 3.70. Papers which May Not be Filed

Except as may be required by the provisions of NRS 34.730 to 34.830, inclusive, all motions, petitions, pleadings or other papers delivered to the clerk of the court by a defendant who has counsel of record will not be filed but must be marked with the date received and a copy forwarded to the attorney for such consideration as counsel deems appropriate. This rule does not apply to applications made pursuant to Rule 7.40(b)(2)(ii).

Cordially yours,
DC Criminal Desk # 7
Deputy Clerk of the Court

Americans w/ Disability Act of 1990, 1993

p#1

:

MATTHEW TRAVIS HOUSTON, D.C.

10/13/

1. S. Main St #300

2021

LV, NV 89101

EIGHTH JUDICIAL

DISTRICT COURT

LV, NV

Clark County, NV

Houston, Def et al
vs,
NEVADA Plan.

C-21-357927

21-CR-019840

21-CR-033713

C1237802A + C1248304A

EMERGENCY MOTION TO
OPPOSE REMAND AND
DISMISS CASE IN
IT'S ENTIRETY.

RECEIVED

OCT 18 2021

CLERK OF THE COURT

For the 5th year; since 9/30/
2016, Houston is disabled from
catastrophic 45' fall @ Mandalay
Bay Resort. He survived 10/1/2017.
He is surviving the illegal
deprivation of his ka unit
Johnny Cash and the puppy
he was training, until 7-14-2021. His
dogs must be returned ASAP.

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 Lumped 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.

Affidavit #1 P. #3

→ Cert. of Service → 10/13/2021
via U.S. P.S.
(Self explanatory, MRS, 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.

Dec. under pen. of perjury

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

AFFIDAVIT Pt. #2

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 napping of kg
Johnny Cash and Little Luke Dog,
an eviction of Houston's
law office in Iowa City, Iowa,
@ 435 S. Linn St #927.

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

It is 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-
impaired documents of truth. M.T.H. 10/13/2021

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 butchered
15 by the attorneys he had to
16 file, and too many
17 other problems. I would

18 think the courts would
19 appreciate Houston'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 84 animals. -M.T. H.P.C.

Matthew Travis Houston
1 S Main St # 300
Las Vegas, NV 89101-6370

Matthew Houston, RET.
Law Firm,

recovering from
economic disaster.
U.S. Navy M.E.P.S
leader, 2002
LVMPD volunteers.
Kia elite security,
Pro Sec
in former purposes,
list of the resquiri,
Apache, UK, in volunteers, et al.

LAS VEGAS NV 890
13 OCT 2021 PM 5 L

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

Las Vegas NV 89101-6370
Matthew Houston

**THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
86 - 93
WILL FOLLOW VIA
U.S. MAIL**



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

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

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

November 30, 2021

Attorney: Anthony M. Goldstein
2421 Tech Center Court
Ste 100
Las Vegas NV 89128

Case Number: C-21-357927-1
Department: Department 10

Defendant: Matthew Houston

Attached are pleadings received by the Office of the District Court Clerk which are being forwarded to your office pursuant to Rule 3.70.

Pleadings: **Motion For Writ Of Subpoena Duces Tecum**

Rule 3.70. Papers which May Not be Filed

Except as may be required by the provisions of NRS 34.730 to 34.830, inclusive, all motions, petitions, pleadings or other papers delivered to the clerk of the court by a defendant who has counsel of record will not be filed but must be marked with the date received and a copy forwarded to the attorney for such consideration as counsel deems appropriate. This rule does not apply to applications made pursuant to Rule 7.40(b)(2)(ii).

Cordially yours,

DC Criminal Desk # 7

Deputy Clerk of the Court

A. D. A.

ORIGINALLY IN THE COURT OF

THE HONORABLE JUDGE MICHAEL P. VILANI:

amended November 24th, 2021

11 NOTICE TO THE AGENCY IN NOTICE TO PRINCIPLE

2 NOTICE TO PRINCIPLE IS NOTICE TO THE AGENCY

3 UNITED STATES DISTRICT COURT

4 DISTRICT OF NEVADA

5 IN THE COURT OF THE HONORABLE MERRA JONES

6 MATTHEW TRAVIS HOUSON, et al Case # C-21-

7 Plaintiff v 357927-1

8 v Plaintiff in error CH#

9 JOINER TO

10 STATE OF NEVADA, Defendants C-21-357927-1

11 SEDGWICK, et al, Defendants A-17-75061-C

12 EMERGENCY

13 MOTION FOR A WRIT OF SUBPOENA

14 DUCES TECUM

15

16 COMES NOW, MATTHEW TRAVIS HOUSON, pro

17 requesting an ORDER from this court to issue

18 an emergency writ to get the picture of

19 OFFICER of RA JOHNNY CASH FOR THE

20 manifestation of justice, not the illusion

21 thereof.

22

23 Documents requested will substantiate even

24 further on page 2 how important not only

25 important Service animals are, but to ALL good and

26 decent citizens, good Samaritans, volunteers

27 and our most awesome and understanding

28 substitute judges and super officers are. ~~to~~ ~~being~~

29 Page # 1

RECEIVED

NOV 30 2021

CLERK OF THE COURT

DECLARATION

(un-notarized Affidavit)

1 My business cards for OZZY Kuma and
2 PITARRO were in my wallet that was
3 stolen when my wallet was stolen
4 along with all of my legal work in
5 my backpack and grocery bags from my
6 2015 white Chevy Silverado with red color
7 K9 canopy / emergency response / life
8 support self-driving ambulance.
9
10
11

12 On October 2nd, 2021 I was having blackout
13 PTSD flashbacks from learning of my brethren
14 SERT LAMPD OFFICER had died from COVID-19,
15 the 6 or 7th OFFICER to die from pandemic, and it
16 made me think that I might be unlucky
17 #7 because I tested positive for COVID
18 in CDC after I was abducted from Iowa
19 on July 15th by IRS agents from the
20 Hague Hospital in Newport Beach, CA.
21

22 On October 1st, 2021 I remember making
23 reports to the house arrest officer about who
24 Dianne Ferrante is and that P.H.P. told me
25 not to check in physically because I felt
26 symptoms of COVID again and how my
27 wallet was stolen September 11th and that
28 I was trying to get into treatment @
29 UMC but they were waitlisted until
30 2022.
31

A.D.A. AFFIDAVIT / DECLARATION IN SUPPORT OF
COURT OF SUBPENA TO ISSUE ASAP

TO: STATE OF MISSISSIPPI
HIGHWAY PATROL

ON OR ABOUT POST INSURRECTION 1/6/21

I, MATTHEW TRAVIS HOUSTON WAS BEING
CHASED BY AGENTS OF INSURANCE

COMPANY, VALIDATED BY LOUISIANA

HIGHWAY PATROL. IT WAS BEFORE

OF AFTER THE BLIZZARD IN MEMPHIS, TN /

SOUTHAVEN, DURING WHICH MY SERVICE

POB HQ JOHNNY CASH WAS PHOTO W /

MS HWY PATROL AFTER MY 911 CALL.

IAS / SEDGWICK SPILLS HAD SOMEONE

TAKEN FROM MARRAS CASINO IN NEW

ORLEANS IN STRETCHER. AFTER PHOTO W /

JOHNNY I THINK I WENT BACK TO TOWNS

BUT THAT WAS AFTER STAY @ BAPTIST

HOSPITAL AND SELF COMMITAL OR STATE

COMMITAL TO PARKLAND & BENAVIGAL

HEALTH. I WILL BE FILING FOR SUBPENA

OF THOSE RECORDS AND MANY, MANY MORE.

~~COPIES RE HEREBY~~ PLAINTIFF RESPECTFULLY

REQUESTS PHOTO TAKEN BY MS HWY

PATROL TO CONTINUE ~~THE FOLLOWING~~

~~IN THE~~ IN ADVOCACY OF JUSTICE, AND TO

FIND MY MISSING SERVICE ANIMALS.

November 24th, X

2021

MATTHEW TRAVIS HOUSTON, Pro Se

A.D.A.

N.R.S. + N.S.

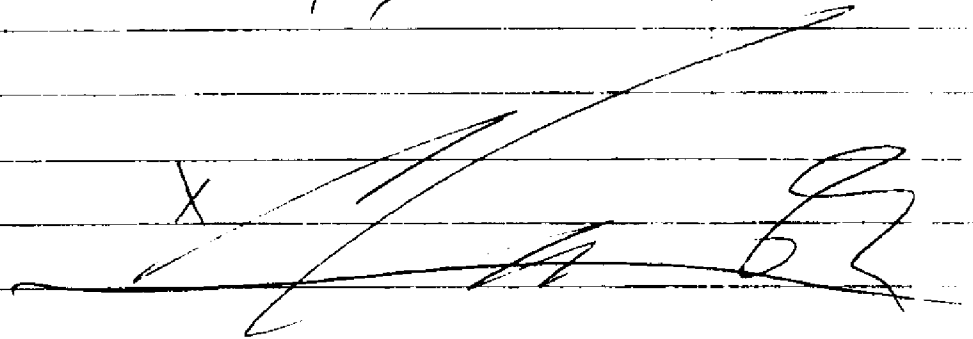
CERTIFICATE OF SERVICE BY MAILING
And ~~penalty of perjury~~

Declaration under Sworn order

penalty of perjury

(self explanatory)

X



703 E 901 plus the other
identities assigned by LUMP.

Matthew Travis Houston, pro se
1 SOUTH MAIN STREET

SUITE # 300

LAS VEGAS, NV

89101

435 S. LINN ST

IOWA CITY, IA 52240

(no longer @ this address due
to being kidnapped than Nevada
causing an eviction and abusing ombudsman)

1 AMERICANS WITH DISABILITIES TRUTH OF
2 September 30th, 2016 + ONE OCTOBER
3 TO THE CHAIR:

4
5 Please submit this note to
6 ALL cases to which I have only
7 the case # is for

8 so I can get my
9 service dogs back and continue
10 in a most civil advocacy.

11
12 A-17-758861-C

13 C-21-357927-I

14 C-28 323614-I

15 plus every single other case
16 # that has made me more

17 disabled than I already am.

18 Especially the DoI

19 case C-323614-1 during which

20 I was never in operation

21 of any motor vehicle

22
23
24
25 Thank you for helping me
26 get my service dogs back
27 or at least having them
28 replaced.

29 -Community Advocate

30 -Matthew Travis Harston

31 FOUNDATION 4 LUMPED VOLUNTEER

M. Houston

7035801

CCDC

330 S. Casino Center Blvd

Las Vegas NV

89101

LAS VEGAS NV 890

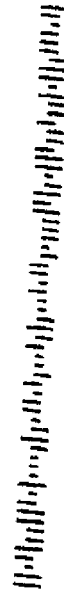
26 NOV 2021 PM 5 L

FOREVER
U.S.A.



Clerk, S. GRIERSON
REGIONAL JUSTICE CENTER
200 LEWIS AVE
LAS VEGAS, NV
89101

89101-630000



Heather L. Smith

CLERK OF THE COURT

JOCP

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

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of AGGRAVATED STALKING (Category B Felony) in violation of NRS 200.575; thereafter, on the 6th day of December, 2021, the Defendant was present in court for sentencing with counsel BENJAMIN LITTLE, Deputy Public Defender, and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to the \$25.00 Administrative Assessment Fee, \$250.00 Indigent Defense Civil Assessment

1 Fee and \$3.00 DNA Collection Fee, the Defendant is sentenced as follows: a MAXIMUM of
2 NINETY-SIX (96) MONTHS with a MINIMUM parole eligibility of TWENTY-FOUR (24)
3 MONTHS in the Nevada Department of Corrections (NDC); with NINETY-THREE (93)
4 DAYS credit for time served. As the \$150.00 DNA Analysis Fee and Genetic Testing have
5 been previously imposed, the Fee and Testing in the current case are WAIVED.
6

7
8 Dated this 8th day of December, 2021

9
10
11 

12
13 BBA 372 C2DB D8C3
14 Tierra Jones
15 District Court Judge
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-21-357927-1

7 vs

DEPT. NO. Department 10

8 Matthew Houston
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 12/8/2021

15 G. Cox Coxgd@clarkcountynv.gov

16 Ben Little Benard.Little@ClarkCountyNV.gov

17 DA . Motions@ClarkCountyDA.com
18
19
20
21
22
23
24
25
26
27
28

BLIND / VISUALLY IMPAIRED (2)

MRC
Name: **MATTHEW TRAVIS HOUSTON** CCCDC
Address: **435 S. Linn St. #927**
City/State/Zip: **JOWA CITY IA 52240**
Phone: **ask house arrest @ CCCDC**
D: **PRO SE**

FILED

JAN 03 2022

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

CLERK OF COURT

January 24, 2022
8:30 AM

** indigent **

MATTHEW HOUSTON, et al

Plaintiff in error

vs.

Mandalay Bay +

Defendant **LVMPD**

State of Nevada

REQUESTING ORDER SETTING HEARING

MOTION TO DISMISS COUNSEL

Plaintiff in Error + PLINTIFF

COMES NOW, the **Matthew Houston** and **moving**

Honorable Court to dismiss Defendant's counsel, **Bernard Little**, and **ensure**

recuse

herself permanently, as she is a blatant racist, and POINTS AND AUTHORITIES took \$ in bribes

It is respectfully requested of this court to grant this Motion to Dismiss Counsel and

Appoint Alternate Counsel for the reasons listed below: **From SEGBWICK**

workers compensation insurance, as did most likely Magistrate De La Garza as did Nicholas P. Villani from Janies Schwartz, Karen Schwartz, too many other criminals...

