

1 **ORDR**

2 ROBERT W. MOOS JR.

3 3328 CANYON LAKE DR.

4 LAS VEGAS, NV. 89117

5 702 362-4928

6 In Proper Person

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9 RUSSELL L. MARTIN

10 **Plaintiff(s),**

CASE NO. 23864256C.

11 **-vs-**

DEPT. NO. 21

12 ROBERT W. MOOS JR.

13 **Defendant(s).**

14 **ORDER EXTENDING TIME TO ANSWER**

15
16 Upon consideration of the affidavit of ☒ Defendant(s) ☐ Counsel for
17 Defendant(s) named below, and good cause appearing, it is

18
19 ORDERED that Defendant(s) shall have until 5:00 P.M. on the 16 day of
20 May, 2023, to file an Answer or otherwise respond to Plaintiff's Complaint
21 on file herein.

22
23 DATED this 27 day of FEBRUARY, 2023.

DISTRICT COURT JUDGE

Dr.

17

com

**SWORN AFFIDAVIT OF
ROBERT W. MOOS JR
FOR MOTION TO EXTEND ANSWER TO SUMMONS
BEHOND THE 20 DAYS REQUIRED**

**CASE # A-23-864256-C
Dept. 21**

I am Robert W. Moos Jr., move for the court to extend the 20 day limit to file an answer to the Summons for the above titled case, that I received on February 15, 2023, while in court on the "Judgement Debtors Hearing" on **Case # 20A001983** in Dept. 6, of the Las Vegas Justice Court.

I was taken by complete surprise by the "Plaintiff's" action to file this frivolous lawsuit in his attempt to circumvent the **"Small Claims Judgment rendered on February 9th, 2021", and the Order Denying the "Defendant's Motion to Hear Case Again dated July 6, 2022"**.

This worthless claim has no merit and does not conform to the law and has little chance of succeeding on its ridiculous claims in any court of competent jurisdiction. The Plaintiff's claims are outlandish. The plaintiff is attempting to sue me again when he has already lost his original counterclaim on my Small Claim Judgment rendered in my favor and his denial for a rehearing 16 months and 3 weeks after the Judgment.

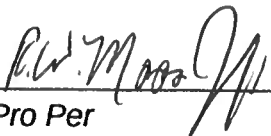
Plaintiff is, in addition to me, naming various parties starting with the Officer who took the crime report and arrested him for the attack he perpetrated on me at the Las Vegas Athletic Club (LVAC). He has named LVAC in his claim. He has named his former Public Defender Jake Gullo and Public Defender Katrina Ross for not providing a defense to his liking in his criminal trial case # **C203513631** which is scheduled for a jury trial on July 5, 2023

Because of the complexity and the number of Defendants in Martin's claim and the need to secure more evidence on my behalf, and the time I need to properly respond. I have a "Debtor's Judgment" hearing scheduled for March 29, 2023 and expect to receive additional evidence to support my claims that the Plaintiff's claims are frivolous, untrue and do not rise to a legally supported claim.

It should also be noted that I filed a "Motion to Dismiss" his claim on February 22, 2023 and is scheduled for a Chamber Hearing on or before April 5, 2023. I fully expect the

Motion to Dismiss to be granted but in the event it is not I would need additional time to respond. I would pray that this Honorable Court extends the needed time to sometime in May of 2023.

This Affidavit sworn to be truthful to the best of my knowledge and under penalty of perjury.



In Pro Per
Robert W. Moos Jr.
3328 Canyon Lake Dr.
Las Vegas, NV. 89117
bobmoos@yahoo.com

1 DEFENDANT:

2 ROBERT W. Moos Jr.

3 3328 CANYON LAKE DR.

4 LAS VEGAS, NV. 89117

5 702 362-4928

SIGN & DATE

RUSSELL

ESS Data Recovery
800.237.4200 www.datarecovery.com
where every bit counts

6
7 , In Proper Person

8
9 EIGHTH JUDICIAL DISTRICT

10 CLARK COUNTY, NEVADA

11
12 RUSSELL L. MARTIN

13
14 vs.

Plaintiff(s),

Case No: A-23-864256-C

Dept. No: 21

15
16 ROBERT W. MOOS JR.

17 Defendant(s).

18
19 MOTION TO AMEND AND SHORTEN TIME FOR HEARING.

20 Defendant Robert W. Moos Jr., Motions to this Court to amend

21 his Motion to Dismiss to include a Removal Order on the Lis Pendens placed on his

22 listed property. Defendant believes that the lien placed by the Plaintiff was based on

23 his frivolous law suit that is the subject of this Motion for Dismissal filed on February 22,

24 2023. Defendant requests that this Court, in addition to ruling on the Dismissal request,

1 upon an affirmative decision of the Motion to Dismiss, this Court will consider and issue
2 an Order to Remove the Lien. Defendant is also requesting that the time for the Court
3 to hear these issues in Chambers be shorten in time to as soon as practical.

4 The Lis Pendens has an incorrect case number listed on its "Notice of Lis Pendens"
5 cover sheet. The recording was filed on 01/31/2023 at the Clark County Recorder and I
6 was notified on February 15, 2023. The parcel Number in question is 163-07-813-039.

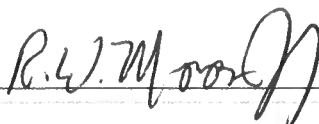
7 MISSION MONTEREY UNIT #2 PLAT BOOK 40 PAGE 9 LOT 111 BLOCK 3.

8 The Defendant would also like to submit to the Court for review, in support of his
9 Motion to dismiss, the attached supporting exhibits submitted in the original Small
10 Claims Action previously filed that resulted in the Judgment awarded to the Defendant.

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DATED this 27 day **February**, 2023.

Persuant to NRS 53.045, I declare under penalty of perjury that the foregoing is true and correct.

 (signature)

[USE THE FOLLOWING ONLY IF APPROPRIATE FOR YOUR SERVICE OF YOUR TYPE
OF DOCUMENT.]

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the _____ day of **February**,
20____, I placed a true and correct copy of the foregoing **MOTION** in the United
States Mail, with first-class postage prepaid, addressed to the following:

Russell L. Martin
5251 Lindell Rd. # 103
Las Vegas, NV. 89118

DATED this 27 day of **February**, 2023.

Pursuant to NRS 53.045, I declare under penalty of
perjury that the foregoing is true and correct.

R. W. Morgan
(signature)

CONFIDENTIAL PROTECTION ORDER INFORMATION

Law Enforcement: **Do not serve this sheet** with documents to be delivered.

Applicant: Print clearly all the information you know. This helps law enforcement locate and serve the Adverse Party.

YOUR INFORMATION

Your Name: ROBERT W MOOS JR ☒ M ☐ F ☐ O
(OBO Minor Child) (First) (Middle) (Last)
Birthdate: 9 / 20 / 44 Social Security Number: 562-60-2030 Race: W
(MM) (DD) (YY)
Address: 3328 CANYON LAKE PR L.V NV 89117
(Street Address) (Bldg/Apt#) (City) (State) (Zip Code)
Mailing Address: _____
(If different) (Street Address) (Bldg/Apt#) (City) (State) (Zip Code)
Home Phone: 702 362-4928 Cell Phone: 702 994-8188 Work Phone: RET
Email Address: BOBMOOS@YAHOO.COM I prefer to be notified of future court dates by ☒ email / ☐ mail

ADVERSE PARTY INFORMATION

Name: RUSSELL L MARTIN ☐ M ☐ F ☐ O
(First) (Middle) (Last)
Other Name Used: _____
(First) (Middle) (Last)
Birthdate: ____ / ____ / ____ Social Security Number: ____ - ____ - ____ Race: W
(MM) (DD) (YY)
Height: ____ Weight: ____ Hair Color: ____ Eye Color: ____
Home Address: 5251 LINDELL RD #103 L.V. NV 89118
(Street Address) (Bldg/Apt#) (City) (State) (Zip Code)
Is this address difficult to find? ☒ No ☐ Yes: explain: _____
Mailing Address: _____
(If different) (Street Address) (Bldg/Apt#) (City) (State) (Zip Code)
Other Likely Address: _____
(Street Address) (Bldg/Apt#) (City) (State) (Zip Code)
Home Phone: _____ Cell Phone: 702 683-2920 Work Phone: _____
Employer: _____ Position: _____ Work Days: _____ Work Hours: _____
Work Address: _____
(Street Address) (Bldg/Apt#) (City) (State) (Zip Code)

Scars/Marks/Tattoos (Description and Location):

Vehicle Make: _____ Model: _____ Year: _____ License Plate Number/State: _____
Do you live with Adverse Party now? ☐ Yes ☒ No
Have you ever lived with Adverse Party? ☐ Yes ☒ No
Does the Adverse Party speak English? ☒ Yes ☐ No: What language does he/she speak? _____
Do you work for the same employer? ☐ Yes ☒ No
Is the Adverse Party likely to act violently when served? ☐ Yes ☐ No POSSIBLY
Is the Adverse Party likely to avoid service? ☐ Yes ☐ No
Does the Adverse Party have a CCW Permit? UNK ☐ Yes ☐ No
Does the Adverse Party have access to weapons? UNK ☐ Yes ☐ No
If yes, please describe type and location of weapon(s): _____
Does the Adverse Party have a history of violent behavior or crimes? ☒ Yes ☐ No

If yes, explain:

MATTER OF RECORD

Do not write in this space. For court purposes only.

Issuing Court ORI: NV _____

Court Case Number: _____

IN THE JUSTICE COURT OF THE Las Vegas TOWNSHIP
COUNTY OF Clark, STATE OF NEVADA

Robert W. Moos
Applicant (print your name above),

vs.

Russell L. Martin
Adverse Party (print the name of the person you want
protection from above).

CASE NO.: _____

DEPT: _____

APPLICATION FOR PROTECTION

1. **Your information** (you are the "Applicant").

Your name: Robert Warren Moos
(first) (middle) (last)

2. **Who do you want to be protected from** (this person is the "Adverse Party")?

Name: Russell Lesli Martin
(first) (middle) (last)

3. **Who needs protection** (check all that apply)?

☒ Me.

☐ Minor child (see definition on bottom of page 2).

☐ The following household members, including minor children not included in definition on page 2.

Name	Date of Birth	Relationship to Applicant	Relationship to Adverse Party

4. Why do you need to be protected from the person named above (you must check one)?

☒ The Adverse Party committed acts of stalking or aggravated stalking against me.

