

ANS

1 ROBERT W. MOOS JR

(NAME)

2 3328 Canyon lake. Dr.

(ADDRESS)

3 Las Vegas, NV. 89117

(CITY, STATE, ZIP)

4 702.362-4928

(PHONE)

Defendant Pro Se

DISTRICT COURT

CLARK COUNTY, NEVADA

7 RUSSELL L. MARTIN

9 Plaintiff,

) Case No.: A-24-892352-C

) Dept. No.: Dept. 18

10 vs.

11 ROBERT W. MOOS JR.

) ANSWER

12 Defendant.

14 Defendant(s), ROBERT W. MOOS JR., *Pro Se*, hereby submits this Answer
15 to the Complaint on file herein, and alleges and avers as follows:

16 1. Answering paragraph(s) _____
17 of Plaintiff's Complaint, Defendant(s) ADMITS each and every allegation contained therein.

18 2. Answering paragraph(s) ALL ALLEGATIONS
19 of Plaintiff's Complaint, Defendant(s) DENIES each and every allegation contained therein.

20 3. Answering paragraph(s) ALL ALLEGATIONS
21 of Plaintiff's Complaint, Defendant(s) state(s) that Defendant(s) do(es) not have sufficient
22 knowledge or information upon which to base a belief as to the truth of the allegation contained
23 therein and therefore Defendant(s) DENIES each and every allegation contained therein.

24 4. Answering paragraph(s) All paragraphs and allegations
25 of the Plaintiff's Complaint, Defendant(s) STATE(S) As stated in Defendant's prior answer
26 to Plaintiff's Summons Case # A-23-864256-C, the Plaintiff has filed another frivolous
27 claim and has continued to lie and add additional false allegations against the Defendant.

28 This case was dismissed on May 31, 2023 by the Honorable Judge _____ Continued.

**CONTINUED ANSWERS OF ROBERT W. MOOS JR. TO
SUMMONS OF CASE # A-24-892352-C.**

Tara Clark Newberry, Department 21.

1. Defendant's answers to the summons for case # A23-864256-C consisted of approximately 54 pages and included denial of all the false allegations and photographs of the injuries that the Defendant sustained as a result of the plaintiff's attack on September 9, 2019.
2. Both parties appeared for a Small Claims Hearing wherein testimony and evidence was presented to the Court in Case # 20A001983 which both parties had the opportunity to present evidence before the court.
3. The Judge subsequently found for the Plaintiff (Moos) and award damages of \$10,000 and \$196.00 in costs. The Defendant (Martin) filed a motion to rehear the Small Claims case again and was denied on July 6, 2022. The Plaintiff is again trying to bypass the original small claims decision and denial of a rehearing by filing these claims in a different court.
4. Plaintiff in his current Summons has essentially repeated the same claims in case # A-23-864256-6. The Court "may reconsider a previously decided issue if substantially different evidence is subsequently introduced or the decision is clearly erroneous." *Masonry & Tile Contractors v. Jolley, Urga & Wirth Ass'n*, 113 Nev. 737, 741, 941 P.2d 486, 489 (1997).

5. The Plaintiff, in his current Summons, has added additional Defendants and other false allegations such as the Defendant was in violation of 43 U.S. Code 104, "Disobedience to a Subpoena" for willfully neglecting or refusing to appear and testify...".
6. It is a matter of record that the Defendant had notified the Assistant District Attorney Kennedy in Martin's Criminal Case, that he was ill and unable to attend because he had contracted Covid 19 and submitted a copy of the E.R. report to the Deputy D.A.. A request for a continuance was denied and the case was dismissed.
7. The Plaintiff has continually accused the Defendant of being a professional Police Officer trained in combat and he, the Plaintiff, was prepared to "show that Robert Moos committed Premeditated Attempted Murder of Russell Martin." The Defendant has on several occasions stated that he was not a professional Police Officer. Plaintiff has no such evidence.
8. The Plaintiff is an habitual liar and has lied to the Court in all his filings and in sworn testimony before the Judge while on the bench.
9. The Plaintiff has indicated to the Court in sworn testimony that he is destitute and homeless. Prior sworn testimony at the last "Examination of Judgement Debtor" hearing before the Honorable Judge De La Garza, the Plaintiff swore that he was homeless yet on page 3 of 27, of the Plaintiff's Summons, line 1,

the Plaintiff signs the Summons that he is "currently, and was at all relevant time herein, resident of 5251 Lindell Rd. #103 Las Vegas, NV. 89118." The Plaintiff also has an income consisting of, among other sources, a monthly income from Social Security.