DECEMBER 17th - 2021

1. PROCEDURAL BACKGROUND AND FACTUAL SUMMARY

Since September 30th, 2016 @ Mandalay Bay

~~_____~~
Convention Center, where Houston fell 45' while working as an entertainment rigger, high-steel climber and crew manager of elite technician units deployed from International Alliance of Theatrical Stage Employees #720 and other parties still unknown but not limited to the following witnesses/employees, employers, etc:

"RUSSIAN" Coworker

*please take notice of Go Fund Me initiated shortly thereafter, about 2 years of my ruined, ONE OCTOBER pandemic, illegal incarceration in NOOD, the primary issue is that Houston (me myself and Irene pro se) out of fear for the SEDGWICK having me killed by LVMPD or who knows who, I was forced to sign the void / ILLEGAL CONTRACT for \$ so I wouldn't kill myself from too many debts from legal fees, etc. Clark County Public Defenders and this whole state wants me to kill myself, why? What the F is wrong with you people? Traumatic Brain Injury is worse than all of you... just ask my good bro Dr. Elmer.

topdawnhouston

A-17-108-17-108-108

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
DETENTION SERVICES DIVISION

MEDICAL/DENTAL/MENTAL HEALTH SERVICES REQUEST

Name: MAHMOUD MADAMEW ID: 108-108-108
LAST FIRST
Housing: AA-70 Date of Birth: 1/1/1981 Date: 1/1/19

**IF YOU ARE CURRENTLY EXPERIENCING A MEDICAL EMERGENCY OR MENTAL HEALTH CRISIS,
NOTIFY A UNIFORMED OFFICER IMMEDIATELY**

Description of Illness or Injury: MAHMOUD - my friend's brother
just be the man of the house
1/1/1981

Date/Time Triaged: _____ Category 1 ☐ 2 ☐ 3 ☐ RN

S: _____

O: TEMP: _____ PULSE: _____ RESP: _____ BP: _____

A: _____

B: _____

Refer to: ☐ Sick Call Doctor ☐ Nurse ☐ Psychiatrist ☐ Dentist ☐ DON ☐ Other: _____

Fee Charge: ☐ \$8.00 Medical Access Fee ☐ \$5.00 Medication Fee ☐ \$3.00 Medication Renewal Fee
☐ \$200.00 or actual cost (whichever is higher) ☐ No Charge

ACKNOWLEDGEMENT OF FEES AND SERVICES

I understand that pursuant to NRS 211.140, I may be responsible for payment for medical care (see back of this form).

I understand that the medical access fee and/or medication fee noted above will be deducted from my inmate account.

I understand that fees may be collected at a later date if funds are not currently available in my inmate account. If I do not have sufficient funds to pay, and money is deposited into my inmate account at a later time, the amount I owe for these services will be deducted before any funds are made available to me.

No inmate will be refused in-house medical services based on an inability to pay at the time the healthcare is provided.

Inmate Signature: _____ Date: 1/1/19

Staff Signature: _____ Date: _____

INMATE NAME (PLEASE PRINT) <u>MAHMOUD MADAMEW</u>		ID# <u>108-108-108</u>	HOUSING <u>AA-70</u>
--	--	---------------------------	-------------------------

DISTRIBUTION: WHITE - Medical Records YELLOW - Inmate

(Plaintiff in Error)
II. ARGUMENT, (notice of DEFAULT)

Defendant, HOUSTON asserts that he/she is being denied his/her right to effective representation due to wholly inadequate actions of his/her court-appointed counsel. Further, counsel's actions constitute a violation of the Defendant's due process rights under the following cases, statutes, and/or rules of professional conduct:

the case from Jeremy Wood was dismissed so why are "they" trying to con me into accepting their "DRUG COURT" joke? I see the NRS hasn't changed since 2016 or has it? @ lunch break 12-17-2021, I observed super chill homette goth girl nurse who suggested taking a prescription called Abilify, which correlates w/ my most missed v. of Hawkeyes psychiatrists Abilify, yes I'll give her a shot w/ OZZMAN, my lawyers (Ozzman) was never read any rights to begin since 09/20/2016... so why am I even in this lovely establishment??.?

WHEREFORE, the undersigned prays that the court grant Defendant's Motion to Dismiss Counsel and ~~Matthew~~ start paying me the \$ each and everyone of you owe.

DATED THIS 17 day of 12, 2021.

Reverend Matthew

Travis Houston

= 2 S. Main Street Suite #300

Respectfully submitted,

topdaughhouseon®

Las Vegas NV - 2021

1 CERTIFICATE OF SERVICE

2 BY MAIL

3 (pursuant to N.R.S., per
4 declaration Sworn under penalty
5 of perjury, etc.)

6
7 prisoner is indigent

8
9 X
10 # 1210652 @ N.D.O.C.

11 # 7035801 @ CCDC

12
13 Matthew Travis Houston

14
15
16 12/21/2021 @

17
18 H. D. S. P.

19 P.O. Box 650

20 Indian Springs, NV

21 89070-0650

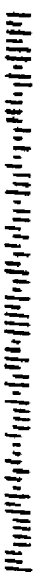
Indian Springs, NV #1210655.
D. J. ...
P.O. Box 630
Indian Springs, NV 89070-1650

LAS VEGAS NV 890
23 DEC 2021 PM 5 L

Steven D. Johnson
Clerk of ...
200 Lewis Ave. 2nd Floor
Las Vegas, NV

9155-1160

89101-6300000





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

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

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

January 03, 2022

Attorney: Anthony M. Goldstein
2421 Tech Center Court
Ste 100
Las Vegas NV 89128

Case Number: C-21-357927-1
Department: Department 10

Defendant: Matthew Houston

Attached are pleadings received by the Office of the District Court Clerk which are being forwarded to your office pursuant to Rule 3.70.

Pleadings: **Emergency Motion**

Rule 3.70. Papers which May Not be Filed

Except as may be required by the provisions of NRS 34.730 to 34.830, inclusive, all motions, petitions, pleadings or other papers delivered to the clerk of the court by a defendant who has counsel of record will not be filed but must be marked with the date received and a copy forwarded to the attorney for such consideration as counsel deems appropriate. This rule does not apply to applications made pursuant to Rule 7.40(b)(2)(ii).

Cordially yours,

DC Criminal Desk # 7

Deputy Clerk of the Court

1 MDC

2 Name: Matthew Travis Houston # 1210652 @ HDSP

3 Address: 330 S. Casino Center Blvd P.O. Box 650

4 City/State/Zip: Las Vegas, NV 89101 Indi

5 Phone: 702-553-6078

6 DEFENDANT IN PROPER PERSON, pro se

7 EIGHTH JUDICIAL DISTRICT COURT

8 CLARK COUNTY, NEVADA

9 State of Nevada

10 Plaintiff,

11 vs.

Case No.: C-21-357927-1

Dept. No.: X

12 Matthew Travis Houston
13 (Plaintiff in Error)
14 Defendant

15 ☒ : ORAL ARGUMENT
16 ☒ : HEARING
17 ☒ : REQUESTED
18 ☒ : JURY TRIAL DEMAND

19 EMERGENCY MOTION REQUESTING HEARING,
20 ~~_____~~
21 DE NOVO, AND RELEASE TO INTENSIVE SUPERVISION

22 COMES NOW, the Defendant Matthew Travis Houston and moves this
23 Honorable Court to dismiss Defendant's counsel, Andrew Goldstein, and appoint
24 standby counsel to assist Defendant, and schedule an emergency
25 hearing. This Motion is based upon all papers, pleadings, and documents on file, many

26 which are in transition and @ Ben Little's offices, others.

27 POINTS AND AUTHORITIES

28 It is respectfully requested of this court to grant this Motion to SET DE NOVO
29 Standby and _____
30 Appoint _____ Counsel for the reasons listed below: Houston should be

31 able to complete his impulse control class,
32 as he is participating in anger management
33 in custody @ CCDC and mental health court
34 to transfer to intensive supervision w/
35 low level electronic monitoring + DRUG COURT

CLERK OF THE COURT

RECEIVED
DEC 27 2021

I. PROCEDURAL BACKGROUND AND FACTUAL SUMMARY

Since Houston was appointed as counsel on July 14th, 2021, Defendant has been prejudiced and suffered manifest injustice based on counsel's refusal or failure to:

get me into mental health court and/or drug court to correlate w/ my Municipal Court (Double-jeopardy) cases to which I am to complete intense impulsive-control classes and I am also requesting intensive supervision w/ Div. of P.N.P. because they do not have all the facts, to which A-17-750057-C and the scam of Jason Burras, or at least all my State Bar of Nevada complaints were ignored, because for the 2nd time Daniel Schwartz is coercing judicial System of Nevada to have me killed. Fast forward to 12-18-2021 and I must be able to take care of my businesses, my mental health advocacy my work trucks, one Silverado I just paid \$59,000 cash for, the other is @ MGM Excalibur at which I am a good samaritan. Counsel failed to ensure that my Ka seeing eye dogs were placed in the correct "legal" kennel @ the Animal Foundation. Counsel failed in preparing any motion to suppress, point out hearsay and oppose credibility of R. McMorris, failed in delivering DISCOVERY to Defendant, after 9/11 theft.

WANT CRACKS TO SUPER VISE IN RE CLARIFICATION

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
DETENTION SERVICES DIVISION

MEDICAL/DENTAL/MENTAL HEALTH SERVICES REQUEST

Name: HOUSTON MATTHEW ID: 7035801
LAST FIRST
Housing: 2A6U Date of Birth: 7/15/1991 Date: 12/11/2021

**IF YOU ARE CURRENTLY EXPERIENCING A MEDICAL EMERGENCY OR MENTAL HEALTH CRISIS,
NOTIFY A UNIFORMED OFFICER IMMEDIATELY**

Description of Illness or Injury: IT IS MY BELIEF THAT DENIED
ACCESS TO A PSYCHIATRIST
FOR MY MENTAL HEALTH
ISSUES. I HAVE BEEN ON MEDICATION
FOR YEARS AND I AM CURRENTLY
ON A MOTION TO DISMISS
FROM COURT.

THE SECTION BELOW IS TO BE COMPLETED BY STAFF ONLY

Date/Time Triaged: 12/11/2021 Category ☐ 1 ☐ 2 ☐ 3 ☐ RN

S: 12/11/2021

O: TEMP: 98.6 PULSE: 60 RESP: 12 BP: 110/70

A: 12/11/2021

B: 12/11/2021

Refer to: ☐ Sick Call Doctor ☐ Nurse ☐ Psychiatrist ☐ Dentist ☐ DON ☐ Other: 12/11/2021

Fee Charge: ☐ \$8.00 Medical Access Fee ☐ \$5.00 Medication Fee ☐ \$3.00 Medication Renewal Fee
☐ \$200.00 or actual cost (whichever is higher) ☐ No Charge

ACKNOWLEDGEMENT OF FEES AND SERVICES

I understand that pursuant to NRS 211.140, I may be responsible for payment for medical care (see back of this form).

I understand that the medical access fee and/or medication fee noted above will be deducted from my inmate account.

I understand that fees may be collected at a later date if funds are not currently available in my inmate account. If I do not have sufficient funds to pay, and money is deposited into my inmate account at a later time, the amount I owe for these services will be deducted before any funds are made available to me.

No inmate will be refused in-house medical services based on an inability to pay at the time the healthcare is provided.

Inmate Signature: Matthew Houston Date: 12/11/2021

Staff Signature: 12/11/2021 Date: 12/11/2021

INMATE NAME (PLEASE PRINT)	ID#	HOUSING
<u>Matthew Houston</u>	<u>7035801</u>	<u>2A6U</u>

DISTRIBUTION: WHITE - Medical Records YELLOW - Inmate

II. ARGUMENT

Defendant, Matthew Houston asserts that he/she is being denied his/her right to effective representation due to wholly inadequate actions of his/her court-appointed counsel. Further, counsel's actions constitute a violation of the Defendant's due process rights under the following cases, statutes, and/or rules of professional conduct:

Supreme Court of Nevada Appeal
758857

as result of personal injury case that I must continue litigating from "out-of-custody" status, case filing amended complaint # A-17-758857-C

and many, many other petitions, appeals, Ombudsman advocacy not limited to the following: CR 033713

C-17-323 ✓ 614-2

C 1248384 A

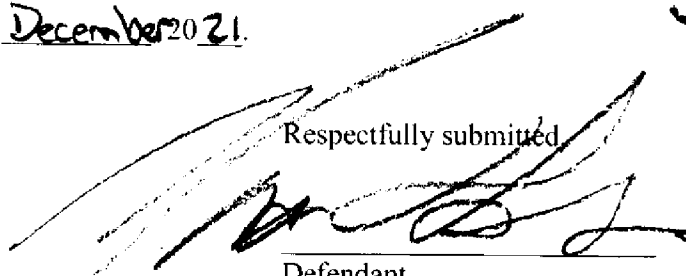
C 1237802 A

(current PSI with errors is being reviewed by Ozzy Fumo)

WHEREFORE, the undersigned prays that the court grant Defendant's Motion to Dismiss Counsel and ~~Matthew Houston~~ release him to intensive supervision w/ low level monitoring.

DATED THIS 18 day of December 2021.

Respectfully submitted,


Defendant

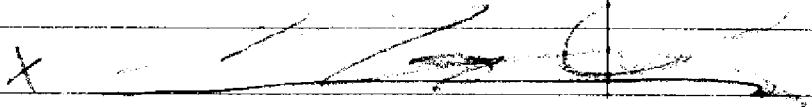
1 CERTIFICATE OF SERVICE

2 BY MAIL (NRS)

3
4 DECLARATION UNDER
5 PENALTY OF PERJURY
6

7 X prisoner is indigent X

8
9 Dated: December 21st, 2021
10

11 X 
12 MATTHEW TRAVIS HOUSTON
13 # 1210652 @ NDOC
14

Manila Hoo-rah # 1210652

HP SP Hoo-rah
State Prison

89070-0650

-Stamen in response-

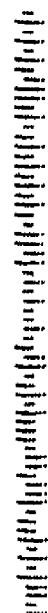
Check of photo sent

200 Lewis Ave 3rd floor
Las Vegas, NV

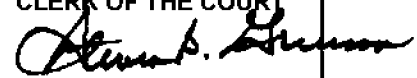
89155-1160

23 DEC 2021 PM 5 L

5200 LAS VEGAS NV 890



DEC 22 2021



1 **VERF**
2 DARIN F. IMLAY, PUBLIC DEFENDER
3 NEVADA BAR NO. 5674
4 BENARD H. LITTLE, DEPUTY PUBLIC DEFENDER
5 NEVADA BAR NO. 12025
6 **PUBLIC DEFENDERS OFFICE**
7 309 South Third Street, Suite 226
8 Las Vegas, Nevada 89155
9 Telephone: (702) 455-4685
10 Facsimile: (702) 455-5112
11 Benard.Little@clarkcountynv.gov
12 *Attorneys for Defendant*

13 **DISTRICT COURT**
14 **CLARK COUNTY, NEVADA**

15 THE STATE OF NEVADA,	)	
	)	
16 Plaintiff,	)	CASE NO. C-21-357927-1
	)	
17 v.	)	DEPT. NO. XI
	)	
18 MATTHEW HOUSTON,	)	
	)	
19 Defendant,	)	
20	)	

21 **VERIFICATION OF PROVIDING DISCOVERY**
22 **MATERIALS TO DEFENDANT**

23 Pursuant to this Honorable Court's directive after granting Defendant's Motion for
24 Withdrawal of Attorney of Record and Delivery of Records, the undersigned counsel hereby files
25 this written acknowledgment of having provided all discovery materials in Defendant's file to
26 Defendant, either via mail or via hand delivery in Court. Out of an abundance of caution, counsel
27 has once again sent a full copy of the discovery in this case to Defendant via mail on January 26,
28 2022.

