

No. 14-00266

UDO BIRNBAUM
Plaintiff

v.

Christina Westfall, Stefani Podvin, and
Frank C Fleming
"The Westfall Bunch", reference only

THREE PIECES OF PAPER
At Issue ("defendants"?)

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IN THE
VAN ZANDT COUNTY
COURT AT LAW,
TEXAS

FILED FOR RECORDS
15 JUL 27 AM 9:21
CLERK OF DISTRICT COURT
VAN ZANDT COUNTY TEXAS
DEP

Synopsis upon Transfer

TO THIS COURT:

This matter is now before THIS court. (Order of Voluntary Recusal, Order Transferring)

Here is what they did – to this old man – in America:

1. Started over a beaver dam on Steve’s Creek, a natural stream on my farm in South Van Zandt County – with Canton Lawyer Richard Ray seeking damages for me being the one who was building that dam – and that I was in violation of Section 11.086 of the Texas Water Code - by “unlawfully constructing and maintaining” said dam. All-week jury trial on that – and despite a unanimous verdict of zero damages – “visiting judge” James B. Zimmermann had hearing after hearing after hearing as to what the jury “meant”, to impose a perpetual mandatory injunction and \$10,000 in attorney’s fees upon me. Enough said.

2. Along comes another shyster lawyer, G. David Westfall (deceased), and cons me into paying him a \$20,000 up-front non-refundable retainer –

promising to clear up this mess – by suing the whole bunch – including then District Judge Tommy Wallace, Judge Zimmermann, that time District Attorney Leslie Dixon, etc. etc. – under “civil RICO” - for a “pattern of racketeering activity” – and telling me, “you have a very good case”. Enough said.

3. And after I finally fired Westfall – he then fabricates a “bill” of \$38,000 (\$18,000 above the \$20,000) – and sues me claiming the existence of an unpaid “open account” – which is of course a total fraud - and filed suit in Tommy Wallace’s 294th District Court – to collect on “legal fees” – and “legal fees” – for collecting on “legal fees” - for having sued this very same judge!

4. Then somehow appeared “visiting judge” Paul Banner, and with unconscionable jury instructions – and unconscionable process in general - they imposed a \$85,000 judgment – plus a sanction judgment of \$62,000 – plus an additional sanction judgment of \$125,000 – for my having made a counter-claim - - a First Amendment Right! Also to impose unconditional “relief which the Court seeks” (the STATE seeks!) “to stop Birnbaum and others like him – from filing lawsuits”, and, as a finding of law – a finding of “a delusional belief held only inside the mind of Birnbaum”. Enough said.

5. I have, at this time, a detailed sworn criminal complaint before our District Attorney upon this matter – and have been complaining to that Office – and others – ever since the days of Leslie Dixon – way back in 1995. And at my last visit with the FBI and Justice Department in Tyler –

believe it or not – they actually suggested that I “just shoot them”. (I do have proof).

6. In Review of File and Voluntary Order of Recusal (upon the Judge Paul Banner matter, no. 00-00619) – 294th District Judge Teresa Drum gives the reason for removing herself from that cause – as she states, because “Defendant, UDO BIRNBAUM, was and still is a personal friend of mine” – and “my impartiality might reasonably be questioned”.

7. And upon my July 9, 2015 filing (in THIS cause, no. 14-00266) of Notice of Concurrent Criminal Complaint upon this Matter, Judge Drum on same July 9, 2015 signed her Order of Voluntary Recusal regarding THIS cause (no. 14-00266) – with the subsequent July 14, 2015 Order Transferring bringing this matter into THIS court. And again, “Defendant, UDO BIRNBAUM, was and still is a personal friend of mine.” And, “because my impartiality might reasonably be questioned.”

8. So, I guess, I am blessed, that with this transfer to this Van Zandt County Court at Law, my complaint UPON the 294th – is finally OUT OF the 294th – and that with this court and me not knowing each other – this court is under no such handicap.

PRAYER

9. With this said, I request a timely hearing upon my First Amended Original Petition to Declare three judgments as inconsistent with due process, unlawful, criminal, and void and my Notice of Concurrent Criminal Complaint upon this Matter.

Udo Birnbaum

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attached – this cause no. 14-00266 - physical:

- Order of Voluntary Recusal – re this cause no. 14-00266
- Order Transferring – re this cause no. 14-00266
- Review of File and Order of Voluntary Recusal – re no. 00-00619

attached – this cause no. 14-00266 - by reference:

- First Amended Original Petition to Declare three judgments as inconsistent with due process, unlawful, criminal, and void
- Notice of Concurrent Criminal Complaint upon this Matter

Attached – no. 00-00619 (Westfall case) – as reference - for details

- FIRST Judgment – “Final Judgment” - annotated
- SECOND Judgment – “Order on Motion for Sanctions” - annotated
- SECOND Judgment – “Findings of Fact and Conclusions of Law” – annotated
- THIRD Judgment – “Order on Motion for Sanctions” - annotated
- “Securing Execution of Documents by Deception”
- “Complaint of Official Oppression”
- “Cease and Desist”
- “Motion for Recusal of Judge Banner” – latest, same subject matter
- ALSO – all that fraudulent BEAVER DAM SCHEME stuff
- ALSO - EVERYTHING ELSE openly available at www.OpenJustice.US