10. Defendant respectfully requests that this complaint for the second time, be **dismissed with prejudice** and request the Court to consider the Plaintiff a Vexatious Litigator, "Vexatious Litigation is meant to bother, embarrass, or cause legal expenses to the defendant. A plaintiff who starts such litigation either **knows or should reasonably know that no legal basis for the lawsuit exists.**" The Plaintiff has committed perjury several times and should be prosecuted. The Plaintiff has not stated any lawful cause of action or NRS violation or violation of any law of the State of Nevada.
11. The Plaintiff had lied to the arresting officer and in the Small Claims hearing (and recorded on disc.) and continued to lie in all of his subsequent court hearings.
12. Defendant is opposed to, and denies allegations set forth by Plaintiff's Summons and opposes any and all relief and damages Plaintiff is seeking in his Summons. Defendant also claims that the Plaintiff has failed to state a claim upon which relief can be granted.

**I, Robert W. Moos Jr., under penalty of perjury, do hereby certify that
to the best of my recollection the foregoing information is true and
correct. This the 4TH day of June, 2024.**

/s/ Robert W. Moos Jr.
Robert W. Moos Jr.

1 **AFFIRMATIVE DEFENSES**

2 1. Defendant(s) hereby incorporate(s) by reference those affirmative defenses
3 enumerated in NRCP 8 as though fully set forth herein, as applicable upon discovery. In the
4 event further investigation or discovery reveals the applicability of any such defenses,
5 Defendant(s) reserve(s) the right to seek leave of court to amend this Answer to more
6 specifically assert any such defense. Such defenses are herein incorporated by reference for the
7 specific purposes of not waiving any such defenses.

8 . Accord and satisfaction.

9 . Arbitration and award.

10 . Assumption of risk.

11 . Contributory negligence.

12 . Discharge in bankruptcy.

13 . Duress.

14 . Estoppel.

15 . Failure of consideration.

16 . Fraud.

17 . Illegality.

18 . Injury by fellow servant.

19 . Laches.

20 . License.

21 . Payment.

22 . Release.

23 . Res judicata.

24 . Statute of frauds.

25 . Statute of limitations.

26 . Waiver.

27 2. All possible affirmative defenses may not have been alleged herein insofar as
28 sufficient facts were not available after reasonable inquiry upon filing of this Answer. Therefore

1 Defendant(s) reserve(s) the right to amend this Answer to allege additional affirmative defenses
2 and claims, counter-claims, cross-claims or third-party claims, as applicable, upon further
3 investigation and discovery.

4 PLEASE SEE ATTACHED CONTINUATION OF ANSWERS TO
5 SUMMONS

6 **WHEREFORE**, this Answering Defendant prays that this Honorable Court will:

- 7 1. Dismiss the Complaint with prejudice or grant Plaintiff a reduced amount based upon
8 the admissions, denials and affirmative defenses, if any, as alleged above herein;
9 2. Award Defendant(s)'s costs; and
10 3. Award Defendant(s) such other and further relief as the Court deems just and
11 equitable.

12 DATED this ^{4th} day of June , 20²⁴,

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

14
15 _____
16 Defendant Pro Se

17 **CERTIFICATE OF MAILING**

18 I HEREBY CERTIFY that on the ^{4th} day of June , 20²⁴, I
19 placed a true and correct copy of the foregoing ANSWER in the United States Mail at Las
20 Vegas, Nevada, with first-class postage prepaid, addressed to the following:

21 Russell L. Martin

22 5251 Lindell Rd. #103

23 Las Vegas, NV. 89118
24 _____
25

26
27 
28 _____
Defendant Pro Se