DATED this 26th day of January, 2022.

DARIN F. IMLAY
CLARK COUNTY PUBLIC DEFENDER

By: /s/Benard H. Little
BENARD H. LITTLE, #12025
Deputy Public Defender

1 **CERTIFICATE OF MAILING**
2 **(FILE VERIFICATION)**

3 This is to certify that on the 26th day of January, 2022 a true and correct copy of the filed
4 documents were deposited in the United States mail in Las Vegas, Nevada, in a sealed envelope,
5 postage prepaid to:

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

10 *By: /s/Kristina A Byrd*
11 Clark County Public Defender Employee

12 **CERTIFICATE OF ELECTRONIC SERVICE**

13 I hereby certify that service of the foregoing, was made this 26th day of January, 2022 to:

14
15 Clark County District Attorney's Office Judge Ellie Roohani
16 motions@clarkcountynvda.com

17
18 *By: /s/Kristina A Byrd*
19 Clark County Public Defender Employee
20
21
22
23
24
25
26
27
28

DOCUMENTS ENCLOSED

- Motion to Dismiss Counsel
- Motion to Withdraw as Attorney of Record and Appoint Alternate Counsel in Order for Defendant to Withdraw His Guilty Plea
- 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
- Defendant's Emergency Motion to Oppose Remand and Dismiss Case in It's Entirely
- Defendant's Letters to Attorney
- Guilty Plea Agreement
- Redacted Complaint and Police Report
- Protection Order Return of Service
- Extended Protection Order on Behalf of Minor Child/Application
- Petition For a Writ of Habeas Corpus Under 28 U.S.C.
- Letters to Attorney
- Application to Proceed in Forma Pauperis for Inmate
- Civil Rights Complaint
- Medica/Dental/Mental Health Services Request

Heather L. Linn
CLERK OF THE COURT

ORDR
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
LAURA GOODMAN
Chief Deputy District Attorney
Nevada Bar #013390
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
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: XI

**ORDER GRANTING IN PART, DENYING IN PART DEFENDANT'S
PRO PER MOTION TO DISMISS COUNSEL**

DATE OF HEARING: JANUARY 24, 2022
TIME OF HEARING: 1:30 P.M.

THIS MATTER having come on for hearing before the above entitled Court on the 24th day of January, 2022, the Defendant not being present, represented by BENARD LITTLE, DEPUTY PUBLIC DEFENDER, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through LAURA GOODMAN, Chief Deputy District Attorney, and without argument, based on the pleadings and good cause appearing therefor,

///

///

///

///

1 IT IS HEREBY ORDERED that the Defendant's Pro Per Motion to Dismiss Counsel,
2 shall be, and it is GRANTED IN PART, DENIED IN PART, the Public Defender is
3 DISMISSED; request to recuse Judge Jones is DENIED AS MOOT; request for money is
4 DENIED.

5 DATED this _____ day of February, 2022.

6 Dated this 1st day of February, 2022

7 Elham Roohani
DISTRICT JUDGE

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

42B 13F C1CA 4226
Ellie Roohani
District Court Judge

10
11 BY

Laura Goodman
12 Chief Deputy District Attorney
13 Nevada Bar #013390
14

15 **CERTIFICATE OF MAILING**

16 I hereby certify that service of the above and foregoing was made this _____ day of
17 February, 2022, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

18 MATTHEW HOUSTON, BAC# 1210652
19 HIGH DESERT STATE PRISON
20 P. O. BOX 650
INDIAN SPRINGS, NV 89070

21 BY /s/ E. Goddard
22 Secretary - District Attorney's Office
23
24
25
26

27 21CR019840/erg/L-4
28

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-21-357927-1

7 vs

DEPT. NO. Department 11

8 Matthew Houston
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: 2/1/2022

15 G. Cox Coxgd@clarkcountynv.gov

16 Ben Little Benard.Little@ClarkCountyNV.gov

17 DA . Motions@ClarkCountyDA.com
18
19
20
21
22
23
24
25
26
27
28

1 MATTHEW TRAVIS HOUSTON #7035801 @ CCDC, pro se
2 #1210652 @ NDOC - P.O. Box 650 - Indian Springs, NV - 89070
3 EIGHTH JUDICIAL DISTRICT COURT
4 CLARK COUNTY, NEVADA
5

6 Matthew Travis Houston 7 Appellant	Case # C-21-357927-1 Dept # X
8 vs. 9 STATE OF NEVADA 10 Respondent	FILED JAN 25 2022 FEB 18 2022 CLERK OF COURT "de novo" hearing requested

11 DIRECT APPEAL
12 MOTION DIRECT APPEAL AND ATTENDED

13 Moved FOR REVERSAL TO 47-75.616 WC
14 Comes now, Plaintiff in Error HOUSTON who
15 moves this Honorable Court to impose sanctions
16 upon officials not limited to Tierra Jones, her substitute,
17 Michael P. Villanig, Magistrate De la Garza,
18 Scott Poisson, Brian P. Clank, Christopher Burk,
19 Erica Tash, Jason Barnus, Andrew Flahive,
20 Daniel Schwartz, Sheriff Joe Lombardo, NDOC C/O
21 Popalauskas and whomever else to be called
22 by this court in the manifestation of justice, to improve
23 the community of Las Vegas, Nevada and to ensure
24 that all injured workers are properly compensated.
25 his Appeal is made upon all papers,
26 pleadings, documents on file and newly
27 discovered evidence to which this court has been
28 attempting to keep hidden from the truth.

CLERK OF THE COURT
FEB 17 2022
RECEIVED

PETITION FOR JUDICIAL REVIEW OF ^{December 6th, 2021}

STATEMENT OF FACTS:

It is to be known to the court that the only reason HOUSTON agreed to original negotiations after false imprisonment on July 14th, 2021 (before his appointment on July 15th, 2021, at Nevada Retina Specialists w/Dr. Tyson Ward) was that so he could be released to search for and hopefully retrieve his trained seeing-eye dogs. Council failed to inform HOUSTON of a City Jail detainer hold, then informed HOUSTON before he had agreed to negotiations that there was NOT a city jail hold when in fact there was. Double jeopardy not.

As Houston was never served with any summons, the traumatic events of July 14th, 2021 were and is a cruel and unusual punishment being inflicted upon Houston, what with him being denied his medical disability rating with Dr. Quagler, the impoundment of his seeing eye dogs and this tragedy (forcing him to relocate from his home state of Iowa) is further cause of unnecessary hardships and eviction from his out-of-house legal advocacy (Address 435 S. Linn Street, #927, Iowa City, Iowa 52240). The overreaching tactics used by both Sedgwick and the prosecution forced Houston into an unmanageable state of duress, homelessness and imprisonment due to R. McMorris' willful omissions and when ignoring claim adjuster Dianne Ferrante's falsehoods and other crimes both civil and criminal.

1 Dianne Ferrante has caused not only further
2 injury upon Houston but has further injured other workers
3 and totally permanently disabled citizens due
4 to her mishandlements, irresponsibility, willful neglect,
5 and other schemes not limited to the illegal
6 extortion of Houston's disability claims which are
7 substantially proven by the events of October 1st, 2021.

8 Sedgwick and its counsel Dan Schwartz are an abatable
9 nuisance and must be held accountable for the
10 damages inflicted upon Houston and the people of
11 the State of Nevada. In regards to events,
12 Houston has and continues to suffer from BATTERED

13 PERSONS SYNDROME as result of surviving numerous traumas
14 (other than ONE OCTOBER and his 2016 work
15 accident at Mandalay Bay Resort) including:

- 16 • death of uncle Randall Schoenherr - 2019
- 17 while illegally incarcerated in NDOC for a dismissed case.
- 18 • suicide of uncle Rollie Schoenherr - 2017.
- 19 • divorce from abusive spouse in 2014 after learning
- 20 that his son was NOT his and victim of domestic violence.
- 21 • suicide of brother Mitchell Ryan Houston - 2014.
- 22 • witnessed domestic violence between his parents
- 23 very often as a child - 1984 - 2000.

24 DREAM JOURNAL IN RE JANUARY 26-27, 2022:

25 Lastnight I was working again, with forklift. Operator was Tripp in
26 Nashville, TN from CREW ONE who kept telling me it's okay to ride on the
27 forklift. Then my right hand was cut off. I woke up to remember
28 how my right hand was smashed in 2013 while working for C-DIVE. I was getting
29 those records for subpoena - page # 125 - from Louisiana in January, 2021. K. T. H.

(page #4 of DIRECT APPEAL)
TO C-21-357927-1

1 AMENDED PETITION FOR JUDICIAL REVIEW

2 in re July 14th, 2021 - current date of illegal
3 incarceration at time of this writing being on or about Thursday,
4 January 27th, 2022, after waking up from CPTSD nightmare:

5 The primary factor showing the judicial biases against
6 petitioner is the fact that Tierra Jones never responded to
7 petitioner's first PETITION FOR WRIT OF HABEAS prepared while
8 illegally incarcerated at T.C.V.C. during his wrongful conviction
9 of DUI case No. C-17-323614-2, date and dept. unknown
10 due to petitioner's current false imprisonment in fish tank.

11 This DEFAULT STATUS of the state of Nevada is further
12 reinforced by the fact that the petitioner's drafts for a
13 2nd PETITION FOR A WRIT OF HABEAS CORPUS, along with the
14 rest of petitioner's correspondence are being withheld by the
15 Clark County Public Defender's office for no reason other
16 than the intentional disregard for injured worker's rights. This
17 bias is proven by numerous case history, one of which being
18 where an industrial work accident causing workers fatality was
19 determined by the courts to compensate only \$10,000 to the
20 surviving family to assist in paying funeral expenses. The

21 death was of an employee of Rhino Staging and happened
22 at MGM Grand Arena and the case is being served
23 subpoena in A-17-758861-1 Dept: 29 and multiple complaints.

24 As the malicious prosecution of the state has attempted
25 to make an example out of an honest and law abiding man,
26 the petitioner will now illustrate to this court some
27 accurate and truthful examples that explain how reoccurring
28 nightmares effect Dave Grohl, as most surely, the family
29 of the Rhino Staging employee is still haunted by the loss of their son.

EXHIBIT - November 25th 2021

1 At just about every Foo's concert, the band
2 plays Zoli "Walk," which has some of the
3 most audacious lyrics Grohl - or anyone, really -
4 ever wrote. "Every night when he sings the line
5 "I never want to die," says Smear, "I look at
6 him every time and think of Kurt. Every
7 single time. Because Kurt was, "I hate
8 myself and I want to die." And that's the
9 opposite-ness of them. And I do so love
10 being with life lovers."

11 As it happens, Smear is correct about the
12 inspiration behind that song. "It kind of comes
13 from the day after Kurt died," Grohl says,
14 his voice a little softer than usual. "Waking
15 up that morning and realizing 'oh, shit, he's not
16 here anymore. I am. Like, I get to wake up
17 and he doesn't. I'm making a cup of coffee.
18 And he can't. I'm gonna turn on the radio.
19 And he won't. That was a big revelation to me."

20 "I think also in life, you get trapped
21 in crisis, where you imagine there's no way out.
22 When really, if you dare to consider that 'crisis
23 a blip on the radar, it's easier to push
24 through. And yea, I was just like, 'I
25 don't want anyone to have that feeling that
26 I had that morning."

EXHIBIT and APPEAL

1 But in any case, he really means it.
2 "I'm serious," Grohl says. "I don't
3 want to ~~fucking~~ die! I know it's inevitable,
4 but I don't want to. That's gonna be such
5 a drag." He's silent for a rare moment, and
6 smiles, baring those battered teeth. "I'll
7 fight it as ~~fucking~~ long as I can."
8

9 — Rolling Stone Magazine
10 October 2021 page #79
11

12 Let this court's record reflect from page #3, line No. 21,
13 in honor of Appellant's brother Mitchell Ryan Houston, who would
14 have turned the age of 32 on the day that this EXHIBIT
15 was prepared.
16
17
18
19
20
21
22
23
24
25
26
27

1 POINTS AND AUTHORITIES are not limited to the reasons listed below:

2 The day that Houston was transferred to
3 City Jail to face double-jeopardy charges in Las
4 Vegas Municipal Court # C1248384A and # C1237802A
5 shows this court the failure of council in
6 informing Defendant as to ALL of the terms
7 and conditions per original negotiations having
8 made VOID any and all sorts of verbal and/
9 or written agreements made between the
10 prosecution and Defendant. This further shows
11 that Defendant would not have entered a
12 guilty plea to # C-21-357927-1 and would
13 have insisted upon going to trial. See
14 State v. Huebler 128 Nev. 192, 275 P. 3d
15 91, 128 Nev. Adv. Rep. 19, 2012 Nev. LEXIS 53
16 (Nev. 2012), cert denied, 568 U.S. 1147, 133 S.
17 Ct. 988, 184 L. Ed. 2d 767, 2013 U.S. LEXIS
18 1009 (U.S. 2013).

19 NRS 34.726 validates Defendant's claim of
20 ineffective assistance of council in that it meets
21 procedural requirements having been raised in a
22 timely petition when Defendant had requested to
23 withdraw his plea during a video court appearance
24 prior to December in which the "substitute" judge
25 had appointed Anthony M. Goldstein to represent
26 Houston in determining the prospective motion's validity.

27 Defendant was prejudiced by Bernard Little's failure
28 in applying Houston to Mental Health Court and the
29 delay to Drug Court; interview ¹²⁹ post-conviction on December 10th.