Definition of stalking, aggravated stalking and harassment:

Stalking: A person commits the crime of stalking when, without lawful authority, that person willfully or maliciously engages in a course of conduct directed towards a victim that would cause a reasonable person under similar circumstances to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member, and that actually causes the victim to feel terrorized, frightened, intimidated, harassed or fearful for his or her immediate safety or the immediate safety of a family or household member. NRS 200.575(1)

Aggravated Stalking: A person who commits the crime of stalking and in conjunction therewith threatens the person with the intent to cause the person to be placed in reasonable fear of death or substantial bodily. NRS 200.575(2)

Harassment: A person commits harassment when: (a) Without lawful authority, the person knowingly threatens: (1) To cause bodily injury in the future to the person threatened or to any other person; (2) To cause physical damage to the property of another person; (3) To subject the person threatened or any other person to physical confinement or restraint; or (4) To do any act which is intended to substantially harm the person threatened or any other person with respect to his or her physical or mental health or safety; and (b) The person by words or conduct places the person receiving the threat in reasonable fear that the threat will be carried out. NRS 200.571

☐ The Adverse Party committed a sexual assault on me.

Definition of sexual assault: A person commits sexual assault if they subject another person to sexual penetration, or forces another person to make a sexual penetration on himself or herself or another, or on a beast, against the will of the victim or under conditions in which the perpetrator knows or should know that the victim is mentally or physically incapable of resisting or understanding the nature of his or her conduct. NRS 200.366

☐ **Protection of Children:** The parent or guardian of a child may petition any court of competent jurisdiction on behalf of the child for a temporary or extended order against a person who is 18 years of age or older and who the parent or guardian reasonably believes has committed or is committing a crime involving: (a) Physical or mental injury to the child of a nonaccidental nature; or (b) Sexual abuse or sexual exploitation of the child. NRS 33.400

Are you applying on behalf of a minor child? ☒ No ☐ Yes

Child's name: _____
(first) (middle) (last)

As you complete the application, please keep in mind that you are filling in the questions as they pertain to the actions/incident committed upon the child.

5. **How do you know the person you need protection from** (check all that apply)?

- ☐ We are related by blood or marriage. Explain _____
- ☒ We are or used to be friends/acquaintances.
- ☐ We are neighbors or reside in the same neighborhood.
- ☐ We are or were co-workers.
- ☒ Other: (specify relationship): We use to play racqutball untill he assulted me.

6. **Are there any other current or prior court cases that involve you and the Adverse Party in any court?**

☐ No.

☒ Yes. If you know, please list the case type, county, state, and case number:

Felony Battery with a deadly weapon on a vulnerable older person. Clark County Criminal Case # C-20-351-363-1 and Las Vegas Justice Court Case # 20A001983.

7. **Firearms / Guns.**

Does the Adverse Party own a gun or have a gun in his/her possession or control?

☐ No ☐ Yes ☒ I don't know.

8. **Most Recent Event.** *Think about the **most recent** event. These questions ask about the most recent event only.*

Approximate date it happened: Threating to have me arrested and filing false court papers.

City / State / Location where it happened:
Las Vegas Nevada.

Did the other person use or threaten to use a weapon? ☒ No ☐ Yes.

What Happened? *Explain the **most recent** event and describe any injuries. Give **specific** and **detailed** information about the event. **You can list past events on the next page.** If you are filing on behalf of a child, include details about what happened to the child.*

The adverse party filed false court papers in an effort discredit me, humillating me, causing me great anxiety, loss of appitite and threating me with going to jail in an effort to overturn a Civil Court Judgment against him and awarding me \$10,000 judgment.

On 9/9/2019 the adverse party assaulted me with a deadly weapon at the Las Vegas Athletic Club (LVAC) located on Flamingo Road and Grand Canyon Dr. I was 75 years old at the time and 11 days from turning 76 years old. The issue had arisen because of a dispute of who was next in line to use the racquetball court. After the assault, I was transported by the paramedics to the Southern Hills Hospital ER where they had to put in 6 staples on the top of my head to close the wound and treated other injuries to my eye, arm and the adverse party was arrested by the police and transferred to the Clark County Detention Center. See attached Declaration of Arrest Report.

My statement to the reporting officers, statements by other witnesses and the physical evidence caused the officers to effect an arrest of the adverse party. We both lost our club memberships and after my appeal to the club's corporate office, they rescinded my loss of club membership and reinstated my membership privileges. See my attached appeal letter to LVAC.

Prior to the criminal case going to trial and with the subsequent Covid-19 outbreak, I filed a Small Claims action against the Adverse Party. The case was heard in The Justice Court Las Vegas Township Clark County, Nevada Dept. NO.: 6, Case number.: 20A001983. See attached Judgement on Plaintiff's Claims (s) and Defendants Counterclaim (s) rendered on the 9th of February, 2021 rendered by JUSTICE OF THE PEACE PRO TEMPORE the HONORABLE RANALL TINDALL.

See adverse party's recently filed documents of lies, ramblings and alleged statement change of 1 of the witnesses saying that his statement to the police was false. He also tried intimidating another witness to change his statement to the police trying to discredit me in an attempt to secure a rehearing and get the judgement reversed after 16 months since judgement of small claims action. The adverse party is scheduled to plead No Contest on the criminal trial on June 29th, 2022.

Adverse party is even discrediting his Public Defender, Jake Gallo, of not providing him with a defense and talking him into pleading No Contest.

Attach more pages if you need more room (pages 4a, 4b, 4c).

9. **Past Event(s).**

Think about any other times the person you want protection from threatened or abused you and/or the child/children. The following questions ask about any past events that may have happened.

Approximate Date: 09\09/2019

What Happened:

See Page 4 above.

Approximate Date: NA

What Happened:

NA

10. **Law enforcement involvement.**

Was law enforcement informed? ☐ No ☒ Yes

a. If so, please provide a copy of the police/incident report.

Was anyone arrested? ☐ No ☒ Yes (Who): _____

Is the Adverse Party in jail? ☒ No ☐ Yes

11. Temporary Protections Requested (check all that apply).

Do not list any confidential addresses.

The other person will get a copy of this application and will see any addresses you write down.

☒ **Prohibited Activities.** The Adverse Party should not threaten, physically injure, or harass me and/or the minor child, either directly or through someone acting on his/her behalf.

☒ **No Contact or Restricted Contact.** The Adverse Party should not contact me and/or the minor child at all, either in person, by phone / text, by email or through social media.

☒ **Current Residence.** The Adverse Party should stay away from my current residence.

Do you and the Adverse Party live together? ☒ No ☐ Yes

If yes, whose name is listed on the lease/title? _____

Does the Adverse Party know where you live? ☐ No ☒ Yes

If no, is your address confidential? ☐ No ☒ Yes (*don't list your address*)

Address

City, State, Zip Code

County

Do you and the Adverse Party live in the same complex/property/trailer park?

☒ No. Should the Adverse Party stay away from the entire complex/property/trailer park? ☐ No ☐ Yes

☐ Yes. If so, explain the distance and need for protection in that complex/property/trailer park:

☐ **Personal Belongings.**

☐ I need to get my belongings. I want law enforcement to come with me to the Adverse Party's residence so I can pick up my belongings. The address I need to go to is (*list street address, apartment number, city, state, zip*):

NA

☐ The other party needs to get his/her belongings. Law enforcement should come with the Adverse Party to my residence to pick up his/her belongings.

☐ **Work.** The Adverse Party should stay away from my workplace.

Do you and the Adverse Party work at the same place? ☒ No ☐ Yes

Is your work address confidential? ☐ No ☐ Yes (*do not write details below*)

Retired

Employer

Employer

Address

Address

City, State, Zip Code

County

City, State, Zip Code

County

☐ **School/Daycare.** The Adverse Party should stay away from my school and/or the child's school/daycare.

Is the school/daycare address confidential? ☐ No ☐ Yes (*do not write details below*)

School/Daycare

School/Daycare

Address

Address

City, State, Zip Code

County

City, State, Zip Code

County

☐ **Other Places.** The Adverse Party should stay away from the following places that I and/or the minor children go to regularly.

LVAC

Location

Location

I go there daily.

Why?

Why?

9615 Flamingo Rd

Address

Address

LV, NV 89147

City, State, Zip Code

Clark

County

City, State, Zip Code

County

About Extended Protection Orders:

This application automatically asks the judge to issue up to a 45-day temporary protection order without notifying the other person first.

You can also ask for an extended order that could last for up to 2 years.

If you do, the judge will set a hearing. You and the other person will have to appear in court and explain your side before the judge can extend the protection order.

12. Length of Protection Order.

- ☐ I want an order up to 45 days only.
- ☒ I want an order up to 45 days PLUS an extended order that could last up to 2 years.

13. Other Exhibits. You may attach documents, pictures, or anything else that you would like the judge to look at and consider when reviewing your application. **The Adverse Party will receive a copy of all documents/evidence you provide.**

Describe what you are attaching:

Exhibits that were presented in the Civil Case.

14. This document does not contain the personal information of any person as defined by NRS 603A.040.

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

Dated 06/21/, 20 22

Submitted by:

R.W. Moos Jr.

(your signature)

ROBERT W. MOOS JR

(print your name)

VERIFICATION

I declare that I am the applicant in the above-entitled action; that I have read the foregoing application and know the contents thereof; that the pleading is true of my own knowledge, except for those matters therein contained stated upon information and belief, and that as to those matters, I believe them to be true. I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

Dated 06/21/20, 2022.

Submitted by:

R.W. Moos Jr.

(your signature)

ROBERT W. MOOS JR

(print your name)

TABLE CONTENTS

Case No.: 20A001983

π

Exhibit 1:

Recreated sample of sign up board at the LVAC racquetball court on Sept. 9th, 2019 at around 3:50pm.

Exhibit 1A:

Recreated sample of sign up board after Defendant arrived at the courts and erased the board and re-signed up the names.

Exhibit 1B:

Recreated sign up board after I erased the Defendants writing and rewrote the correct order of the 4 players who were going to start playing doubles at 4:00pm or as soon as Chris and Paul finished their singles warm up game.

Exhibit 2:

Copy of the Las Vegas Metropolitan Police Crime Report.

Exhibit 2A:

Page number 2 of the above report.

Exhibit 3:

Report and procedures taken after transportation by ambulance to Southern Hills Hospital Emergency Room after the assault that occurred at the LVAC.

Exhibit 3A:

Continuation of the above report.

Exhibit 4:

Letter to me from the LVAC cancelling my membership for the listed reasons.

Exhibit 5:

My letter to the LVAC appealing their decision to cancel my membership.

Exhibit 5A:

Continuation of my appeal letter.

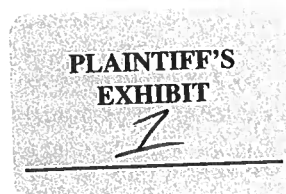


Exhibit 5B:

Continuation of my appeal letter.

Exhibit 6:

My sworn affidavit under penalty of perjury that the information contained in the above letter of appeal is true and accurate.

Exhibit 6A:

Notary Republic confirmation of my sworn affidavit.

Exhibit 7:

Letter to the LVAC Corporate office signed by various members of the club to reinstate my membership.

Exhibit 7A:

Continuation of the letter to reinstate my membership.