1 Defendant has been overwhelmingly prejudiced in this
2 case, especially with the initial statement made by the
3 prosecution labelling Houston as "a danger to society"
4 and when female judge Tierra Jones, after Ben Little
5 failed to rebut the false pretences made by R.
6 McMorris, made personal comments further insulting
7 character of the Defendant after he invoked his
8 5th Amendment rights, especially considering the
9 fact that prior to the Defendant being in
10 custody he had never seen R. McMorris, in a
11 person, up close or from afar nor had he communicated
12 with her over any sort of telephone, e-mail, listening
13 device, social media or otherwise.

14 Petitioner/defendant was denied his constitutional right to defend
15 himself without counsel when the substitute judge appointed Anthony
16 M. Goldstein. See *Hollis v. State*, 95 Nev. 664, 601 P.2d 62, 1979 Nev. LEXIS
17 637 (Nev. 1979). "unreliable" is self-explanatory, see *Buffalo v. State*, 111
18 Nev. 1139, 901 P.2d 647, 111 Nev. Adv. Rep. 127, 1995 Nev. LEXIS 125
19 (Nev. 1995). Tierra Jones and every other individual refusing to
20 take accountability for the current injustices against Petitioner
21 is guilty of violating NRS § 484.219, renumbered to NRS 484E.06
22 and should be charged with leaving the scene of a single accident
23 because deliberate indifference is wrong, just as R. McMorris lies
24 she told on record were. See *Firestone v. State*, 120 Nev. 13, 83
25 P.3d 279, 120 Nev. Adv. Rep. 3, 2004 Nev. LEXIS 3 (Nev. 2004).
26 Furthermore, the credit for presentence incarceration of the
27 Petitioner is inaccurate. See *Griffin v. State* 122 Nev. 737, 137
28 P.3d 1165, 122 Nev. Adv. Rep. 63, 2006 Nev. LEXIS 70 (Nev. 2006).

1 THE FOURTH (4th) AMENDMENT OF THE CONSTITUTION (U.S.)

2 FRUIT OF THE POISONOUS TREE

3 "The 4th Amdt requires that a search and
4 seizure be pursuant to a warrant supported by
5 probable cause. Exceptions to the warrant
6 requirement under Terry include "traffic stops",
7 of which must meet Terry requirements. The 4th Amdt
8 places strict limitations on the state in its exercise
9 of power and authority." - The Crossing, by Michael Connelly.

10 Framing an injured worker for the second
11 time and interfering with official acts of the pleadings of
12 case #A-17-75 & §61-C; making false claims of
13 supposed "lifetime re-opening rights" to a
14 claim that was catastrophic in nature and
15 never was to have been closed is NOT a
16 valid exercise of constitutional authority in Nevada
17 or anywhere else in U.S.A., especially Colorado,
18 Iowa and California. Mr. Houston committed none
19 of these 'AGGRAVATED STALKING' offences as
20 shown on record by the alleged victim, R.
21 McMorris whom Houston has never even seen -
22 until brought to unfair hearings, has no clue as to
23 where her or her family resides, and it's perfectly
24 legal and the correct way that Houston reported
25 the SEDGWICK scams of D. Ferrante and J. Shockley
26 to LUMPD HOUSE ARREST as it is Houston who is the
27 victim of their negligent scam of extortion. The state
28 government trampled on Houston's rights to be
29 protected from unlawful search and seizure, his
30 rights as an American citizen and desecrated the
31 American's With Disabilities Act of 1993. Page #9

1 See 249 So. 2d 908, 918: This miscarriage of justice
2 is a justiciable controversy in that the dispute involves
3 legal relations of parties who have real adverse interests, and
4 upon whom judgement may effectively operate through a
5 decree of conclusive character.

6 See 155 S.E. 2d 618, 621: This dispute is NOT
7 hypothetical, contingent or abstract other than the FACT
8 that insurance claim adjusters might be being paid kickbacks or
9th contingency fees to see that Houston is denied his
10 indemnity which is what has happened on more than
11 one occasion since his incurring of numerous⁽²⁷⁾ catastrophic
12 injuries and multiple wrongful convictions. This court was not
13 justiciable in accepting Houston's original plea nor was it
14 feasible for prosecution to conjure up the indictment on
15 a permanently totally disabled worker as result of the false
16 pretenses made against Houston and other injustices he has
17 suffered. The fact that this court stood with a lying worker's
18 compensation adjuster's boss is pervasive and the continuous
19 errors made by this court are extremely prejudicial to the
20 appellant, harmful in the upmost ways to him and his family
21 and warrant an immediate review by the Supreme Court of
22 the State of Nevada. See 178 P. 2d 341.

23 To explain the conflict between attorney, appellant and this
24 court in both civil and criminal case(s), the Clark County
25 Public Defender's office contributed to Houston's indigent status,
26 while the history of the Las Vegas judicial system being
27 biased against injured workers and their claims shows how courts
28 value the big insurance companies over the health, rights and freedoms
29 of We The People... page 132
#10 See Clark v. State, 108 Nev. 324/1992

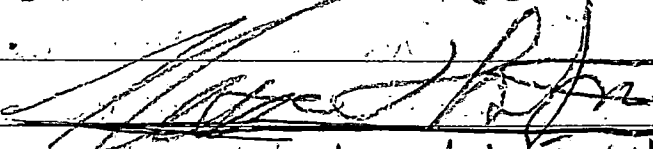
1 Petitioner-appellant was unable to telephone Anthony M.
2 Goldstein due to indigence and CCDC not allowing collect calls, nor
3 was he provided any sort of phone number to his court
4 appointed attorney's office and not visited enough by the
5 Clark County Public Defenders office. See *Young v.*
6 *State*, 120 Nev. 963 (2004)

7 To reference for further use page 2 lines 10-14, appellant
8 was subjected to double jeopardy which began before he was
9 arrested since the warrant was illegal due to the facts
10 that appellant was never served with any sort of summons
11 to the charges made against him, nor was he informed that
12 any sort of crime might have taken place, especially because
13 he did NOT reside within the jurisdiction of the State of
14 Nevada. See *State v. Blackwell*, 65 Nev. 405, 198 P.2d 280, 1948 Nev.
15 LEXIS 65 (Nev. 1948) cert. denied, 336 U.S. 939, 69 S.Ct. 742, 93
16 L. Ed. 1097, 1949 U.S. LEXIS 2642 (U.S. 1949).

17 This false imprisonment amounts to kidnapping by the fact that
18 Appellant and his trained service animals were removed from 3041
19 Saint Rose Pkwy, Henderson, NV to another place. See 174 N.E. 162, 163.
20 This unlawful removal was of a substantial distance and substantial
21 time period in an isolated place for the purpose of Sedgwick obtaining
22 an award, facilitating numerous felonies not only by both harming
23 and terrorizing the Appellant. The interruptions of Appellant's
24 worker's compensation, social security and personal injury
25 litigations and advocacy is interfering with government
26 function. See Model Penal Code §212.1. The abduction being
27 purportrated by employees of Sedgwick and in coercion with law
28 enforcement has transformed the Appellant's indemnity into nothing
29 more than a Page #3 // criminal ransom demand.

1 Petitioner/appellant did not feel comfortable with court appointed
2 counsel filing his MOTION TO WITHDRAW PLEA while in custody because
3 at a prior hearing, the previous case involved a defendant who committed
4 identity theft. What with appellant being a victim of ID theft, his duress increased
5 This case illustrates how the State of Nevada cares not for its
6 citizens, visitors nor injured workers and shows little if no regard
7 for the health and mental/emotional security of the
8 permanently totally disabled, their work places, survivors, friends
9 and family let alone their pets and/or trained service animals. It
10 is nothing more than a ploy and a shallow attempt to recruit more
11 of the poor and unlucky into the forced slave labor camps of
12 the Nevada Division of Forestry; so that corporate welfare may
13 take advantage of the working-class while profiting off of
14 the weak and underprivileged, caring not of freedom nor for
15 the imprisoned. The malicious prosecution employed expidative
16 tactics in obtaining their wrongful convictions to obstruct not
17 only the Petitioner's entire life but they have delayed the
18 orderly process of the criminal justice system in siding with
19 an insurance scam over the true victim, that being this
20 principal and Plaintiff In Error, Matthew Travis Houston.

21 WHEREFORE, the undersigned demands that the court conducts
22 proper and accurate judicial reviews of this case and ALL others
23 related, not limited to the following: #A-17-758861-C Dept. 29
24 Supreme Court of Nevada Appeals #758861 and #323614
25 Las Vegas Municipal Court #C1248384A and #C1237802A
26 District Court Case #C-17-323614-1.

27 Respectfully submitted, x 

28 DATED THIS 7th day of February 2022. Appellant Matthew Travis Houston

29 Signed under the declaration under penalty of perjury. Page #134 NRCB 5(b), NRS 239B.030
CERTIFIED BY THE U.S.D.S.

Matthew Houston #1210652

HOSP

P.O. Box 650

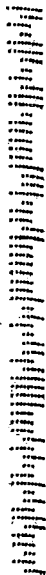
Indian Springs, NV

89070-0650

LAS VEGAS NV 890

11 FEB 2022 PM 4 L

in re C-21-357927-1
Clerk of the Court
Steven D. Grierson
200 Lewis Ave, 3rd Floor
Las Vegas, NV 89155-1160



000003-10168

UNIT 12

FEB 10 2022

HIGH DESERT STATE PRISON



ASTA

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

STATE OF NEVADA,

Plaintiff(s),

vs.

MATTHEW HOUSTON
aka MATTHEW TRAVIS HOUSTON ,

Defendant(s),

Case No: C-21-357927-1

Dept No: XI

CASE APPEAL STATEMENT

1. Appellant(s): Matthew Travis Houston

2. Judge: Tierra Jones

3. Appellant(s): Matthew Travis Houston

Counsel:

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

4. Respondent: The State of Nevada

Counsel:

Steven B. Wolfson, District Attorney
200 Lewis Ave.

Las Vegas, NV 89101
(702) 671-2700

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

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

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

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

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: August 3, 2021

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Judgment of Conviction

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 22 day of February 2022.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

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

cc: Matthew Travis Houston

RECEIVED

MAR 14 2022

CLERK OF THE COURT

Americans w/ Disability
Act of 1990, 1993

FILED

MAR 15 2022

CLERK OF COURT

MATTHEW TRAVIS HOUSTON, P.C.

1. S. Main St #300

LV, NV 89101

10/13/
2021

EIGHTH JUDICIAL

DISTRICT
COURT

LV, NV

Clark County, NV

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

Houston Def et al

C-21-357927

vs

21-CR-019840

NEVADA Plan.

21-CR-033713

C1237802A + C1248304A

EMERGENCY MOTION TO

OPPOSE REMAND AND

DISMISS CASE IN

IT'S ENTIRETY.

RECEIVED

OCT 18 2021

For the 5th year; since 9/20/

2016, Houston is disabled from

catastrophic 45' fall @ Mandalay

Bay Resort. He survived 10/1/2017.

He is surviving the illegal

deprivation of his ka unit

Johnny Cash and the puppy

he was training, until 7-14-2021. His

dogs must be returned ASAP.

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.

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.

Dec. under pen. of perjury.

X ~~me~~

M.T.H. 10/13/2021

AFFIDAVIT Pt. #2

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

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

It is 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-visually
impaired documents of truth.

M.T.H.

10/13/2021

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 butchered
15 by the attorneys he had to
16 five, and too many
17 other problems. I would
18 think the courts would
19 appreciate Houston PRO 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. H, P.C.

13 OCT 2021 PM 5 L

EIGHTH JUDICIAL DIST. COURT

9.5 Saster-

ATTN: CLERK S. GRIERSON

Regional Justice Center

200 Lewis Ave

Spencer

0000000000

29165

usque ad
iniquitate, et ad

Matthew Houston # 1210652

HOSP

Pc Box 650

INDIAN SPRINGS, NV

84070-0650

LAS VEGAS NV 890

9 MAR 2022 PM 3 L

2



FOREVER
016200603143823

DEPUTY OF THE CLERK
ATTN: HEATHER UNGERMANN
CLERK OF THE COURT
STEVEN D. GRIERSON

IN RE: C-21-357927-1

Regional Justice Center

200 Lewis Ave, 3rd Floor

Las Vegas, NV

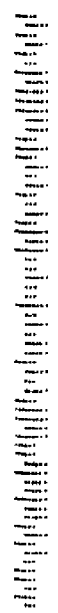
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RECEIVED

MAR 14 2022

CLERK OF THE COURT

09101-630000



UNIT 52

MAR 03 2022

U.S. DEPT. OF JUSTICE

MATTHEW TRAVIS HOUSTON, pro se
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
Student Member of the American Bar Association (retired)

Electronically Filed
03/29/2022

Thomas S. Gemin
CLERK OF THE COURT

DISTRICT COURT

CLARK COUNTY, NEVADA

MATTHEW TRAVIS HOUSTON,
Plaintiff-in-error
(petitioner-appellant),

CASE NO: A-17-758861-C

DEPT No.: 28 and 29

-vs-

CASE NO: C-21-357927-1

DEPT No: XI

THE STATE OF NEVADA,
Respondant.

PART II OF
PERSONAL RESTRAINT PETITION

EMERGENCY 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:
HEARING DATE: 04/06/2022
TIME: 1:30 PM

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.

Matthew Travis Houston
HDSP No. 1210652
P.O. Box 650
Indian Springs, NV 89070-0650

Perhaps a cause of this neglect of duty is the fact that there are other objective factors showing both cause and prejudice as there is much more in this case to blame besides bad lawyering. Additionally, the claim of ineffective aid of counsel was reinforced by the Supreme Court of Nevada's dismissal of DIRECT APPEAL No. B41281 on March 10th, 2022. Had either Anthony M. Goldstein, Jeremy Wood, Benard Little or the attorney from the cases in Las Vegas Municipal Court adhered to any sort of principle than the petitioner-appellant would not have been as prejudiced.