Exhibit 7B:

Continuation of the letter to reinstate my membership.

Exhibit 8:

Discharge instructions after treatment from Southern Hills Emergency Room.

Exhibit 9:

Instructions and removal of the staples used to close the laceration to the back of my head from the assault by the defendant.

Exhibit 9A:

Continuation of the above instructions.

Exhibit 9B:

Continuation of the above instructions.

Exhibit 9C:

Continuation of the above instructions

Exhibit 9D:

Continuation of the above instructions

Exhibit 9E:

Continuation of the above instructions.

Exhibit 10:

Report from Thomas & Bigler Knee & Shoulder Institute regarding the injury to my right knee as a result of the assault at the LVAC.

Exhibit 11:

Letter to the Deputy District Attorney handling the criminal case of the felonious assault of me by the defendant, pointing out some errors made in the reporting officer's crime report.

Exhibit 12:

Victim / Witness letter to me from the Clark County District Attorney.

Exhibit 13:

Register of Actions for criminal case number 19F18687X against Defendant Russell L. Martin for the felonious assault on me at the LVAC.

Exhibit 13A:

Continuation of the above Register of Actions.

Exhibit 14:

Subpoena (1 of others) for me to appear in the criminal case against Russell L. Martin.

Exhibit 15:

Printout of case number 10f17375x of prior charges against Russell L. Martin for passed criminal behavior.

Exhibit 16:

Summary (by me) of the Doctors and facilities charges incurred because of the felonious assault to me by the defendant. All charges were covered by my Medicare and private insurance and I had no out of pocket expenses. This information is provided to bring attention to the monetary cost to others by the defendant's actions.

Exhibit 17:

6 pictures of injuries to my head, right forearm, right knee and leg.

Exhibit 17A:

Picture of injuries to my right hand middle and ring fingers,

Exhibit 17B:

Picture of injury to my bloodshot right eye, this being a result of the defendant's 1st hitting me in the face.

Exhibit 17C:

Another picture of injury to my right eye.

Exhibit 17D:

Picture depicting the continued swelling hematoma to my right arm, picture taken about 1 month after the assault and continued at least additional 2 months.

Exhibit 17E:

Pictures showing bruising to the left side of my chest and swelling to my right forearm.

Exhibit 17F:

Picture of me in the foreground and the Defendant in the background sitting on the end of the bench. It should be noted that the Defendant does not appear to be injured from me striking him in self defense, and sitting as if nothing occurred. Also in the picture is a female member walking by and 1 of the responding officers talking to the club manager. This was prior to the EMTs arriving and transporting me to the ER. The defendant was shortly afterwards placed under arrest for battery with a deadly weapon battery on a vulnerable older person, I was 74 years old and 11 days from turning 75.

EX.1:

MON

BOB

PAUL

CHRIS

KENI

EX. 1A

MON

BOB

KENT

RUSS

PG 2 OF 38

EX. 1 B

PAUL
CHRIS
BOB

MON

KENT
RUSS



EX. 2

Administrative

Location 9815 W Flamingo Rd Las Vegas, NV 89147
Occurred On (Date / Time) Monday 9/9/2019 5:01:00 PM
Reporting Officer 16411 - Villanueva, Gabriel
Entered By 16411 - Villanueva, Gabriel
Related Cases

Or Between (Date / Time)
Reported On 9/9/2019
Entered On 9/9/2019 5:48:12 PM
Jurisdiction Clark County

Traffic Report No Place Type Accident Involved

Offenses:

Battery W/Dw, E/VOP(F)-NRS 200.481.2E

Completed Yes Domestic Violence

Entry Premises Entered

Weapons Blunt Object (Club, Hammer, etc.)

Criminal Activities None/Unknown

Hate/Bias None (No Bias)
Type Security
Location Type Other/Unknown

Tools

Victims:

Name: Moos, Robert

Victim Type Individual Written Statement Yes Can ID Suspect Yes
Victim of 50224 - Battery W/Dw, E/VOP(F)-NRS 200.481.2E

DOB 9/20/1944 Age 74 Sex Male Race White Ethnicity Not Hispanic or Latino
Height 5' 10" Weight 205 Hair Color Gray Eye Color Blue
Employer/School
Occupation/Grade
Injury Severe Laceration Work Schedule Blunt Object (Club, Hammer, etc.)

Addresses

Residence 3328 Canyon Lake Dr Las Vegas, NV 89117 United States

Phones

Home/Residence (702) 362-4928

Offender Relationships

A - Martin, Russell Victim Was Stranger

Notes:

UNLAWFUL DISSEMINATION of this
Restricted information is PROHIBITED
Violation will subject the offender
to Criminal and Civil liability
Rel. To: MOOS, ROBERT
Date: 9/13/19
Las Vegas Metropolitan Police Department
By: F1482712

Suspects:

Arrestees:

Name: Martin, Russell

Alias:

Scope ID [REDACTED] DOB [REDACTED] Age [REDACTED] Race White Ethnicity Not Hispanic or Latino
Sex Male Height 5' 11" Weight 200 Hair Color Brown Eye Color Brown
Employer/School Occupation/Grade

Addresses

Residence [REDACTED]

Phones

Cellular [REDACTED]

Notes:

Witnesses:

Name: Adamson, Chris

Written Statement Yes Can ID Suspect Yes

DOB [REDACTED] Age [REDACTED] Sex Male Race White Ethnicity Not Hispanic or Latino
Height 5' 7" Weight 135 Hair Color Brown Eye Color Green

Addresses

Residence [REDACTED]

Phones

Cellular [REDACTED]

Notes:

PG 4 OF 38

Names: Soule, Kent

Written Statement Yes

Can ID Suspect Yes

DOB [REDACTED]
Height 5' 7"

Age [REDACTED]
Weight 170

Sex Male

Race
Hair Color

EX. 2 A

Addresses

Residence [REDACTED]

Phones

Cellular [REDACTED]

Notes:

Other Entities:

Name: Contact Pollock, AJ

Written Statement No

Can ID Suspect No

DOB
Height
Driver License Number

Age
Weight

Sex

Race
Hair Color
Driver License State

Ethnicity
Eye Color

Addresses

Business [REDACTED]

Phones

Business/Work [REDACTED]

Business/Work [REDACTED]

Notes: Admin office contact for video surveillance.

Properties: ()

Narrative

On 09/09/19 at approximately 1701 hours, Officers were dispatched to the Las Vegas Athletic Club located at 9615 W. Flamingo Las Vegas, Nevada 89147 in reference a battery with deadly weapon. Details of the call stated that a male later identified as Robert Moos (DOB 09/20/44) was hit in the head with a tennis racquet by Russell Martin (DOB [REDACTED]).

Upon officers arrival we made contact with the victim Robert who stated that while inside of the racquet ball courts at the Las Vegas Athletic Club he was approached by Russell stating that he had next in line for the court. During the argument Robert had his face pushed by Russell and was shoved against the glass wall inside of the racquet ball court. Robert then swung his tennis racquet in an effort to defend himself. Russell then swung his tennis racquet at Robert striking him on the top of his head causing a laceration to the top of his head and was then pushed to the ground by Russell. Robert was transported to Southern Hills Hospital by an AMR Unit. Photographs were taken at Southern Hills Hospital by LVMPD Crime Scene Analyst.

I read Russell his advisement for custodial interrogation before I asked him questions regarding the incident and he stated that he understood. Russell stated that he had written his name on the glass outside of the racquet ball court in order to claim his spot as next in line to play on the court. Russell stated that Robert ignored the line and began playing on the court before Russell. Robert was then confronted by Russell stating that he had next in line and that it was his time to play on the court. Russell said he was told by another player that he could take his turn after he had lost a game. Russell stated Robert was against him playing and kept stating that it was not Russell's turn. Russell stated that Robert then came close to him while arguing and he pushed Robert on the top of his baseball cap and when he did that Robert hit Russell in the face with his tennis racquet. Russell then pushed Robert forcing him to fall through the glass door on the racquet ball court. I asked Russell if at anytime he swung his racquet to hit Robert and he stated that he did not.

Due to the injuries that Robert sustained from the altercation, multiple witnesses corroborating the story given by Robert, and the inconsistency in injuries with the story given by Russell, he was taken into custody and transported to the Clark County Detention Center and booked accordingly.

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EX. 3

Procedures

RPR S/N/AX/GEN/TRNK 2.5CM/<

Date: 9-Sep-2019

- CT BRAIN W/O CONTRAST

Date: 9-Sep-2019 19:07

Status: Completed

Result: SOUTHERN HILLS HOSPITAL Name: MOOS,ROBERT WARREN JR
9300 West Sunset Rd Phys: Hansen,Brett Michael MD Las Vegas, NV
89148 DOB: 09/20/1944 Age: 74 Sex: M Acct: H89677219513 Loc: H.ED
PHONE #: 702-880-2100 Exam Date: 09/09/2019 Status: REG ER FAX #:
Radiology No: Unit No: H000241798 EXAMS: REASON FOR EXAM: CPT
CODE: 000915858 CT BRAIN W/O CONTRAST 10 - Headache, other syndr
70450 PROCEDURE: CT OF THE BRAIN, without contrast DATE: 9/9/2019
7:02 PM CLINICAL HISTORY: 74-year-old male with head pain after being
hit in head with a racquet TECHNIQUE: Helical noncontrast images were
obtained from the vertex to the skull base. Both coronal and sagittal
reformatted images were also performed. DOSE REDUCTION: The
following CT radiation dose reduction techniques were used: a) automated
exposure control, and/or b) adjustment of the mA and/or kV according to
patient size, and/or c) iterative reconstruction. COMPARISONS: CT brain
dated 8/16/2015 FINDINGS: Acute/subacute Infarct: No specific signs of
acute ischemic infarct. Chronic infarct or encephalomalacia: Chronic lacunar
infarct of the right pons White matter: Patchy and confluent hypoattenuation
within the deep and periventricular white matter Hemorrhage: None. Mass
or mass effect: None. Midline shift: None. Basilar cisterns: Patent. Ventricles:
Normal in size. No hydrocephalus. Orbits: No intraorbital mass or proptosis.
Calvaria: No fracture or craniotomy. Paranasal Sinuses: Mild mucosal
thickening of the ethmoid air cells Mastoid Air Cells: No fluid. IMPRESSION:
1. No hemorrhage, mass effect, or specific signs of acute infarct. 2. Chronic
lacunar infarct of the right pons 3. Mild nonspecific white matter changes
likely due to chronic microvascular ischemia PAGE 1 Signed Report
(CONTINUED) SOUTHERN HILLS HOSPITAL Name: MOOS,ROBERT
WARREN JR 9300 West Sunset Rd Phys: Hansen,Brett Michael MD Las
Vegas, NV 89148 DOB: 09/20/1944 Age: 74 Sex: M Acct: H89677219513
Loc: H.ED PHONE #: 702-880-2100 Exam Date: 09/09/2019 Status: REG
ER FAX #: Radiology No: Unit No: H000241798 EXAMS: REASON FOR
EXAM: CPT CODE: 000915858 CT BRAIN W/O CONTRAST 10 - Headache,
other syndr 70450 ** Electronically Signed by Julian Hardman MD on
09/09/2019 at 1907 ** Reported and signed by: Julian Hardman MD CC:
Amit Duggal MD; Brett Michael Hansen MD Dictated Date/Time: 09/09/2019
(1907) Tech: BERNARD,KAREN Fluoro Time: DAP (Gy m2): Air Kerma:
CTDI: 47.78 CTDI/DLP: 851.02 Trnscribd Dt/Tm: 09/09/2019 (1907) PWS
Electronic Signature Date/Time: 09/09/2019 (1907) Orig Print D/T: S:
09/09/2019 (1908) BATCH NO: N/A PAGE 2 Signed Report

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EX.3A

Date:

Status:

- XR FOREARM RIGHT AP LATERAL

Result: SOUTHERN HILLS HOSPITAL Name: MOOS,ROBERT WARREN JR
9300 West Sunset Rd Phys: Hansen,Brett Michael MD Las Vegas, NV
89148 DOB: 09/20/1944 Age: 74 Sex: M Acct: H89677219513 Loc: H.ED
PHONE #: 702-880-2100 Exam Date: 09/09/2019 Status: PRE ER FAX #:
Radiology No: Unit No: H000241798 EXAMS: REASON FOR EXAM: CPT
CODE: 000915859 XR FOREARM RIGHT AP L trauma 73090
PROCEDURE: Right forearm, two views. DATE: 9/9/2019 6:32 PM
HISTORY: Right forearm pain. Assault. Trauma TECHNIQUE: AP and lateral
views were obtained. COMPARISON: NONE FINDINGS and IMPRESSION
1. No acute fracture. 2. No dislocation. 3. No radiopaque foreign body. **
Electronically Signed by Ronald Sauer D.O. on 09/09/2019 at 1901 **
Reported and signed by: Ronald Sauer D.O. CC: Amit Duggal MD; Brett
Michael Hansen MD Dictated Date/Time: 09/09/2019 (1901) Tech: HAIG,
JAMES E.; HERMAN,RYA Fluoro Time: DAP (Gy m2): Air Kerma: CTDI:
CTDI/DLP: Trnscribd Dt/Tm: 09/09/2019 (1901) PWS Electronic Signature
Date/Time: 09/09/2019 (1901) Orig Print D/T: S: 09/09/2019 (1902) BATCH
NO: N/A PAGE 1 Signed Report

Social History

Smoking Status

Never smoker

Recorded: 9-Sep-2019
18:10

Former smoker

Recorded: 20-Apr-
2017 0:52

Never smoker

Recorded: 1-Nov-2016
14:34

Never smoker

Recorded: 21-Aug-
2016 9:26

Results

No Information

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EX. 4

SEPTEMBER 11, 2019

ROBERT MOOS
3328 CANYON LAKE DR
LAS VEGAS, NV 89117

RE: LVAC #264888

Dear Mr. Moos,

Effective immediately, your membership at Las Vegas Athletic Club is cancelled.

Reason for cancellation: Fighting with other members.

Your contract specifically states in item 13: *"the Company reserves the right to revoke this membership if Member fails to keep and obey such rules and regulations or for reason of nuisance, disturbance of other members, moral turpitude or fraud."*

In addition, item 13-c of your contract states: "Members shall be subject to the control and guidance of the health club staff and follow the instructions of the staff while in the health club. Members agree to conduct themselves in a quiet and well-mannered fashion when in or about the health club by other Members and guests...."

Item 13-g states **"THE HEALTH CLUB MAY REVOKE THIS MEMBERSHIP IF MEMBER FAILS TO FOLLOW THE RULES OF THE HEALTH CLUB"**.

Please do not attempt to use any Las Vegas Athletic Clubs, as you will be trespassing.

Sincerely,

LVAC
Corp. Office

Las Vegas Athletic Clubs
Membership Services
Corporate Office

PG. 8 OF 39

EX. 5

Las Vegas Athletic Club
2655 South Maryland Parkway, Suite 201
Las Vegas, NV 89109-8666

September 17, 2019

To whom it may concern,

I would like to appeal your decision to cancel my membership #264888.

The incident of September 9th started when member Russell Martin became angry because it was not his turn to play doubles on court # 1. He was number 5 on the sign-up list and he would have played the next game when the first four on the list completed their (our) game. The order on the sign-up list were members Paul, Chris, Kent, and me.

When Russell arrived at the court he went to the sign up board, erased all the names and rewrote the names Bob, Kent, and his name as the third person.

I arrived earlier and was waiting for enough players to start doubles play when Paul arrived. I told Paul to go ahead and play with Chris in singles and that I would wait for the fourth player. Since I am generally the first one to arrive, I do suggest that if there are two players there, they can warm up. When Kent arrived, he signed up on the board making him, Paul, Chris, and me as the first 4 players to start doubles. Just prior to Paul and Chris finishing their singles game (warm-up), Russell arrived and changed the names on the board as stated above.

I mentioned to Russell about erasing the names and he insisted that since Paul and Chris were already playing they couldn't play doubles. I put Paul's and Chris' names back up on the board while Russell was sitting on the end of the bench. When the singles game finished, I entered the court alone to warm up. After a couple of minutes, Paul, Chris, and Kent were ready to enter the court to start our doubles play, I was by the door by this time and I said to Russell "we have the first 4 players for doubles."

This was when Russell aggressively moved up into my face (your video camera should have captured this) and started yelling in my face that they already played and aggressively pushed my face and head backwards.

I believe I hit the glass door or the right-side 1-foot wide door hinge re-enforcement glass panel. I was stunned and, instinctively, to protect myself from further assault, swung my racquet at Russell to stop him from further injuring me.

Russell, however, continued to pummel me and I was not conscious as to what he was using to hit me. I later learned from the witnesses that he was hitting me with his racquet. I was subsequently knocked into the court floor bleeding from a large gash to the back of my head.

PG. 90F 38

Fortunately, a number of the members rushed to restrain Russell. I later learned that Paul, being one of the members who restrained Russell, injured his back while restraining him.

Some other members came into the court to help me get up as I went face down, also injuring my knees and sustaining a large and painful hematoma on my right forearm. I am not actually sure at what point in time my right forearm was injured, in addition to other injuries to my body.

After a few minutes, while I was bleeding on the court floor, I was helped up and taken to the bench to sit down. Barbara, the housekeeper, and several other club members took immediate action bringing me towels to try and stop the bleeding. Club member Sascha went downstairs to get a bag of ice to put on my head in an effort to stop the bleeding. I was transported to Southern Hills Hospital by ambulance. I was given a CT scan, which did not reveal any bleeding on my brain. I received 5 staples to close the 1 1/2" laceration to the back of my head.

X-rays also showed no broken bones in my forearm. I have an MRI scheduled to determine where the blood in my right knee is coming from and will have the results later. As a result of this attack I will undoubtedly be out of commission for a few weeks and I sincerely believe that is enough punishment. Russell has known for years what my age is and that I have two hip and one shoulder replacement. I can't understand why he would make such an attack on me. My coming to the club has been a positive effect on my continued health at an advanced age and as my Doctor says, "whatever you are doing, keep it up."

I think there was a rush to judgment and due process was not applied in the decision to cancel my membership. I agree that a suspension was in order until your office had all the facts and determined who the aggressor was and at fault and legally libel for this incident. As the attached police report indicates, I was not at fault based on the witnesses to the attack.

I have been a member for at least 12 years and have never had any incidents. I always give other players a chance to play before me, even though they are either below me on the challenge court sign up board or not even signed up. I have provided the dry eraser pens for the last few years so the members always have the writing utensils available so that no one has to go down to the office to see if the office has any, which sometimes none were available.

It was my conversations with AJ Palluck about 3 years or so back, that resulted in the daily posting on the court glass of the reserved court names and time schedule. This was done to eliminate disputes that used to occur a lot when players would say they had the court reserved and other players insisted they had the court.

I keep running this incident through my mind of what happened and I'm trying to think of what I could have done differently had I not been in fear of my life.

While I agree you have the right to have a policy that prohibits fighting and other disturbing behavior, I don't believe your policy has the right to restrict my legal right to protect myself against bodily injury from an aggressive member. Had Russell attacked me with a knife, do I not have the right to defend myself?

I have included the police report; please note the false and inconsistent statements in the report made by Russell. Those statements subsequently lead to his arrest for felony battery with a deadly weapon and the enhancement of injury to a vulnerable older person. Also included are photos of the injuries I sustained as a result of the attack.

Please take this appeal seriously and render a decision that is right and just and reinstate my membership ASAP.

NRS 193.240 Resistance by party about to be injured.

"Under Nevada self-defense laws, a person in Nevada is not required to retreat before using deadly force if the person: does not start the fight; has the reasonable belief that his/her life is in immediate jeopardy; has the right to be in the location where deadly force is used".

. Resistance sufficient to prevent the offense may be made by the party about to be injured:


- 1. To prevent an offense against his or her person, family or some member of his or her family.*
- 2. To prevent an illegal attempt, by force, to take or injure property in his or her lawful possession.*

(Added to NRS by 1967, 1469)

Black's Law Dictionary:

- 1. Self-defense "The protection of one's person or property against some injury attempted by another, A person is justified in the use of force against an aggressor..."*
- 2. Due process of law: "Due process of law implies the right of the person affected thereby to be present before the tribunal which pronounces judgement upon the questions of life, liberty, or property.... If any question of fact or liability be conclusively presumed against him, this is not due process of law.*

Respectfully submitted,


Robert W. Moos, Jr.
702 362-4928

EX. 6

**Affidavit of
ROBERT W. MOOS JR.**

State of Nevada.

County of Clark.

1. My name is Robert w. Moos Jr, and I currently reside at 3328 Canyon Lake Dr. Las Vegas Nevada in Clark County.

I declare under penalty of perjury under the laws of the State of Nevada that the attached Declaration of the events that occurred on September 9th 2019, at the Las Vegas Athletic Club located at 9615 W Flamingo Rd, Las Vegas NV 89147, are the truth and as accurate as possible, to the best of my recollection.

Date: September 17, 2019



PG. 12 OF 38

EX. 6A

JURAT WITH AFFIANT STATEMENT

State of NEVADA } ss.
County of CLARK

- ☒ See Attached Document (Notary to cross out lines 1-7 below)
☐ See Statement Below (Lines 1-7 to be completed only by document signer[s], not Notary)

(This section is crossed out with a diagonal line.)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

Subscribed and sworn to (or affirmed) before me

this 17 day of SEPTEMBER, 2019, by
Date Month Year

ROBERT MOOS

Name of Signer No. 1

NA

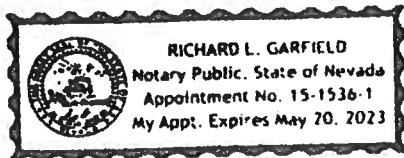
Name of Signer No. 2 (if any)

[Signature]

Signature of Notary Public

EXP 5/22/23

Any Other Required Information
(Residence, Expiration Date, etc.)