Primarily it is the fact that the judge, prosecution and alleged "victim" in this case are females causing a sexist bias against the petitioner-appellant who had already, while in a state of trauma been subjected to a double-jeopardy. Not only was petitioner-appellant made victim of sexist bigotry but he became more of the scapegoat to the evil forces of stereotypical racism after being told by Benard Little that he would not qualify for aid from the Bail Bond Project. Social worker Cassandra Diez, also from the Clark County Public Defender's office was also a hindrance to justice when she had informed petitioner-appellant that it would be a conflict of interest if petitioner-appellant authorized Benard Little or someone from their office to act as a POWER OF ATTORNEY so that petitioner-appellant could have the overly-inflated bond paid in full. But why would any of that even matter to the social worker who would not accept complete 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 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 Sakalauskas, 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 LVMPD into acting as a modern
19 day Gestapo. Therefore, it is asked to this court,

20 "a conspiracy is possible... is it not?" In fact, it
21 is no conspiracy that Sedgwick's interest off of the petitioner-
22 appellant is making quite a bit of money when not having to
23 pay the injured worker(s) their legally and rightfully
24 entitled benefits.

25 PLEASE TAKE NOTICE of this now amended:

26 "EMERGENCY OPPOSITION OF REMAND
27 AND MOTION TO DISMISS No. C-21-357927-1
28 AND EXHORATE THE PETITIONER-APPELLANT?"

1 To date, the Appellant's "PETITION FOR JUDICIAL REVIEW OF
2 THE EVENTS OF DECEMBER 6th, 2021" has been ignored by the
3 courts, even before the illegal arrest of the petitioner-appellant
4 on July 14th, 2021 because judicial ineptitude and procedural
5 mishandlements ought NEVER happen. However, due to particular
6 individual's acts in temerity and carelessness, these errors throw
7 monkeywrenches into particular parts of the machine therefore
8 preventing the lawful turnings in the wheels of justice from working
9 towards the forces of good, and all that it is of. It is hereby
10 asked to this court, "are these most cruel and inhumane injustices to be
11 accepted by our judicial system and people of the State of Nevada?"

12 It was asked by the most falsely accused Appellant OFFICIALLY before
13 the 13th of October, 2021 that this case be opposed and completely dismissed,
14 as proven by the original motion's pages "1-6" which were put on record
15 by the clerk when they were stamped "RECEIVED OCT 2021 CLERK
16 OF COURT". The originals are at the offices of Bernard Little, et al
17 who neglected their duties in providing this court with truth, contributing to
18 malpractice and is an additional cause of this wrongful conviction. This error
19 shows the tendency of judicial officers of Las Vegas to parade the
20 elements of oppression and facism. As a result the Appellant prays
21 that prosecutorial malice, misconduct, wanton disregard and careless neglect
22 be lessened if not completely eliminated while reading of the observations
23 and the theory of District Attorney Mr. Jim Garrison who is,
24 most unfortunately no longer with us. May he provide this court
25 with motivation in a reminder to all of the call of duty in
26 encouragement to unhinder, repair and more equally balance the
27 scale of justice in the community of Lost Wages, Nevada
28 that is still part of the good old United States of America:

Interview With District Attorney Jim Garrison
as he is clearly in opposition to government interference:

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

What worries me deeply, and I have seen it exemplified in this case, is that we in America are in great danger of slowly evolving into a proto-facist state. It will be a ~~deeply~~ different kind of facist state from the one of the Germans evolved; theirs grew out of depression and promised bread and work, while ours, curiously enough, seems to be emerging from prosperity. But in the final analysis, it's based on power and on the inability to put human goals and human conscience above the dictates of the state. Its 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 facism by casually looking around. You
15 can't look for such familiar signs as the swastikas,
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

27 What is the reason behind the smoke and mirrors
28 of the Regional Injustice Center? Invasion or control?
Page Number 7

(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
- recieved by Clerk of the Court October 18th, 2021
- was fwd to Clark County Public Pretender instead of filed in case. This warrants equitable tolling. It also shows proceedural error(s).
- shows grounds for emotional distress ~~endured~~ by the Def. since the court incurred error contributed to the cause of ~~an~~ ineffective counsel leading to wrongful conviction as the court failed in responding to Benard Little's motion to WITHDRAW 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.

- to illustrate to the court and for the sake of justice ~~it will now~~ a comparrison and contrast will be shown ~~be~~ of the relationship

2 between potential world conspiracy, and what's witnessed
3 -as truth. And to ask this court again: Is there
4 a conspiracy against Matthew Travis Houston or just
5 ~~the~~ ~~there~~ A WORLDWIDE GOVERNMENT CONSPIRACY
6 TO CONCEAL THE TRUTH FROM THE PUBLIC?

7 In the short span of six years, twenty-three
8 English scientists who worked on Star Wars-type
9 projects have died under questionable circumstances.
10 All of them had worked on different facets of
11 electronic warfare, which includes UFO research. A
12 list of the deceased and the dates and circumstances
13 of their deaths follows.

- 14 1. 1982. Professor Keith Bowden: killed in auto crash.
- 15 2. July 1982. Jack Wolfenden: died in glider accident.
- 16 3. November 1982. Ernest Brockway: suicide.
- 17 4. 1983 Stephen Drinkwater: suicide by strangulation.
- 18 5. April 1983. Lieutenant-Colonel Anthony Godley:
19 missing, declared dead.
- 20 6. April 1984. George Franks: suicide by hanging.
- 21 7. 1985. Stephen Oke: suicide by hanging.
- 22 8. November 1985. Jonathon Wash: suicide by
23 jumping from a building.
- 24 9. 1986. Dr. John Brittan: suicide by carbon-
25 monoxide poisoning.
- 26 10. October 1986. Arshad Sharif: suicide by
27 placing a rope around his neck, tying it to a
28 tree, and then driving away at high speed. Took
place in Bristol, one hundred miles away from his home
in London.

1. 11. October 1986. Vimal Dajihai: suicide by jumping from a bridge in Bristol, one hundred miles from his home in London.
2. 12. January 1987. Artar Singh-Gida: missing, declared dead.
3. 13. February 1987. Peter Pepell: suicide by crawling under car in garage.
4. 14. March 1987. David Sands: suicide by driving car into café at high speed.
5. 15. April 1987. Mark Wisner: death by self-strangulation.
6. 16. April 10, 1987. Stuart Gooding: killed in Cyprus.
7. 17. April 1987. Shani Warren: suicide by drowning.
8. 18. May 1987. Michael Baker: killed in auto-crash.
9. 19. May 1988. Trevor Knight: suicide.
10. 20. August 1988 Alistair Becham: suicide by self-electrocution.
11. 21. August 1988: Brigadier Peter Ferry, suicide by self-electrocution.
12. 22. Date unknown: Victor Moore;
13. 23. Mitchell Ryan Suicide → November 18th, 2014 Houston, brother. ruled a suicide by hanging.
14. 24. Uncle Rollie Schoenherr, suicide however
15. Coincidences? body found in Wisconsin shot up inside a
16. truck with its doors locked. Numerous bullets. 25. Uncle Randall Schoenherr,
17. 2019. Died by being poisoned. Author's Note pages 396 - 397
18. from The Doomsday Conspiracy by
19. Sidney Sheldon, 1991. A bit of science will now show
20. this court there's absolute ZERO coincidences in the fact
21. that Rosemary McMorris is scamming big insurance:

1 JUDGEMENT UNDER UNCERTAINTY:

2 HEURISTICS AND BIASES,* by Amos Tversky

3 and Daniel Kahneman

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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 ~~about~~...", "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.¹ This approach to the judgement
28 of probability leads to serious errors, because similarity, or

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 ~~possibilities~~ ~~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:

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

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

Insensitivity to sample size. To evaluate the probability of obtaining a particular result in a sample drawn from a specific population, people typically apply the representativeness heuristic. That is, they assess the likelihood of a sample result, for example, that the average height in a random sample of ten men will be 6 feet, by 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 then 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 1,000, 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:

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:

Imagine an urn filled with balls of which $2/3$ are of one color and $1/3$ of another.

One individual has drawn 5 balls from the urn, and found that 4 were red and 1 was white. Another individual has drawn 20 balls and found that 12 were red and 8 were white. Which of the two individuals should feel more confident that the urn contains $2/3$ red balls and $1/3$ white balls, rather than the opposite? What odds should each individual give?

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

Misconceptions of chance. People expect that a sequence of events generated by a random process will represent the essential characteristics of that process even when the sequence is short. In considering tosses of a coin for heads or tails, for example, people regard the sequence H-T-H-T-T-H to be more likely than the sequence H-H-H-T-T-T, which does not appear random; and also more likely than the sequence H-H-H-H-T-H, which does not represent the fairness of the coin.⁷

Thus, people expect that the essential characteristics of the process will be represented, not only globally in the entire sequence, but also locally in each of its parts. A locally representative sequence, however, deviates systematically from chance expectation: it contains too many alternations and too few runs.

Another consequence of the belief in local representativeness is the well-known gambler's fallacy. After observing a long run of red on the roulette wheel, for example, most people erroneously believe that black is now due, presumably because the occurrence of black will result in a more representative sequence than the occurrence of an additional red. Chance is commonly viewed as a self-correcting process in which a deviation in one direction induces a deviation in the opposite direction to restore the equilibrium. In fact, deviations are not "corrected" as a chance process unfolds, they are merely diluted.

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

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, than 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.

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

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.²⁰

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.

In the normal course of life, one encounters many instances of regression toward the mean, in the comparison of the height of fathers and sons, of the intelligence of husbands and wives, or of the performance of individuals on consecutive examinations. Nevertheless, people do not develop correct intuitions about this phenomenon. First, they do not expect regression in many contexts where it is bound to occur. Second, when they recognize the occurrence of regression, they often invent spurious casual explanations for it.¹¹ We suggest that the phenomenon of regression remains elusive because it is incompatible with the belief that the predicted outcome should be maximally representative of the input, and, hence, that the value of the outcome variable should be as extreme as the value of the input variable.

The failure to recognize the import of regression can have pernicious consequences, as illustrated by the following observation.¹² In a discussion of flight training, experienced instructors noted that praise for an exceptionally smooth landing is typically followed by a poorer landing on the next try, while harsh criticism after a rough landing is usually followed by an improvement on the next try. The instructors concluded that verbal rewards are detrimental to learning, while verbal punishments are beneficial, contrary to accepted psychological doctrine. This conclusion is unwarranted because of the presence of regression toward the mean. As in other cases of repeated examination, an improvement will usually follow a poor performance and a deterioration will usually follow an outstanding performance, even if the instructor does not respond to the trainee's achievement on the first attempt. Because the instructors had praised their trainees after good landings and

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

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

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

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

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* (road) 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.¹⁴

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

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 1978 subjects were asked to

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

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

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

judgements of the data, to which they had been exposed, naive subjects "rediscovered" much of the common, but unfounded, clinical lore concerning the interpretation of the draw-a-person test. The illusory correlation effect was extremely resistant to contradictory data. It persisted even when the correlation between symptom and diagnosis was actually negative, and it prevented the judges from detecting relationships that were in fact present.

Availability provides a natural account for the illusory-correlation effect. The judgement of how frequently two events co-occur could be based on the strength of the associative bond between them. When the association is strong, one is likely to conclude that the events have been frequently paired. Consequently, strong associates will be judged to have occurred together frequently. According to this view, the illusory correlation between suspiciousness and peculiar drawing of the eyes, for example, is due to the fact that suspiciousness is more readily associated with the eyes than with any other part of the body.

Lifelong experience has taught us that, in general, instances of large classes are recalled better and faster than instances of less frequent classes; that likely occurrences are easier to imagine than unlikely ones; and that the associative connections between events are strengthened when the events frequently co-occur. As a result, man has at his disposal a procedure (the availability heuristic) for estimating the numerosity of a class, the likelihood of an event, or the frequency of co-occurrences by the ease with which the

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,

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

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.

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

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,

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_{11} . For example, the true values should fall below X_{01} for 1% of the quantities and above X_{99} for

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 distributions
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.

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.

1 when the judgements of the two groups were tested for external
2 calibration, it was found that subjects in the first group were
3 too extreme, in accord with earlier studies. The events that
4 they defined as having a probability of .10 actually obtained in
5 24% of the cases. In contrast, subjects in the second
6 group were too conservative. Events to which they assigned
7 an average probability of .34 actually obtained in 26% of
8 the cases. These results illustrate the manner in which the
9 degree of calibration depends on the procedure of elicitation.
10

11 DISCUSSION

13 This article has been concerned with cognitive biases that
14 stem from the reliance on judgemental heuristics. These biases
15 are not attributable to motivational effects such as wishful thinking
16 or the distortion of judgements by payoffs and penalties. Indeed,
17 several of the severe errors of judgement reported earlier
18 occurred despite the fact that subjects were encouraged to
19 be accurate and were rewarded for the correct answers.²²

20 The reliance on heuristics and the prevalence of biases
21 are not restricted to laymen. Experienced researchers are also
22 prone to the same biases—when they think intuitively.
23 For example, the tendency to predict the outcome that best
24 represents the data, with insufficient regard for prior
25 probability, has been observed in the intuitive judgements of
26 individuals who have had extensive training in statistics.²³
27 Although the statistically sophisticated avoid elementary
28 errors, such as the gambler's fallacy, their intuitive judgements

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

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

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

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 quantified opinion 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

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 judgmental heuristics and biases.

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

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 ~~987~~ ⁹⁸⁷ elicitation of duty added insult to injury.

1 Pages of the EXHIBIT numbered 45-48 are
2 original documents showing proof that ~~Wm~~ 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, Jeremy Wood,
6 Cassandra Diez, Michael P. Villani, Steven B. Wolfson,
7 Kristina A. Rhoades, David M. Jones, Laura Goodman,
8 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 those 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?

Social Security Administration

Important Information

~~44~~ notice to principle is
 notice to the agency ~~44~~
 notice to the agency
 is notice to principle ~~44~~

Social Security Administration
P.O. Box 17707
Baltimore, MD 21235-7707
Date: November 24, 2021



0026976 00026976 2 AB 0.461 1117MCTTS1EI T135 P4

MATTHEW TRAVIS HOUSTON
C/O CLARK COUNTY
DETENTION CTR
330 S CASINO CTR BLVD
LAS VEGAS NV 89101-6102

44 Thank you so much L.V.M.P.D.
 for destroying the law office in
 T135 P4 Iowa City, Iowa of the
 F.B.I. BARKER KENNEDY
 LAW FIRM 44

* PLEASE TAKE NOTICE* OF

MY TRUE A.R.A., WHICH THE READER OF THIS DOCUMENT
CAN OBSERVE IN THE CIVIL 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.