Place Notary Seal/Stamp Above

OPTIONAL

This section is required for notarizations performed in Arizona but is optional in other states. Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Affidavit

Document Date: 9/17/19

Number of Pages: 1

Signer(s) Other Than Named Above: NA

EX. 7

From: Bob Moos
Sent: Monday, September 16, 2019 2:18 PM
To: joseph.hassey@yahoo.com
Subject: Petition

Russell Martin

To the LVAC Corporate Office:
9/15/2019

Regarding Member Robert Moos Member Number 264888

We the below members are requesting that you reconsider the cancellation of the membership of Bob Moos.

A few of us were witnesses to the assault of Bob Moos by Russell Martin that occurred on September 9, 2019 in the area of racquetball court #1. Some statements were given by us to the police officers and confirm Bob's account of what happened.

Some of us did not actually see the start of the vicious assault on Bob but were quick to intervene on Bob's behalf to stop the pummeling (knowing Bob's age and medical limitations ie. two hip replacements and one shoulder replacement) Russell Martin was doing.

Many of us have experienced some type of dangerous and unsportsmanlike behavior when playing racquetball with Russell that we will not play with him and some members have discontinued playing racquetball at this club because of Russell. He does not hold up on his swing at the ball when dangerously close to his opponents and has hit some players with his racquet. He does not take safety precautions when hitting the ball and has hit many opponents in back, legs and head.

Please take into consideration the above reasons for Bob's reinstatement to the club.

MEMBER:

Name:

Signature:

Date:

1. Joe Hassey [Signature] 15 Sept 2019
2. [Signature] 15 Sept 2019
3. [Signature] 15 Sept 2019
4. [Signature] 20 Sept 2019
5. Brett Lonhart 20 September 2019
7. [Signature] 20 September 2019
8. Corey Ung 20 September 2019

PG. 14 OF 38

EX. 7 A

From: Bob Moos
Sent: Monday, September 16, 2019 2:18 PM
To: joseph.hassey@yahoo.com
Subject: Petition

PAGE 2 OF 2

To the LVAC Corporate Office:
9/15/2019

Regarding Member Robert Moos Member Number 264888

We the below members are requesting that you reconsider the cancellation of the membership of Bob Moos.

A few of us were witnesses to the assault of Bob Moos by Russell Martin that occurred on September 9, 2019 in the area of racquetball court #1. Some statements were given by us to the police officers and confirm Bob's account of what happened.

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Many of us have experienced some type of dangerous and unsportsmanlike behavior when playing racquetball with Russell that we will not play with him and some members have discontinued playing racquetball at this club because of Russell. He does not hold up on his swing at the ball when dangerously close to his opponents and has hit some players with his racquet. He does not take safety precautions when hitting the ball and has hit many opponents in back, legs and head.

Please take into consideration the above reasons for Bob's reinstatement to the club.

MEMBER:

Name:	Signature:	Date:
1. [Signature]	[Signature]	9/15/19
2. Chris [Signature]	[Signature]	9/15/19
3. [Signature]	[Signature]	9/21/19
4. [Signature]	[Signature]	9/21/19
5. Michael [Signature]	[Signature]	9/21/19
7. [Signature]	[Signature]	9/21/19
8. [Signature]	[Signature]	9/21/19
9. [Signature]	[Signature]	9/21/19

PG. 15 OF 38

EX. 7B

From: Bob Moos
Sent: Monday, September 16, 2019 2:18 PM
To: joseph.hassey@yahoo.com
Subject: Petition

PAGE 16 OF 38

To the LVAC Corporate Office:
9/15/2019

Regarding Member Robert Moos Member Number 264888

We the below members are requesting that you reconsider the cancellation of the membership of Bob Moos.

A few of us were witnesses to the assault of Bob Moos by Russell Martin that occurred on September 9, 2019 in the area of racquetball court #1. Some statements were given by us to the police officers and confirm Bob's account of what happened.

Some of us did not actually see the start of the vicious assault on Bob but were quick to intervene on Bob's behalf to stop the pummeling (knowing Bob's age and medical limitations ie. two hip replacements and one shoulder replacement) Russell Martin was doing.

Many of us have experienced some type of dangerous and unsportsmanlike behavior when playing racquetball with Russell that we will not play with him and some members have discontinued playing racquetball at this club because of Russell. He does not hold up on his swing at the ball when dangerously close to his opponents and has hit some players with his racquet. He does not take safety precautions when hitting the ball and has hit many opponents in back, legs and head.

Please take into consideration the above reasons for Bob's reinstatement to the club.

MEMBER:

Name:

Signature:

Date:

1. Kent Soave [Signature] 2/1/19
2. KAWAK Soave [Signature] 2/1/19
3. X
4. X
5. X
7. X
- 8.

PAGE 16 OF 38



Southern Hills Hospital & Medical Center
9300 W Sunset Rd
Las Vegas, NV 89148
(702) 916-7800

DO

EX. 8

Account #: H89677219513
Today's Date: 9/9/2019

General Emergency Department Discharge Instructions

The treatment and evaluation you received have been provided on an emergency basis only and is not intended to be a substitute for, or an effort to provide complete medical care. It is important that you follow up with your primary care provider for ongoing monitoring and intervention. If your symptoms become worse or you do not improve as expected and you are unable to reach your usual health care provider, you should return to the Emergency Department. We are available 24 hours a day.

If you received medication for sedation, pain or nausea, the following applies: Do NOT drive, use heavy machinery or do anything that requires attention today or while taking this medication. Be careful walking up and down stairs. If you get dizzy, sit or lie down. Do not drink alcohol with this medication. Children should be supervised carefully.

You were treated in the Emergency Department by:
Primary Provider: Brett Hansen, MD

The Following Instructions Were Selected for You Today: Laceration, Scalp

Laceration, Scalp

You have been seen today and treated for a scalp laceration (cut).

The wound has been repaired with sutures (stitches).

Follow up with your doctor OR come back here or go to the nearest Emergency Department for staple/suture removal in:

- 7 days.

Use the following wound care instructions:

- Keep the wound clean and dry for the next 24 hours. Avoid excessive moisture. You can wash the wound gently with soap and water and Then keep the area as clean and dry as possible.
- DO NOT let your wound to soak in water (bathing in a bathtub, using a hot tub or going swimming, for example).
- You can shower. However, be careful not to rub your staples/stitches too hard (do not be too abrasive).
- Let the wound dry before putting another bandage on (if using a bandage).
- To help take off a scab, cleanse the area with a half hydrogen peroxide/half water mix. This will also help us to take out the staples/sutures when they are ready to be taken out.
- Unless you were told not to, you can put a thin layer of antibiotic ointment over the wound. You can buy Polysporin®, Bacitracin®, or Neosporin® over the counter (without a prescription). Neosporin® can sometimes irritate the skin. If this happens, stop using it and switch to another topical antibiotic.



PINS

9/9/2019 7:52 PM

PG 17 OF 38



ER at the Lakes
3325 South Fort Apache
Las Vegas, NV 89117
702-962-0500

DO

EX. 9

Account #: H89677234313

Today's Date: 9/16/2019

STAPLES REMOVED FROM HEAD

General Emergency Department Discharge Instructions

The treatment and evaluation you received have been provided on an emergency basis only and is not intended to be a substitute for, or an effort to provide complete medical care. It is important that you follow up with your primary care provider for ongoing monitoring and intervention. If your symptoms become worse or you do not improve as expected and you are unable to reach your usual health care provider, you should return to the Emergency Department. We are available 24 hours a day.

If you received medication for sedation, pain or nausea, the following applies: Do NOT drive, use heavy machinery or do anything that requires attention today or while taking this medication. Be careful walking up and down stairs. If you get dizzy, sit or lie down. Do not drink alcohol with this medication. Children should be supervised carefully.

You were treated in the Emergency Department by:

Primary Provider: Lisa Mannina, MD

The Following Instructions Were Selected for You Today: Suture/Staple Removal

Suture/Staple Removal

You have been seen for getting your sutures (stitches) or surgical staples taken out.

Your wound has healed. The sutures/staples have been taken out. However, the wound may still separate (reopen) if struck (hit). Keep protecting the wound to avoid further injury.

Keep putting a thin layer of antibiotic ointment on the wound. This reduces scarring and prevents infection. New scars are more likely to darken in the sun. Be sure to put sunscreen on regularly.

In general, you can choose any antibiotic ointment or cream. However, Neosporin® can be irritating to the skin and cause a rash. If this happens, stop using Neosporin®. Switch to a "triple antibiotic cream" (also called Polysporin®). This may irritate your skin much less.

Keep the wound clean and dry for the next 24 hours. Don't let it get too wet.

YOU SHOULD SEEK MEDICAL ATTENTION IMMEDIATELY, EITHER HERE OR AT THE NEAREST EMERGENCY DEPARTMENT, IF ANY OF THE FOLLOWING OCCURS:

- Unusual redness or swelling.
- Red streaks going up the arm or leg.
- The wound smells bad or has a lot of drainage.
- Pain when moving the extremity (arm or leg) or swollen lymph nodes. These are bumps normally found in the



PINS

9/16/2019 12:22 PM

PG. 18 OF 38

Today's Date: 9/9/2019

DOB: 09/20,

EX. 9 A

Keep the affected area elevated for the next 24 hours to lower swelling and pain. You may also want to put ice on the area. Put some ice cubes in a re-sealable (Ziploc®) bag and add some water. Put a thin washcloth between the bag and the skin. Apply the ice bag to the area for at least 20 minutes. Do this at least 4 times per day. Longer times and more often are OK. NEVER APPLY ICE DIRECTLY TO THE SKIN.

If you had a local anesthetic, it will wear off in about 2 hours. Until then, be careful not to hurt yourself because of less feeling in the area.

YOU SHOULD SEEK MEDICAL ATTENTION IMMEDIATELY, EITHER HERE OR AT THE NEAREST EMERGENCY DEPARTMENT, IF ANY OF THE FOLLOWING OCCURS:

- Unusual redness or swelling.
- Red streaks or red patches around the wound.
- The wound smells bad or has a lot of drainage.
- Fever (temperature higher than 100.4°F / 38°C), chills, increasing pain or swelling.

Follow Up Information:

Follow up with Amit Duggal MD in 1-5 days. Call as soon as possible to arrange.

If you have been referred to a specialist, you may receive a telephone call or text from Southern Hills Hospital & Medical Center Appointment Services to assist with scheduling your follow-up appointment. If you would like assistance in scheduling your specialty appointment and have not received a telephone call or text, please call Appointment Services directly at (702) 880-2219.

What To Do:

- Take this sheet with you when you go to your follow-up visit.
- If you have any problem arranging the follow-up visit, contact the Emergency Department immediately.
- Take all medications as directed.

You Were Given The Following Excuses and Limitations:

ROBERT MOOS was seen on 9/9/2019 and is excused from work from 9/9/2019 through 9/10/2019

Studies Done in the Emergency Department:

- There are occasions where additional lab tests return - such as a culture result or an X-ray or EKG - is further reviewed after you are discharged. If a change in your diagnosis or treatment is indicated, we will attempt to contact you. It is critical that we have a current phone number for you.



PINS

9/9/2019 7:52 PM

Pg 19 OF 38

Today's Date: 9/9/2019

DOB: 09/20/

EX. 9.8

- If you had X-rays done, we can provide you a CD with those X-rays for your review and follow-up.
- Culture results may take 2-3 days. We review many culture results and will attempt to contact you if the results are significant or may change your treatment.

Additional Information or Instructions:

If side effects develop, such as a rash, difficulty breathing, or a severe upset stomach, stop the medication and call your doctor or the Emergency Department.

MyHealthOne is the Southern Hills Hospital & Medical Center patient portal located here:

<http://southernhillshospital.com/myhealthone>

Start managing your health today by using MyHealthOne portal. Once you create your account you can view hospital visits, view hospital lab results, schedule follow-up appointments and attend health related classes and events.

Questions about MyHealthOne? Call (855)422-6625

I, ROBERT MOOS, understand the instructions and will arrange for follow-up care.

PATIENT/REPRESENTATIVE SIGNATURE

STAFF SIGNATURE

DATE

DISCHARGE TIME



PINS

9/9/2019 7:52 PM

PG. 20 OF 38

Today's Date: 9/16/2019

DOB: 09/20/

EX. 9C

MyHealthOne is the ER at the Lakes patient portal located here: <http://southernhillshospital.com/myhealthone>
Start managing your health today by using MyHealthOne portal. Once you create your account you can view hospital visits, view hospital lab results, schedule follow-up appointments and attend health related classes and events.
Questions about MyHealthOne? Call (855)422-6625

I, ROBERT MOOS, understand the instructions and will arrange for follow-up care.

PATIENT/REPRESENTATIVE SIGNATURE

STAFF SIGNATURE

DATE

DISCHARGE TIME



PINS

9/16/2019 12:22 PM

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Today's Date: 9/16/2019

DOB: 09/

EX. 9 D

- groin, armpit and neck.
- Fever (temperature higher than 100.4°F / 38°C), chills, more pain or swelling.

Follow Up Information:

Follow up with Amit Duggal MD as needed.

If you have been referred to a specialist, you may receive a telephone call or text from ER at the Lakes Appointment Services to assist with scheduling your follow-up appointment. If you would like assistance in scheduling your specialty appointment and have not received a telephone call or text, please call Appointment Services directly at (702) 880-2219.

What To Do:

- Take this sheet with you when you go to your follow-up visit.
- If you have any problem arranging the follow-up visit, contact the Emergency Department immediately.
- Take all medications as directed.

Studies Done in the Emergency Department:

- There are occasions where additional lab tests return - such as a culture result or an X-ray or EKG - is further reviewed after you are discharged. If a change in your diagnosis or treatment is indicated, we will attempt to contact you. It is critical that we have a current phone number for you.
- If you had X-rays done, we can provide you a CD with those X-rays for your review and follow-up.
- Culture results may take 2-3 days. We review many culture results and will attempt to contact you if the results are significant or may change your treatment.

Additional Information or Instructions:

If side effects develop, such as a rash, difficulty breathing, or a severe upset stomach, stop the medication and call your doctor or the Emergency Department.



PINS

9/16/2019 12:22 PM

P6:22 OF 38

Southern Hills Hospital & Medical Center
9300 W Sunset Rd
Las Vegas, NV 89148
(702) 916-7800

ROB
Pat ID:
Acct #:
Printed: September 9, 2019
By: Brett Hansen, MD

EX. 9E

PATIENT EXCUSE

ROBERT WARREN MOOS was seen on 9/9/2019 and is excused from work from 9/9/2019 through 9/10/2019


Brett Hansen, MD

THOMAS & BIGLER

KNEE & SHOULDER INSTITUTE

9499 West Charleston Blvd, Suite 200
Las Vegas, NV 89117
702-933-9393 / 702-933-8789 FAX

Radiology Interpretation

PATIENT NAME: ROBERT MOOS
DATE OF BIRTH: 09/20/1944
CLINICIAN: Steven C. Thomas, M.D.
ID/MRN: T414350
DATE OF EXAM: 09/18/2019

MRI OF THE RIGHT KNEE WITHOUT CONTRAST.

CLINICAL HISTORY:

Right knee pain after an assault and fall.

TECHNIQUE:

Multipolar sequences obtained of the right knee without contrast.

FINDINGS:

Menisci: Medial and lateral menisci are intact.

Ligaments/Tendons: ACL PCL are intact. MCL and lateral collateral ligaments complex are normal. High-grade tear of the distal quadriceps tendon measuring 12 x 11 mm.

Knee Joint: No knee joint effusion.

Cartilage: Grade II/III chondromalacia of the patella and trochlea. Grade II chondromalacia of the lateral tibial plateau.

Soft Tissues: Large prepatellar bursal effusion measuring 4.6 x 1.6 x 8.0 cm.

Bones: No abnormal osseous signal to suggest contusion or fracture.

IMPRESSION:

1. Large prepatellar bursal effusion measuring 4.6 x 1.6 x 8.0 cm.
2. High-grade tear of the distal quadriceps tendon measuring 12 x 11 mm.
3. Grade 2/3 chondromalacia of the patella and trochlea.

Electronically Signed By: Kevin Taylor MD 09/18/2019 13:40:08 MDT

EX. 11

LTR. TO DA'S OFFICE.

To the person handling case number 19F18687X.

September 26, 2019

I am the victim Robert Moos; I would like you to review the attached information as it gives a more precise account of the incident of what happened on September 9th 2019 at the Las Vegas Athletic Club wherein I was assaulted.

The police report has some errors and inaccuracies that I want to make sure you are aware of. The first item in the police report indicates that "tennis" racquets were used in the altercation; this is incorrect as it was "racquetball racquets" used.

The next item you should be aware of is in the report the perpetrator Russell L. Martin, stated that I got close to him when in fact he got up to my face before assaulting me and that he only pushed my hat off. My hat came off during the initial assault. Of course he also lied in the report stating that he never hit me with the racquet.

My letter of appeal to the LVAC regarding the cancellation of my club membership (of which I'm appealing) is concise and accurate as to events that led up to the assault and more complete than the police report.


Included are pictures of the injuries I suffered including an MRI report on my right knee which was injured when I was knocked down to the court floor.

I will be requesting restitution and information on Russell L. Martin to give to my insurance companies so they can be reimbursed for all the medical costs they are paying for.

I would like to point out that I believe that the LVAC violated my right to protect myself, given to me by the NEVADA REVISED STATUTE, by cancelling my membership and is subject to liability and possible restitution and damages and legal fees.

I am available if you would like to talk to me on the phone or respond to your office for any further information you need as I fully intend to cooperate in the prosecution of Russell L. Martin.

Respectfully Submitted:


Robert W. Moos Jr. 702 362-4928
3328 Canyon Lake Dr.
Las Vegas NV. 89117

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CLARK COUNTY
OFFICE OF THE DISTRICT ATTORNEY
Criminal Division

EX. 12

STEVEN B. WOLFSON
District Attorney

200 Lewis Avenue • Las Vegas, NV 89101 • 702-671-2500 • Fax: 702-455-2294 • TDD: 702-385-7486

MARY-ANNE MILLER
County Counsel

CHRISTOPHER LALLI
Assistant District Attorney

ROBERT DASKAS
Assistant District Attorney

JEFFREY WITTHUN
Director D.A. Family Support

BRIGID J. DUFFY
Director D.A. Juvenile

ROBERT WARREN MOOS
3328 CANYON LAKE DR
LAS VEGAS, NV 89117

January 04, 2020

VICTIM / WITNESS NOTIFICATION

DEFENDANT	CASE NO	CRIME CATEGORY
MARTIN, RUSSELL LESLIE	19F18687X	Assault and Battery

A criminal complaint was recently filed in the Clark County Justice Court against the above-named defendant. You have been included on the witness list for this case and you may receive a subpoena from the District Attorney's office. This letter is not a subpoena; it is to provide you with information related to the case.

A victim/witness advocate is assigned to this case to assist you as the case proceeds through the court system. Your advocate can be reached at 702-671-2525. Please refer to the case number listed above when calling for information.

You should call us if:

- You have changed your address, phone number or email.
- You have any questions, injuries, property damage, or loss due to this crime.
- You are in need of victim or witness services, such as language interpreters and/or accommodation of physical needs.

Your rights and duties are explained on the reverse side of this letter. Please read and familiarize yourselves with them prior to any court appearances. For additional information, please visit our website at <http://www.clarkcountynv.gov/district-attorney>.

Sincerely,

STEVEN B. WOLFSON
CLARK COUNTY DISTRICT ATTORNEY

9/7/2020

<https://vjcpa.clarkcountynv.gov/Anonymous/CaseDetail.aspx?CaseID=12993010>[Skip to Main Content](#) [Logout My Account](#) [Search Menu](#) [New Criminal Search](#) [Refine Search](#) [Back](#)**REGISTER OF ACTIONS**
CASE No. 19F18687X**EX. 13****State of Nevada vs. Martin, Russell Leslie**§
§
§
§
§**Case Type: Felony**
Date Filed: 01/06/2020
Location: JC Department 7**PARTY INFORMATION****Defendant** Martin, Russell Leslie**Lead Attorneys**
Public Defender
Public Defender
702-455-4685(W)**State of Nevada****CHARGE INFORMATION**

Charges: Martin, Russell Leslie	Statute	Level	Date
1. Battery with use of deadly weapon [50223]	200.481.2e1	Felony	09/09/2019

EVENTS & ORDERS OF THE COURT**OTHER EVENTS AND HEARINGS**

09/09/2019 **Standard Bail Set**
Ctl: \$20000 Cash/\$20000 Surety

09/09/2019 **CTRACK Track Assignment JC07**

09/09/2019 **Financial Affidavit**

09/10/2019 **Initial Appearance Justice Court (PC Review) (1:30 PM) (Judicial Officer Zimmerman, Ann E.)**
Result: Matter Heard

09/10/2019 **Probable Cause Review Packet - Initial Appearance Court**

09/10/2019 **Not Released NPR**

09/10/2019 **Nevada Risk Assessment Tool**

09/10/2019 **CTRACK Case Modified**
Judge/BEN;

09/10/2019 **Probable Cause Found**

09/10/2019 **72-Hour Hearing Completed**

09/10/2019 **State Requests Additional Time for Filing of Complaint**

09/10/2019 **Release Order - Own Recognizance (Judicial Officer: Zimmerman, Ann E.)**
Counts: 001

09/10/2019 **Bail Condition**
stay away from Las Vegas Athletic Club 9615 W. Flamingo Rd.