Page Number 45

OF NOTICE OF APPEAL TO AND RESPONSE TO ^{CO} ORDER GRANTING IN PART, DENYING IN PART DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL³⁹ FROM 2/1/2022.

See Next Page

*MUZ6876 *02UJUX1WQ039774* TISLEIPRES 21117 1000000000000000

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)

Page Number 46

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

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/iApp/INMD/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.-

RECEIVED

MAR 14 2022

CLERK OF THE COURT

Americans w/ Disability
Act of 1990, 1993

FILED

MAR 15 2022

CLERK OF COURT

MATTHEW TRAVIS HOUSTON, D.C.

1. S. Main St #300

LV, NV 89101

10/13/

2021

EIGHTH JUDICIAL

LV, NV

Clark County, NV

DISTRICT
COURT

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

Houston Def et al

C-21-357927

21-CR-019840

NEVADA Plan.

21-CR-033713

C1237802A + C1248304A

EMERGENCY MOTION TO

OPPOSE REMAND AND

DISMISS CASE IN

ITS ENTIRETY.

RECEIVED
OCT 18 2021

for the 5th year; since 9/30/

2016, Houston is disabled from

catastrophic 45' fall @ Mandalay

Bay Resort. He survived 10/1/2017.

He is surviving the illegal

deprivation of his ka unit

Johnny Cash and the puppy

he was training, until 7-14-2021. His

dogs must be returned ASAP.

Page Number 49

PAGE NUMBER 1 OF 6

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.

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.

Dec. under pen. of perjury.

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

AFFIDAVIT Pt. #2

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 hopping of kg
Johnny Cash and little Luke Dog,
an eviction of Houston's
law office in Iowa City, Iowa,
@ 435 S. Lin St #927.

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

It is 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-
impaired documents of truth.

M.T.H.
10/13/2021

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 butchered
15 by the attorneys he had no
16 five, and too many
17 other problems. I would
18 think the courts would
19 appreciate Houston PHO 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 services animals. -M.T. H., P.C.

LAS VEGAS NV 890

13 OCT 2021 PM 5 L



EIGHTH JUDICIAL DIST. COURT

ATTN: CLERK S. GRIERSON

Regional Justice Center

200 Lewis Ave

LV, NV

81165

3
Saster.
P.5

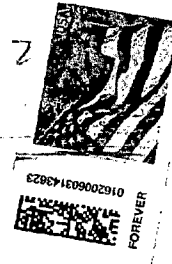
is.
ty.

wpens
squaki
naquokete, et al.

891014630000

Matthew Houston #1210652
HOSP
PO Box 650
Indian Springs, NV
89070-0650

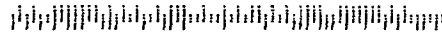
LAS VEGAS NV 890
9 MAR 2022 PM 3 L



DEPUTY OF THE CLERK
ATTN: HEATHER UNGERMANN
CLERK OF THE COURT
STEVEN D. GRIERSON
IN RE: C-21-357927-1
Regional Justice Center
200 Lewis Ave, 3rd Floor
Las Vegas, NV
89155-1160

RECEIVED
MAR 14 2022
CLERK OF THE COURT

0000059-10168



HIGH DESERT STATE PRISON
MAR 03 2022
UNIT 12

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

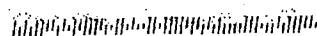


Las Vegas P&DC 69199
FRI 25 MAR 2022 PM

ATTN: Heather Ungermann, Deputy Clerk
in re case No. A-17-758661-C
in re case No. C-21-357927-1

Clerk, S. Grierson
Regional Justice Center
200 Lewis Ave, 3rd Floor
Las Vegas, NV
89155-1160

* legal mail *
and
* OFFICIAL BUSINESS *





1 ASTA

2
3
4
5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**
9

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 MATTHEW HOUSTON
14 aka MATTHEW TRAVIS HOUSTON ,

15 Defendant(s),
16

Case No: C-21-357927-1

Dept No: XI

17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Matthew Travis Houston

20 2. Judge: Tierra Jones

21 3. Appellant(s): Matthew Travis Houston

22 Counsel:

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

26 4. Respondent: The State of Nevada

27 Counsel:

28 Steven B. Wolfson, District Attorney
200 Lewis Ave.

Las Vegas, NV 89101
(702) 671-2700

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

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

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

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

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: August 3, 2021

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: Yes

Supreme Court Docket Number(s): 84281

12. Child Custody or Visitation: N/A

Dated This 30 day of March 2022.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

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

cc: Matthew Travis Houston

1 CASE NO. C-21-357927-1

2 DEPT. NO. X and XI

FILED

MAR 31 2022

Sharon A. Spivey
CLERK OF COURT

3
4
5 IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6
7 IN AND FOR THE COUNTY OF CLARK

8
9 Matthew Travis Houston

10 Appellant

11 -vs-

12 State of Nevada

13 Respondant

Hearing: 4/25/2022
Time: 9:00 AM

14 NOTICE OF MOTION AND MOTION
FOR TRANSCRIPTS AT STATE
EXPENSE

15 PLEASE TAKE NOTICE that Matthew Travis Houston, Appellant
16 who is appearing in the above-entitled matter in propria per-
17 sona, will move this Honorable Court on a time and date to be
18 determined by the clerk of the Court, or as soon thereafter,
19 that petitioner can be heard, for an order to provide tran-
20 scripts, any and all pleadings in the above-entitled case.
21 That these are to be sent to the petitioner at the expense of
22 the State of Nevada, due to petitioner's proverty.

23 Appellant can demonstrate a prima facie need for the tran-
24 scripts, pleadings, and any and all other transcribed material
25 with regards to the above-entitled case. That this motion is
26 made and based upon all of the records, files, and pleadings
27 which are on file with the clerk of the court, the attached
28 affidavit of the petitioner, and on the attached memorandum

1 of Points and Authorities.

2 WHEREFORE, Appellant, Matthew Toan's Motion, prays that
3 this Court will issue an order granting petitioner's motion.

4 DATED this 5th day of March, 2022

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Respectfully Submitted

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(Appellant In Proper Person)

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AFFIDAVIT OF MATTHEW TRAVIS HOUSTON

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

TO WHOM IT MAY CONCERN:

I, Matthew Houston, the undersigned, do hereby swear that all the following statements and description of events, are true and correct, of my own knowledge, information, and belief, and to those I believe to be true and correct. Signed under penalty of perjury pursuant to NRS 208.165.

(1) THAT I requested these transcripts when I requested DISCOVERY for this case in July, August and September and Benard Little of the Clark County Public Defender's office did provide the discovery documents, but they were stolen when my truck was broken into at the lodge on the corner of West Russell Road and Durango. No sort of Lrmpd reported because I was under duress already having to lie under oath just to get out of jail because my service dogs were kidnapped on July 14th 2021 at the Best Western on 3041 E. Saint Rose Parkway, Henderson, NV. It was law enforcement who took my dogs and I was NOT told any sort of Miranda Rights or told as to why I was being arrested or why or where they were taking my dogs. I was NOT living in Nevada and was only brought back so that my workers compensation claim number 3016661201-0001 could be finalized / re-evaluated after their now more than 3 years of default and error(s). My appointment was scheduled for July 15th, 2021 with another in Reno, NV with Dr. Quagleri. The worker's comp case is part of litigation in third party personal injury case No. A-17-758861-C that I am now having to appeal on my own while being

1 wrongfully incarcerated, well extensive incarceration after a
2 double-jeopardy wrongful conviction (which is this case)
3 however, this is all a pincer and directly related to the
4 events of Sept. 30th 2016, Sept 20th 2016, October 1st
5 2017 and mental health crisis having been a survivor of
6 ONE OCTOBER during which my now passed away brother
7 Jonathan Treadway survived too. Not providing these transcripts
8 would be a violation of NRS 11.207 because my malpractice
9 action against multiple attorneys would be delayed more than it
10 already is. It is also a violation of NRS 12.110 because I am
11 ~~bringing~~ taking action against associates by name of association and
12 summons and am seeking a judgement to bind joint property. Law
13 enforcement violated NRS 171.1539 because I was arrested most
14 unlawfully and detained in CCDC and City Jail for well more than 7
15 days without being notified as to where my dogs were until
16 after 7 days and even then, their whereabouts was inaccurate
17 because if they were in fact taken to "Animal Foundation" from
18 Henderson, they were not put into the "legal kennel" area at the
19 facility. - The county made no effort to request from me the name
20 of someone authorized to care for my dogs while I was falsely
21 arrested and coerced by Bernard Little into signing a Void plea agreement.

22 FURTHER, AFFIANT SAYETH NAUGHT.

23 EXECUTED AT High Desert State Prison this 5th day of March 20²²

24 IN FRONT OF: pro se declaration
25 of the truth

BY Matthew Travis Houston
NDOC # 1210652

CERTIFICATE OF SERVICE BY MAILING

I, Matthew Travis Houston, hereby certify, pursuant to NRCP 5(b), that on this 5th
day of March, 2022, I mailed a true and correct copy of the foregoing, "NOTICE OF
MOTION AND MOTION FOR TRANSCRIPTS AT STATES EXPENCE"
by depositing it in the High Desert State Prison, Legal Library, First-Class Postage, fully prepaid,
addressed as follows:

Deputy Clerk Heather Ungermann
and Clerk Steven Giverson
Regional Justice Center
200 Lewis Ave, 3rd Floor
Las Vegas, NV 89155-1160

CC:FILE

DATED: this 5th day of March, 2022.


Matthew Travis Houston #1210652
Appellant /In Propria Personam
Post Office box 650 [HDSP]
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding NOTICE OF
MOTION AND MOTION FOR TRANSCRIPTS AT STATES EXPENSE
— (Title of Document)

filed in District Court Case number C-21-357927-1

☒ Does not contain the social security number of any person.

-OR-

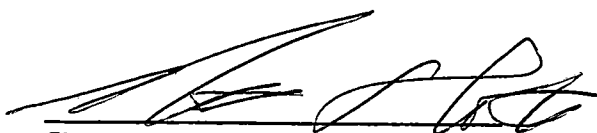
☐ Contains the social security number of a person as required by:

A. A specific state or federal law, to wit:

(State specific law)

-or-

B. For the administration of a public program or for an application
for a federal or state grant.

 3/5/2022
Signature Date

Matthew Travis Houston
Print Name

Title

New Travis Houston No 1210652
D.S.P.
Box 650
adian Springs, NV 89070-0650

3762

Clerk of the Court Steven D. Grierson
attn: Heather Ungermann
in re: C-21-357927-1 dept. 11

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CASE NO. C-21-357927-1

DEPT. NO. X and XI

FILED

APR - 2 2022

Thomas A. Quinn
CLERK OF COURT

Matthew Travis Houston

Appellant

vs.

State of Nevada

Respondant

MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
REQUEST FOR TRANSCRIPTS AT
STATE EXPENSE

The Appellant respectfully request that this Court order the production of the transcripts, papers, pleadings, and any other documents with regard to the above-entitled case. That these documents are to be furnished to the petitioner at State Expense, due to his proverty.

That only with proper review of those documents of the above-entitled case will the petitioner be able to adequately prepare a post-conviction petition, or a discrec appeal, that would allege all issues and grounds for relief that he is seeking. PETERSON vs. WARDEN, 87 Nev. 134, 483 P.2d 204 (1971), holds that:

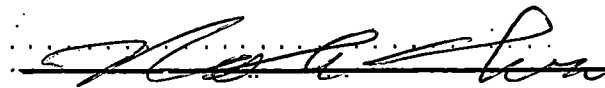
" . . . does not contemplate that a record will be furnished at State Expense upon mere unsupported request of a petitioner who is unable to pay for them. . 21~~9~~0 must he satisfy the

1 points raise merit and such merit
2 will be supported by review of the
record. . . "

3 Moreover, the Appellant would be prejudiced absent the Court's
4 granting of the within motion. Petitioner would not have means
5 necessary to file a proper person petition for writ of habeas
6 corpus, post-conviction or direct appeal to the Nevada Supreme
7 Court, that would allow the petitioner to allege all available
8 issues.

9 WHEREFORE, Appellant Matthew T. Moush prays that this Court
10 enter an order directing the reporter to prepare the foregoing
11 requested transcripts.

12 DATED this 5th day of March, 2022.

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Defendant,

File: _____

IT IS HEREBY ORDERED, that the _____
transcribe the records on _____, Case No.
_____, for the dates of _____.

DATED this ____ day of _____, 20____

BY: _____
DISTRICT COURT JUDGE

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where we go one, one go all

DA
PP

1 Matthew Travis Houston, pro se

2 #1210652 at H.D.S.P.

3 P.O. Box 650

4 Indian Springs, NV

5 89070-0650

6 DISTRICT COURT

7 CLARK COUNTY, NEVADA

FILED

APR - 2 2022

Alanna A. Spencer
CLERK OF COURT

Hearing: 4/25/2022
Time: 9:00 AM

9 Matthew Travis Houston,

10 Petitioner-appellant
and Plaintiff in Error

CASE NO: C-21-357927-1

11 -vs-

DEPT NO: X1

13 THE STATE OF NEVADA,

"de novo hearing requested"

14 Respondant.

16 EMERGENCY MOTION FOR AN ORDER TO SUPPRESS NO

17 HEARING FROM DECEMBER 6TH, 2021.

18 COMES NOW, the Appellant, Matthew Travis Houston

19 and in proper moves this Honorable Court to take accountability for

20 every single wrongful conviction it has caused. (Malicious, 27-1

21 prosecution, judicial malpractice, prosecutorial misconduct,

22 and further miscarriages of justice define the above-entitled case.

23 The Plaintiff can and has demonstrated a prima facie

24 need as both this motion and appeal are made and

25 based on newly discovered evidence, the attached

26 memorandum of Points and Authorities, and factum.

27 DATED: this 19th day of March, 2022. x. Matthew Travis Houston

28 and please actually READ my pleading. BP: Matthew Travis Houston, pro se

(all of the pages) Page 213 in proper personam

CLERK OF THE COURT

MAR 25 2022

RECEIVED

1 NRS 34.740 Petition: Expeditious judicial examination.

2 The original petition must be ^{presented} (reported) promptly to a district
3 judge, a judge of the Court of Appeals or a justice of
4 the Supreme Court by the clerk of the court. The
5 petition must be examined expeditiously by the judge or
6 justice to whom it is assigned.