09/10/2019 **No Contact with Victim**

09/10/2019 **Continued for Status Check on filing of Criminal Complaint**

09/10/2019 **Minute Order - Initial Appearance**

09/10/2019 **Release Agreement**

10/15/2019 **Status Check on Filing of Criminal Complaint (8:00 AM) (Judicial Officers Pro Tempore, Judge, Jansen, William D.)**
O/R
Result: Matter Heard

10/15/2019 **State Requests Additional Time for Filing of Complaint**

10/15/2019 **Continued for Status Check on filing of Criminal Complaint**

10/15/2019 **Minute Order - Department 07**

01/06/2020 **Criminal Complaint**

01/15/2020 **CANCELED Status Check on Filing of Criminal Complaint (8:00 AM) (Judicial Officer Bennett-Haron, Karen P.)**
Vacated - Complaint Filed
O/R

01/15/2020 **Initial Appearance (8:00 AM) (Judicial Officer Bennett-Haron, Karen P.)**
No bail posted
Result: Matter Heard

01/15/2020 **Initial Appearance Completed**
Advised of Charges on Criminal Complaint, Waives Reading of Criminal Complaint

01/15/2020 **Defendant Identified as Indigent**
Defendant and the Court discussed the appointment of counsel and defendant request

01/15/2020 **Financial Affidavit**

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9/7/2020

<https://lvjcpa.clarkcountynv.gov/Anonymous/CaseDetail.aspx?CaseID=12993010>

EX. 13 A

01/15/2020 **Public Defender Appointed**
01/15/2020 **Minute Order - Department 07**
03/12/2020 **Preliminary Hearing** (9:00 AM) (Judicial Officer Bennett-Haron, Karen P.)
No bail posted
Result: Matter Heard
03/12/2020 **Continued For Negotiations**
passed for status check on negotiations
03/12/2020 **Minute Order - Department 07**
03/19/2020 **Matter Continued or Rescheduled - Administrative Order 20-03**
03/19/2020 **Summons Ordered**
03/23/2020 **Summons Issued**
07/02/2020 **Negotiations** (8:00 AM) (Judicial Officer Bennett-Haron, Karen P.)
No Bail Posted
04/14/2020 Reset by Court to 07/02/2020
Result: Matter Heard
07/02/2020 **Continued For Negotiations**
Stipulated by the Parties
07/02/2020 **Minute Order - Department 07**
07/16/2020 **Negotiations** (8:00 AM) (Judicial Officer Bennett-Haron, Karen P.)
No Bail Posted
Result: Matter Heard
07/16/2020 **Matter Not Negotiated - Preliminary Hearing/Trial Date Set**
07/16/2020 **Minute Order - Department 07**
10/08/2020 **Preliminary Hearing** (9:00 AM) (Judicial Officer Bennett-Haron, Karen P.)
No Bail Posted

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Las Vegas Justice Court
SUBPOENA

THE STATE OF NEVADA
vs.
MARTIN, RUSSELL LESLIE

EX. 14

Floor: 08

Room: A

Court Case #: 19F18687X

Agency #: MPD190900042634

STEVEN B. WOLFSON, Clark County District Attorney, and the State of Nevada send greetings to:

MOOS, ROBERT WARREN
3328 CANYON LAKE DR
LAS VEGAS NV 89117

Work:

H 702.362.4928

M

B

F

Email:

YOU ARE COMMANDED TO APPEAR BEFORE THE:

**LAS VEGAS JUSTICE COURT
REGIONAL JUSTICE CENTER
200 LEWIS AVENUE
LAS VEGAS, NV 89101**

*****IMPORTANT*****

You **MUST** verify that you are needed as a witness to testify in court by calling **(702)455-1269 AFTER 6:00 P.M. the night before court**, including holidays and weekends. During the call, if you hear the defendant's name, you **MUST** appear as scheduled.

on the **12TH DAY OF MARCH, 2020, AT 09:00 AM**, to testify for the State of Nevada.

**SPECIAL INSTRUCTIONS
DUCES TECUM: NONE**

Melissa C.

DATED: 03/04/2020

STEVEN B. WOLFSON, Clark County District Attorney
By: **VIVIAN LUONG, Deputy District Attorney**

I hereby acknowledge receipt of this Subpoena, and by my signature promise to appear at the place and date indicated thereon.

Signature of witness

Date

CERTIFICATE OF SERVICE

I hereby certify that on _____ I served/telephonically contacted a person who identified themselves as the above listed witness by means of _____. I thereupon identified myself by name and occupation and informed them of the contents of the subpoena. The witness thereafter did promise to appear at the date and time indicated on the subpoena. I declare under penalty of perjury that the foregoing is true and correct.

Executed on: _____

By: _____

Signature

Court Case: 19F18687X | DA Case: 201945989C | Team: L-3 | VW: MOOS, ROBERT WARREN | Event: 3/12/2020 09:00 | Subbed: 3/4/2020
Deft: MARTIN, RUSSELL LESLIE | Charges: battery w/dw

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e: Number Case Number: 10f17375x All All Sort By: Filed Date

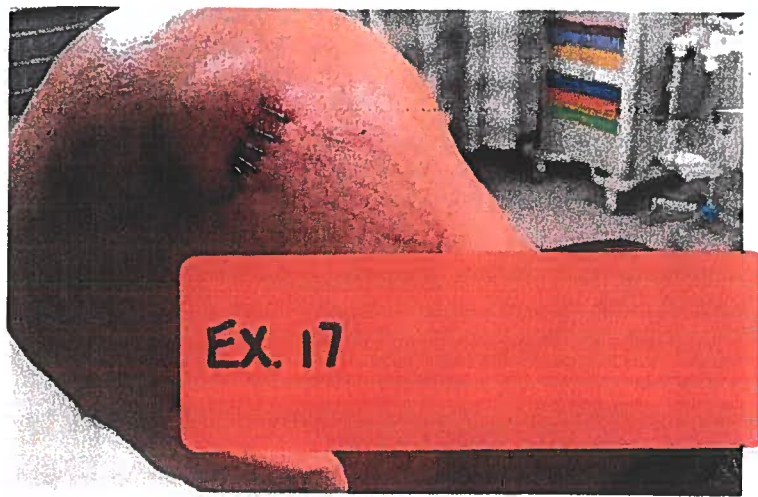
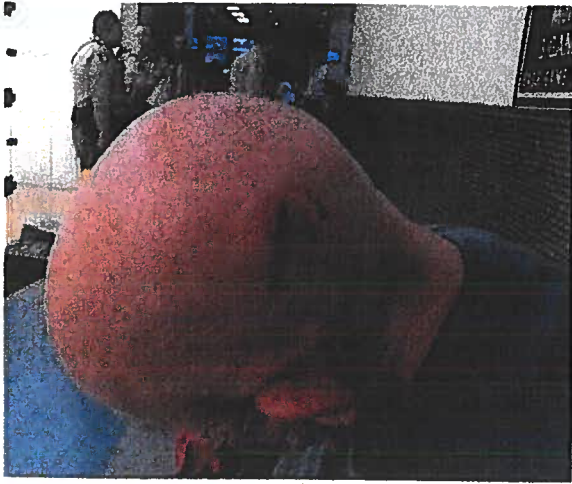
Defendant Info	Filed/Location	Type/Status	Charge(s)
artin, Russell Leslie	09/09/2010 JC Department 9	Gross Misdemeanor Closed	THREATENING OR OBSCENE LETTERS OR WRITINGS HARASSMENT - 1ST OFFENSE

EX. 16

Amount provider charged: Medicare Approved: Medicare Paid: Anthem/Blue Cross Pd:

	Ambulance Service 09/09/19.		
\$1,139.76	\$406.11	\$318.39	\$81.23
	Radiology Right Forearm 09/09/19 Dr. Sauer Jr.		
\$28.00	\$8.67	\$6.92	\$1.73
	Radiology Specialist 09/09/19 Dr. Hardman.		
\$156.00	\$43.69	\$34.25	\$8.74
	Southern Hills ER 09/09/19 X-Rays & CT scan, Repair of wound etc.:		
\$11,817.85	\$11,817.85	\$408.32	\$104.18
	Dr. Jack Abrams Eye examination 09/13/19.		
\$95.00	\$90.61	\$72.37	\$18.12
	Dr. Steven Thomas 09/13/19 X-ray right knee.		
\$208.00	\$114.12	\$90.65	\$22.82
	Follow up with Dr. Thomas Re: Right Knee 09/23/19.		
\$120.00	\$75.81	\$60.22	\$15.16
	ER at the Lakes, remove staples.		
\$1,587	\$110.49	\$82.29	\$28.20
	Not sure can't read my writing. DR. EVERETT, FOLLOW-UP		
\$220.00	\$110.95	\$87.13	\$22.19
	MRI		
\$1,500	\$239.68	\$190.38	\$47.94
	Physical Therapy		
\$325.00	\$157.87	\$123.77	\$31.57
	Physical Therapy		
\$225.00	\$102.32	\$80.22	\$20.46
\$19,136.04	\$13,278.17	\$1,472.62	\$402.34