7 (Added to NRS by 1985, 1229; A 1991, 85; 2013, 1741)

9 WITHDRAWAL OF PLEA

10 NRS 176.165 When plea of guilty, guilty but mentally ill
11 or nolo contendere may be withdrawn. Except as otherwise
12 provided in this section, a motion to withdraw a plea of
13 guilty, guilty but mentally ill or nolo contendere may be
14 made only before sentence is imposed or imposition of sentence
15 is suspended. To correct manifest injustice, the court
16 after sentence may set aside the judgement of conviction
17 and permit the defendant to withdraw the plea.

18 (Added to NRS by 1967, 1434; A 1989, 1983; 1995, 2456;
19 2003, 1467; 2007, 1421)

21 JOINDER AND RELIEF THEREFROM

22 NRS 174.155 Trial together of indictments or informations.
23 The court may order two indictments or informations or both
24 to be tried together if the offenses, and the defendants if
25 there are more than one, could have been joined in a single
26 indictment or information. The procedure shall be the same as if
27 the prosecution were under such single indictment or information.

28 (Added to NRS by 1967, 1418)

1 POINTS AND AUTHORITIES IN OPPOSITION OF 2 a Waiver of Right to Appeal or Collaterally Attack Sentence

3 (waiver does NOT bar claims challenging the validity
4 of the waiver or guilty plea itself)

5 *United States v. De-La-Cruz Castro*, 229 F.3d 515 (1st Cir. 2002)

6 (waiver of appellate rights due to ineffective assistance may be
7 challenged under § 2255 or in habeas corpus).

8 *United States v. Shedrick*, 493 F.3d 292, 298 n.6 (3d Cir. 2007)

9 (ineffective assistance qualifies as a miscarriage of justice
10 sufficient to overcome a waiver of appeal provision).

11 *United States v. Johnson*, 410 F.3d 137, 151 (4th Cir. 2005)

12 (ineffective assistance claims following entry of guilty plea
13 cannot be waived).

14 *United States v. White*, 307 F.3d 336, 341 (5th Cir. 2002)

15 (*[A] waiver of appeal may not be enforced against a section

16 2255 petitioner who claims that ineffective assistance of
17 counsel rendered that waiver unknowingly or involuntary.')

18 *United States v. Oliver*, 630 F.3d 397, 411 (5th Cir. 2011)

★ 19 (court allowed plea challenge despite existence of appeal waiver).

20 *In Re Acosta*, 480 F.3d 421, 422 (6th Cir. 2007)

21 (waiver of right to appeal or collaterally attack sentence
22 may be attacked as involuntary or the product of ineffective assistance.

23 *Huff v. United States*, 734 F.3d 600, 606 (6th Cir. 2013)

24 (a defendant may pursue waived claims through collateral
25 attack under 28 U.S.C. § 2255 when he can demonstrate
26 cause and prejudice to excuse his default).

27 *United States v. Flaker*, 516 Fed. Appx. 580, 581 (6th Cir. 2013)

28 (a waiver of appeal rights may be challenged on the grounds that it was NOT
29 knowing or voluntary or was the product of ineffective aid of counsel).

1 *Jones v. United States*, 167 F.3d 1142, 1145 (7th Cir. 1999)
2 (waiver of right to file a petition under § 2255 is unenforceable
3 with respect to an ineffective assistance claim that challenges
4 the voluntariness of the waiver).

5 *United States v. Joiner*, 183 F.3d 635, 645 (7th Cir. 1999)
6 (ineffective assistance qualifies as a miscarriage of justice
7 sufficient to overcome a waiver of appeal provision).

8 *Hirtow v. United States*, 726 F.3d 958, 964 (7th Cir. 2013)
9 (the court has repeatedly recognized that appellate and collateral
10 review waivers cannot be invoked against a claim counsel
11 was ineffective in the negotiation of a plea agreement).

12 *DeRo v. United States*, 223 F.3d 919, 924 (8th Cir. 2009)
13 (waiver does not bar claim that "the plea was not knowing and
14 voluntary because it was the result of ineffective assistance of counsel").

→ 15 *Washington v. Lampert*, 422 F.3d 864, 871 (9th Cir. 2005) ←
16 ("[A] plea agreement that waives the right to file a federal
17 habeas petition pursuant to 28 U.S.C. § 2254 is unenforceable
18 with respect to an [ineffective assistance] claim that challenges the
19 voluntariness of the waiver.").

20 *United States v. Cockerham*, 237 F.3d 1179, 1187 (10th Cir. 2001)
21 (waiver does not affect "the right to bring a § 2255 petition based on
22 ineffective assistance challenging the validity of the plea waiver").

23 *Upshaw v. Singletary*, 70 F.3d 576, 578 (11th Cir. 1995)
24 (claim of ineffective assistance at plea was not waived even though
25 issue was not raised on appeal [direct appeal]).

26 *Williams v. United States*, 396 F.3d 1340, 1342 n.2 (11th Cir. 2005)
27 (assuming, without deciding, that a claim of ineffective assistance in
28 entering or negotiating a plea cannot be waived).

1 *Cullen v. Pinholster*, 563 U.S. 170, 131 S.Ct. 1388,
2 179, L.Ed.2d 557 (2011) (federal courts' consideration
3 of evidence or claims not presented in the state
4 court is generally barred); *Martinez v. Ryan*,
5 566 U.S. 1, 132 S.Ct. 1309, 182 L.Ed.2d 272 (2012)
6 (inadequate assistance of counsel at initial review
7 collateral proceedings may establish cause for
8 prisoner's procedural default of a claim of ineffective
9 assistance of counsel at trial); *Trerino v. Thaler*,
10 133 S.Ct. 1911, 1921, 185 L.Ed. 1044 (2013)
11 (ineffective assistance of counsel claim may be
12 raised in federal court if there was no meaningful
13 opportunity for that claim to be heard previously);
14 *Riva v. Ricco*, 615 F.3d 35, 39 (1st Cir. 2010)
15 (a habeas petitioner bears the burden of establishing
16 the basis for equitable tolling).

17 However, to ensure that ineffective assistance excuses a
18 procedural default, claims of ineffective assistance should be
19 presented in state court first; otherwise, the default
20 may not be excused in federal court. See, e.g.,
21 *United States v. Cerna*, 603 F.3d 32, 42 (2d Cir.
22 2010) (ineffective assistance of counsel can be grounds
23 for excusing the administrative exhaustion
24 requirement of 8 U.S.C. § 1326(d)(1)); *Hull v. Freeman*,
25 991 F.2d 86, 93 (3d Cir. 1993) (default not excused where
26 claim of ineffective assistance was not presented in state
27 court first). To remind this court again, ~~¶~~ Benard Little
28 should NOT have been re-appointed after admitting ineffectiveness.

1 Other Exceptions to the Procedural Default Rule is that
2 since Benard Little was an authority figure who held Appellants fate
3 and well being in other ways that have shown "cause" and
4 "prejudice" for a default other than through the over used
5 "ineffective assistance." For instance, a petitioner
6 can show "cause" based on "some objective factor
7 external to the defence [that] impeded counsel's
8 failure to comply with [La] State's procedural rule,"
9 the presence of a "factual or legal basis for a
10 claim that was not reasonably available to
11 counsel," or when government interference impedes
12 the presentation of a claim. The procedural
13 default rule will also be excused when doing
14 otherwise would "result in a fundamental miscarriage
15 of justice." *Murray v. Carrier*, 477 U.S. 478, 488,
16 106 S. Ct. 2639, 91 L. Ed. 2d 397 (1986);
17 *Coleman v. Thompson*, 501 U.S. 722, 750, 111
18 S. Ct. 2546, 115 L. Ed. 2d 640 (1991);
19 *Martinez v. Ryan*, 680 F.3d 1160 (9th Cir. 2012)
20 Inadequate assistance of counsel during initial
21 review collateral proceedings may establish cause
22 for a prisoner's default of a claim of ineffective
23 assistance of counsel at trial).

24 PLEASE TAKE NOTICE that the plaintiff-in-error/petitioner—
25 appellants mental issues put him into a severe state of
26 paranoia. As he was deprived of his service K9 JOHNNY CASH,
27 he feared physical harm might come to him if he did not
28 accept any sort of agreements.

1 as federal courts are prohibited from considering
2 so-called "mixed-petitions." *Rose*, at 510.

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Is the claim procedurally barred?

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The "procedural default rule" is a judge-made doctrine that requires state prisoners to present their claims in state court in accordance with state procedural rules before going to federal court. Claims that are not properly presented ordinarily will not be considered in a § 2254

petition. *Diethe v. Haley*, 541 U.S. 386, 380, 158 L.Ed.2d 659 (2004).

The procedural bar can be overcome, though, upon a showing of "cause" and "prejudice" for a petitioner's default. *Coleman v. Thompson*, 501 U.S. 722, 750, 115 L.Ed.2d 640 (1991).

Generally, prisoners can show "cause" and "prejudice" by demonstrating ineffective assistance. *Murray v. Carrier*, 477 U.S. 478, 488, 91 L.Ed.2d 397 (1986) (ineffective assistance can constitute "cause"); *Diethe v.*

Haley, 541 U.S. 386, 380, 124 S.Ct. 1847, 158 L.Ed. 659 (2004); *Coleman v. Thompson*, 501 U.S. 722, 750, 111 S.Ct. 2546, 115 L.Ed.2d 640 (1991); *Harrington v. Richter*, 562 U.S. 86, 131 S.Ct. 770, 785, 178 L.Ed.2d 624 (2011) (does not require a state court to give reasons before its decision can be deemed to have been adjudicated on its merits);

1 Did ~~the~~^{defendant} fail to exhaust "the remedies available"
2 in state court concerning the claim? Absolutely not,
3 because of the defendant was prejudiced, biased and has severe
4 issues. Before a state prisoner can seek Federal
5 habeas relief, he must first "present the state
6 courts with the same claim he urges upon the
7 federal courts." *Picard v. Connor*, 404 U.S. 270,
8 272, 30 L.Ed. 2d 438 (1971). To do this, a
9 state prisoner must cite the relevant federal
10 constitutional provision his or her claim relies upon,
11 and present the claim through the entire state
12 appeals process. *Duncan v. Henry*, 513 U.S. 364,
13 365-66, 130 L.Ed. 2d 865 (1995) (state court
14 must be "alerted to the fact that the prisoners are
15 asserting claims under the United States Constitution");
16 *Justices of Boston Mun. Court v. Lydon*, 466 U.S.
17 294, 302-03, 80 L.Ed. 2d 1311 (1984) (prisoner exhausted
18 state remedies where claim was presented to state's
19 highest court on denial of motion to dismiss).

20 If a state prisoner files a §2254 petition
21 containing both exhausted and unexhausted claims,
22 the prisoner can either (1) amend the petition to
23 remove the unexhausted claims; or (2) seek a stay
24 in order to return to state court to complete
25 exhaustion of the unexhausted claims. *Rose v. Lundy*,
26 455 U.S. 509, 510 71 L.Ed. 2d 379 (1982); *Abines v. Weber*, 544 U.S. 269, 278
27 161 L.Ed. 2d 440 (2005) (stay granted where ~~only~~ good cause for failure
28 to exhaust is shown). If the prisoner decides to do neither,
29 the court will dismiss the petition, Page # 7

1 To ensure that ineffective assistance excuses
2 a procedural default, claims of ineffective assistance
3 should be presented in state court first; otherwise,
4 the default may not be excused in federal court.
5 See, e.g., *United States v. Cerna*, 603 F.3d 32, 42
6 (2d Cir.2010)(ineffective assistance of counsel can be
7 grounds for excusing the administrative exhaustion
8 requirement of 8 U.S.C. §1326(d)(1); *Hull v. Freeman*,
9 991 F.2d 86, 93 (3d Cir.1993)(default not excused
10 where claim of ineffective assistance was not
11 presented in state court first); *Pruett v. Thompson*,
12 996 F.2d 1560, 1570 (4th Cir.1993)(same);
13 *Lewis v. Starnes*, 390 F.3d 1019, 1030 (7th Cir.2004)
14 (same); *Spitsyn v. Moore*, 345 F.3d 796, 798 (9th Cir.2003)
15 (professional misconduct may amount to egregious
16 behavior and create an extraordinary circumstance
17 that warrants equitable tolling); *Bailey v. Mapes*,
18 358 F.3d 1002, 1004 (8th Cir.2004)(same);
19 *Hawkins v. Mullin*, 291 F.3d 658, 670 (10th Cir.2002)
20 (same); *Boyant v. Warden*, 738 F.3d 1253, 1261(11th Cir.2013).

21 The defence counsel's failure to present
22 expert testimony caused a miscarriage of justice. In
23 *In Re Brett*, 142 Wn. 2d 868, 16 P.3d 601 (2001), the
24 Supreme Court found trial counsel ineffective in failing
25 to present expert testimony concerning the defendant's medical
26 and mental conditions. Brett had previously argued on direct appeal
27 that trial counsel were ineffective, and had specifically relied on
28 counsel's failure to explore Brett's fetal alcohol syndrome.

0 In regards to the Appellant's indigence, he is NOT a needy person.

1 It's impossible for indigent clients to receive

2 the same competent representation by appointed

3 counsel since retained counsel is paid for

4 their time to investigate, be zealous, diligent

5 exhaustive. Counsel has a duty of loyalty

6 to their client. Appointed counsel does not

7 exercise that duty, or at least it did not

8 adhere to their duties in this case

9 Government interference has been impeding the

10 claims of the Appellant since before the events of

11 September 30th, 2016. A well established megillah of a

12 timeline has been developed thus far and it was

13 government interference that initiated the false and

14 invalid claims of the state due to the extreme conflict

15 of interest between each and every individual and

16 agency involved. It should be taken into consideration

17 that the behavior and the professional misconduct of the

18 witnesses in this case were coerced by both law

19 enforcement, prosecutorial misconduct, and a significant

20 amount of their over-reaching tactics were motivated

21 by greed in the exploitation of the Appellant's civil

22 litigation(s). Because of the situations in petitioner-

23 appellants 37 years of survived abuses by evil

24 forces and entities and individuals in addition to the

25 police state brutality of law enforcement, any sort

26 of plea Houston might have entered was not freely,

27 voluntarily nor intelligently given. It was coerced

28 under a kind of psychosis that would lead him to agree to anything while

29 under the stress caused by a state of reverential fear.

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696
X.M.T.H.
this 19th
day of
March,
2022.
[Signature]
X

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page

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Law Offices of Anthony M. Goldstein

March 16, 2022

Matthew Houston (NDOC ID #1210652)
High Desert State Prison
P.O. Box 650
Indian Springs, Nevada 89070-0650

Sent Via First Class Mail

**Re.: Clark County District Court case # C-21-357927-1
State of Nevada v. Houston**

Dear Mr. Houston:

I am in receipt of your recent letter, which was postmarked on March 10th, 2022.

In November of 2021, the Court appointed me for the limited purpose of looking into whether there were grounds for you to withdraw the plea that you entered on the advice of your previous counsel, Benard Little, Esq. However, at a hearing on December 6th, 2021, you told the Court that you no longer wished to withdraw your plea. So at that same hearing, the Court dismissed me as your counsel and reappointed Mr. Little to serve as your attorney.

As such, I suggest that you direct any questions or issues with your case to Mr. Little. You can reach him at the following address:

Office of the Clark County Public Defender
309 S Third Street
Las Vegas, Nevada 89155-2610

Thank you and I wish you the best of luck with your case.

Very truly yours,

Anthony M. Goldstein

Anthony M. Goldstein, Esq.

2421 Tech Center Court
Suite 100
Las Vegas, Nevada 89128

Phone: (702) 796-1114
Fax: (702) 796-1115

notice to the agency.

is

notice to principle.

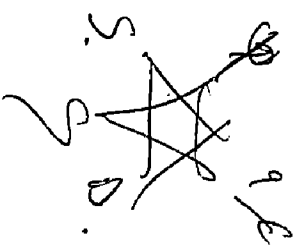
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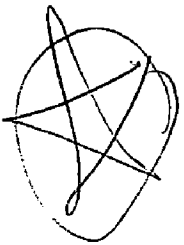
notice to principle

Due to numerous conflicts of interest, the Defendant's diminished mental capacity in suffering from prosecutorial malice and other abuses, he now meekly and humbly moves this honorable court for an MOTION TO SUPPRESS ~~ORDER TO STRIKE~~ ~~RECORD FROM~~ the record for an ~~HEARING FROM~~ ~~DECEMBER~~ any and all events from so that justice may December 6th 2021, be served. why would the Defendant wish to speak with the attorney who ~~acted~~ ~~like~~ moved this court to recuse himself on October 5th, 2021 due to Defendants continued mental health crisis? It was in fact Bernard Little who contributed to the Defendant being coerced into some sort of void plea bargain just so he could be released to search for his seeing eye dogs who were illegally impounded July 14, 2021. Please see the attached newly discovered evidence.

FROM REVEREND MATTHEW TRAVIS HOUSTON
OF THE CHURCH OF SATAN AND ~~THE~~
BILLY THE BOAT OF THE UNITED
STATES NAVY
NOTICE



DEMAND



666, or
whatever number this is :

(Cued AFFIDAVIT OF TROPH)

I, Houston, of retired U.S. Navy
was never provided with Anthony M.
Goldstein's phone number until

receiving this letter from him dated

March 16th 2022. Here's your newly

discovered evidence Tierra, or whatever
name you call yourself. It can't be

Tierra Firma because you're planet Earth...

DEMAND for JUDICIAL OPINION
How can this court re-appoint
an attorney who recused
himself? what kind of

kangaroo meat hogs this court
been eating to make it bounce
around without any sort of

concept of jurisdiction? And
without any sense of competence? Healing

from mental health crisis, etc.

what kind of court thinks that
it's okay to take a disabled man's

seeing eye dogs the night before
his check up with Dr. Tyson Ward
at Nevada Retina Specialists?

Apparently the courts of lost

wages thinks it's cool to abuse

mental patients huh?

M.T. M.
x 3/19/2022.

Matthew Houston

#1210652

HOSP

P.O. Box 650

Indian Springs, NV

89070-0650

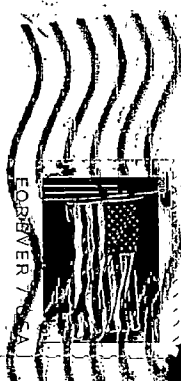
UNIT 12

MAR 20 2022

HIGH DESERT STATE PRISON

LAS VEGAS NV 890

21 MAR 2022 PM 4 L



CEO Steven D. Grierson, Clerk

cc. Deputy H. Ungermann

in re C-21-357927-1

+ A-17-758861-C

Regional Justice Center, 3rd Floor

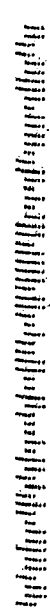
200 Lewis Ave.

Las Vegas, NV

89155-1160

Reuben M

89101-530000



Andrew Stein
CLERK OF THE COURT

PAGE NUMBER ONE OF FIVE.

MDC

Name: Matthew Travis Houston

1Z10652 @ MOSP

Address: 330 S. Casino Center Blvd.

P.O. Box 650

City/State/Zip: Las Vegas, NV 89070

Indian Springs, NV

Phone: 702-553-6282

89070-0650

DEFENDANT IN PROPER PERSON, pro se

EIGHTH JUDICIAL DISTRICT COURT

April 27, 2022

CLARK COUNTY, NEVADA

9:00 AM

State of Nevada

Plaintiff,

vs.

Matthew Travis Houston
(Plaintiff in Error)
Defendant

Case No.: A-17-758861-G

Dept. No.: 29 JOINDER TO

C-21-357927-1

Case No.: C-21-357927-1

Dept. No.: X and XI

☒ ORAL ARGUMENT

☒ HEARING

☒ REQUESTED

☒ JURY TRIAL DEMAND

EMERGENCY MOTION REQUESTING HEARING,

DE NOVO, AND RELEASE TO INTENSIVE SUPERVISION

COMES NOW, the Defendant Matthew Travis Houston and moves this

Honorable Court to dismiss Defendant's counsel, Andrew Goldstein, and appoint

standby counsel to assist Defendant, and schedule an emergency

hearing. This Motion is based upon all papers, pleadings, and documents on file, many

which are in transition and @ Ben Little's offices, others.

POINTS AND AUTHORITIES

It is respectfully requested of this court to grant this Motion to SET DE NOVO

Appoint Standby Counsel for the reasons listed below: Houston should be

able to complete his impulse control class,

as he is participating in anger management

in custody @ H.D.S.P. and mental health court

to transfer to intensive supervision w/

low level electronic monitoring + DRUG COURT

and suffers from BATTERED PERSON'S SYNDROME.

CLERK OF THE COURT

RECEIVED
DEC 27 2021

CLERK OF THE COURT

MAR 21 2022

RECEIVED

I. PROCEDURAL BACKGROUND AND FACTUAL SUMMARY

Since Houston was appointed as counsel on July 14th, 2021, Defendant

has been prejudiced and suffered manifest injustice based on counsel's refusal or failure to:
or apply my person to

(get me into) mental health court and/or drug court to correlate w/ my Municipal Court (Double-jeopardy) cases to which I am to complete intense impulsive-control classes, and I am also requesting intensive supervision w/ Div. of P. n P. because they do not have all the facts, to which A-17-75886Z-C and the scam of Jason Barras, or at least all my State Bar of Nevada complaints were ignored because for the 2nd time Daniel Schwartz is coercing^{the} the judicial System of Nevada to have me killed. Fast forward to 12-18-2021 and I must be able to take care of my businesses, my mental health advocacy, my work trucks, one Silverado I just paid \$59,000 cash for, the other is @ MGM Excalibur at which I am a good samaritan. Counsel failed to ensure that my K9 seeing eye dogs were placed in the correct "legal" kennel @ the Animal Foundation. Counsel failed in preparing any motion to suppress, point out hearsay and oppose^{the} the credibility of R. McMorris, failed in delivering any DISCOVERY to Defendant, after 9/11 theft. Ben Little and Jeremy Wood failed in helping Houston file police report in re Sept. 11, 2021.

CLARK COUNTY TO SUPERIOR COURT IN RE CLARK COUNTY

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
DETENTION SERVICES DIVISION

MEDICAL/DENTAL/MENTAL HEALTH SERVICES REQUEST

Name: HOUSTON MATTHEW ID: 7035801
LAST FIRST
Housing: 2A6U Date of Birth: 7/15/1991 Date: 12/11/2021

**IF YOU ARE CURRENTLY EXPERIENCING A MEDICAL EMERGENCY OR MENTAL HEALTH CRISIS,
NOTIFY A UNIFORMED OFFICER IMMEDIATELY**

Description of Illness or Injury: IT IS REQUESTED THAT DENIED FROM
CLARK COUNTY DETENTION CENTER
FOR A MOTION FOR SUBPOENA OF APPELLANT-PETITIONER'S
FILES FROM CLARK COUNTY DETENTION CENTER
PLEASE STOP ALL MEDICATION FROM

THE SECTION BELOW IS TO BE COMPLETED BY STAFF ONLY

Date/Time Triaged: 12/11/2021 Category 1 ☐ 2 ☐ 3 ☐ RN

S: PLEASE TAKE NOTICE OF THIS DEMAND AND

O: TEMP: _____ PULSE: _____ RESP: _____ BP: _____

MOTION FOR SUBPOENA OF APPELLANT-PETITIONER'S

A: CLARK COUNTY DETENTION CENTER

B: COMPLETE MEDICAL RECORDS AND COMPLETE
FILES FROM CLARK COUNTY DETENTION CENTER

Refer to: ☐ Sick Call Doctor ☐ Nurse ☐ Psychiatrist ☐ Dentist ☐ DON ☐ Other: _____

Fee Charge: ☐ \$8.00 Medical Access Fee ☐ \$5.00 Medication Fee ☐ \$3.00 Medication Renewal Fee
☐ \$200.00 or actual cost (whichever is higher) ☒ No Charge

ACKNOWLEDGEMENT OF FEES AND SERVICES

I understand that pursuant to NRS 211.140, I may be responsible for payment for medical care (see back of this form).

I understand that the medical access fee and/or medication fee noted above will be deducted from my inmate account.

I understand that fees may be collected at a later date if funds are not currently available in my inmate account. If I do not have sufficient funds to pay, and money is deposited into my inmate account at a later time, the amount I owe for these services will be deducted before any funds are made available to me.

No inmate will be refused in-house medical services based on an inability to pay at the time the healthcare is provided.

Inmate Signature: _____ Date: 12/11/2021

Staff Signature: _____ Date: 12/11/2021

INMATE NAME (PLEASE PRINT)	ID#	HOUSING
<u>MATTHEW HOUSTON</u>	<u>7035801</u>	<u>2A6U</u>

DISTRIBUTION: WHITE - Medical Records YELLOW - Inmate



PAGE NUMBER FOUR OF FIVE:
EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT

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

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

January 03, 2022

Attorney: Anthony M. Goldstein
2421 Tech Center Court
Ste 100
Las Vegas NV 89128

Case Number: C-21-357927-1
Department: Department 10

Defendant: Matthew Houston

Attached are pleadings received by the Office of the District Court Clerk which are being forwarded to your office pursuant to Rule 3.70. Jan. 19, 2022 - refused medication @ NDOC intake because CDC Wellpath Pleadings: Emergency Motion never provided me w/ the wiki / definitions / paperwork on Abilify, Depakote, BUSPIRONE, & MTH

Rule 3.70. Papers which May Not be Filed

Except as may be required by the provisions of NRS 34.730 to 34.830, inclusive, all motions, petitions, pleadings or other papers delivered to the clerk of the court by a defendant who has counsel of record will not be filed but must be marked with the date received and a copy forwarded to the attorney for such consideration as counsel deems appropriate. This rule does not apply to applications made pursuant to Rule 7.40(b)(2)(ii).

The copy that was sent to Fumo was noted "petition for official review"

Cordially yours,
DC Criminal Desk # 7
Deputy Clerk of the Court

Goldstein has recieved the Subpoena Duces Tecum, and my copy of that was FWD to Fumo and Pitorro... another was FWD to Scott Poisson. I

still have not been provided a phone # for A. Goldstein 2301. Jan 9th - 2021. & MTH

II. ARGUMENT

Defendant, Matthew Houston asserts that he/she is being denied his/her right to effective representation due to wholly inadequate actions of his/her court-appointed counsel. Further, counsel's actions constitute a violation of the Defendant's due process rights under the following cases, statutes, and/or rules of professional conduct:

Supreme Court of Nevada Appeal
this number is still → # 758887 (argue this number incorrect due to false arrest)

as result of personal injury case that I must continue litigating from "out-of-custody" status, case filing amended complaint # A-17-~~758887~~-C

and many, many other petitions, appeals, Ombudsman advocacy not limited to the following: CR 033 713

C-17-323 614-1

C 1248384 A, 21CR019840,

C 1237802 A and Supreme Court of Nevada Appeal # C-17-323614-1, appeal # unknown

(current PSI with errors is being reviewed by Ozzy Fumo) Or may have been lost on way to office.

WHEREFORE, the undersigned prays that the court grant Defendant's Motion to Dismiss Counsel and ~~Matthew Houston~~ release him to intensive supervision w/ low level monitoring.

DATED THIS 18 day of December 2021.

Respectfully
AMENDED THIS 6th day of March, 2022.

X. Matthew Houston
and again on the 17th day of
Matthew Travis Houston, pro se
March, 2022.

Respectfully submitted

X Defendant (Plaintiff in error) at no fault of the "Defendant"

PAGE NUMBER FIVE OF FIVE

Matthew Travis Houghton

No. 1210652

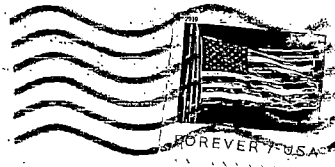
H.D.S.P.

P.O. Box 650

Indian Springs, NV 89070-0650

LAS VEGAS NV 890

18 MAR 2022 PM 5 L



Steven D. Grierson, Clerk of the Court

cc: Deputy Clerk Heather Ungermann

in re: C-21-357927-1

joinder to

A-17-758861-C

cc: Supreme Court of Nevada No. 84281

Regional "JUSTICE" Center, 3rd Floor

200 Lewis Ave.

P.O. Box 551601

Las Vegas, NV 89155-1601

89155-160101

UNIT 12

MAR 17 2022

RECH DESERT STATE PRISON