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EX. 17 A

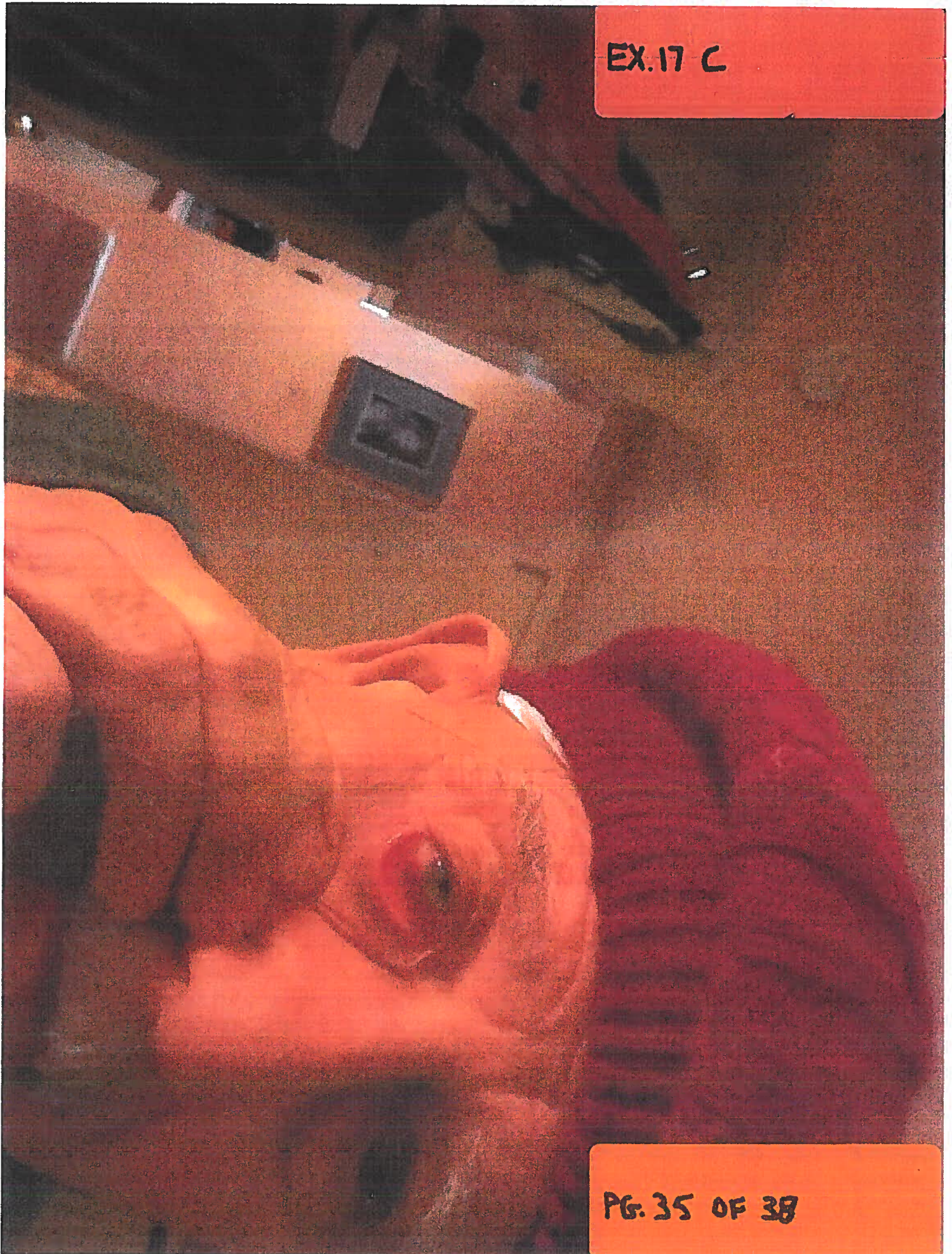
PG 33 OF 38

EX. 17 B



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EX.17 C



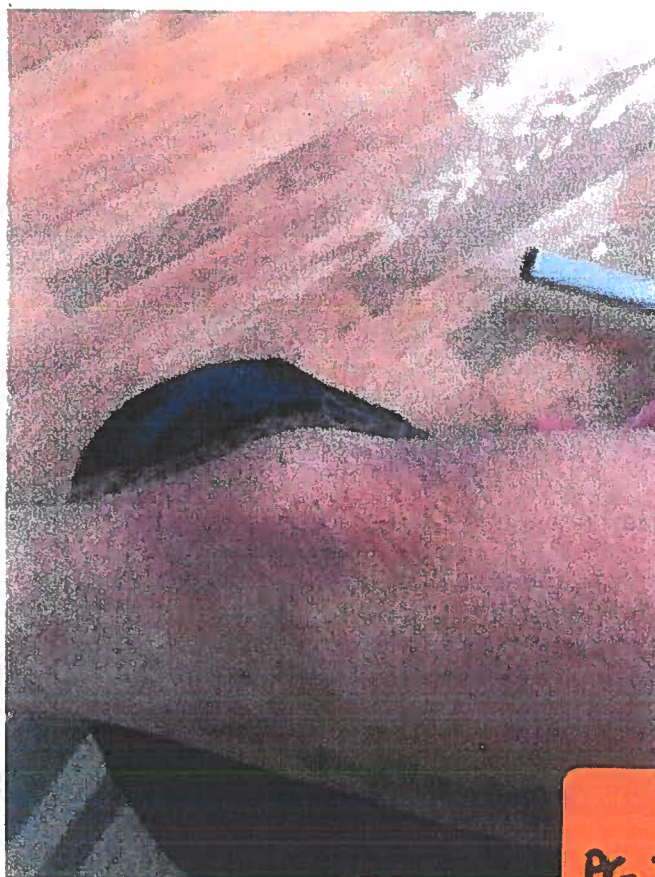
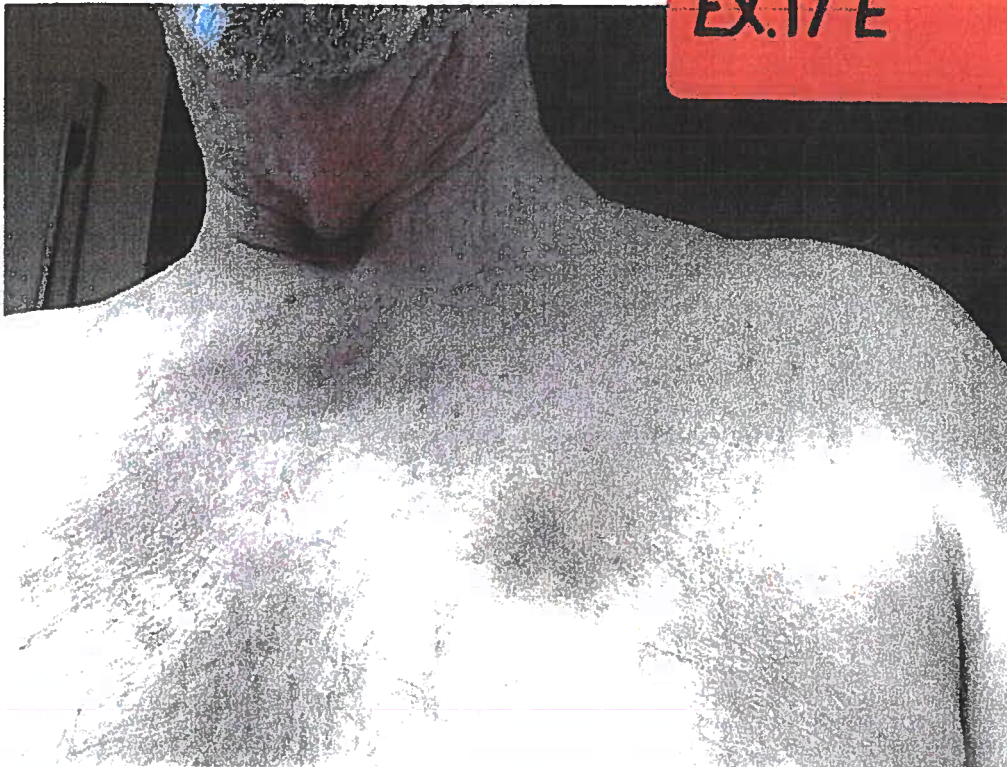
PG. 35 OF 38

EX. 17 D



PG. 36 OF 38

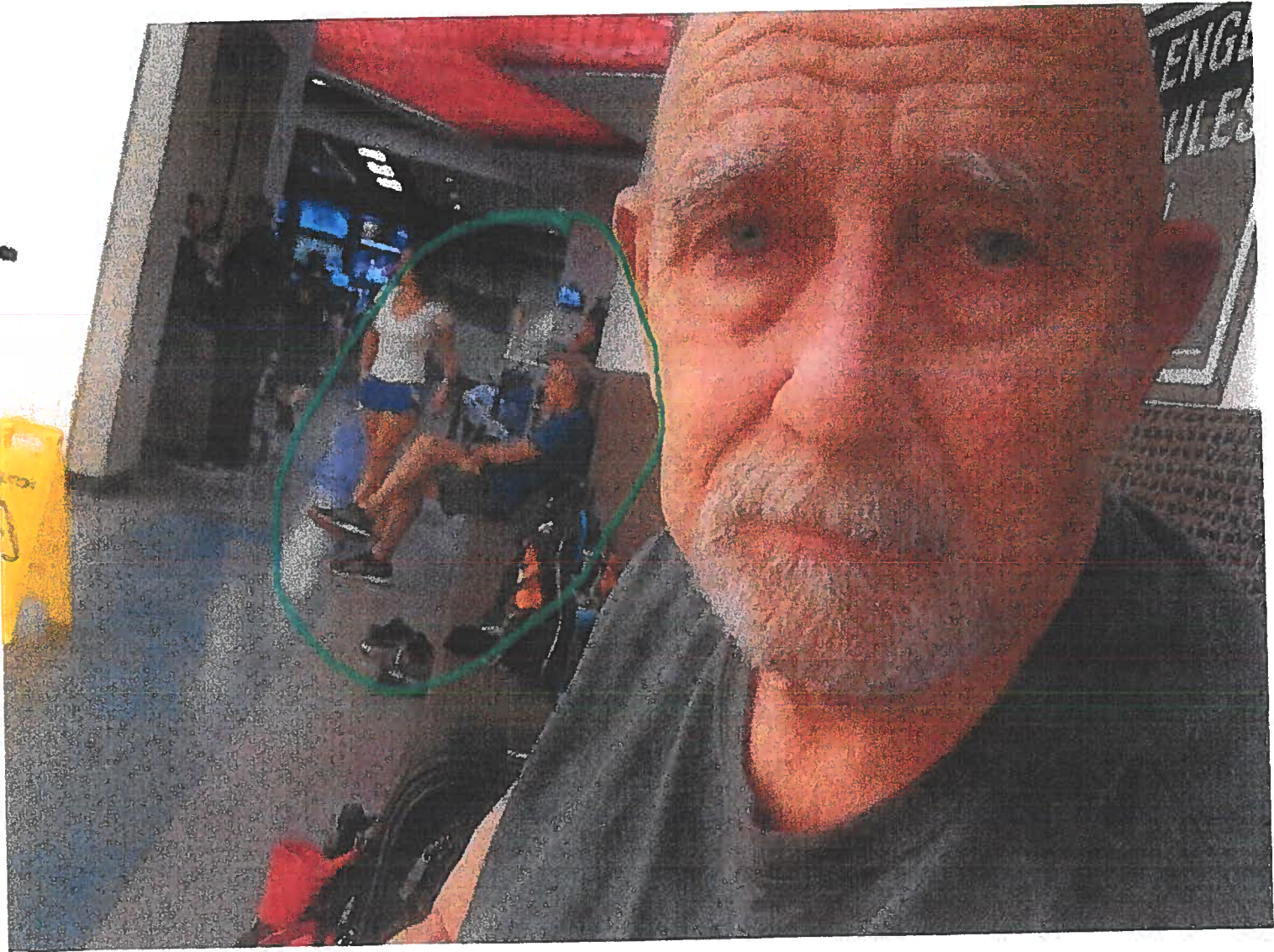
EX.17 E



This is my arm.

PG.37 OF 38

EX 17 F



PG. 38 OF 38