

No. _____

UDO BIRNBAUM	\$	IN THE DISTRICT COURT
Plaintiff	\$	
v.	\$	294th JUDICIAL DISTRICT
	\$	
CHRISTINA WESTFALL	\$	
STEFANI PODVIN	\$	VAN ZANDT COUNTY,
FRANK C FLEMING	\$	TEXAS
Defendants	\$	
	\$	

Original Petition for Injunctive Relief

COMES NOW, UDO BIRNBAUM, Plaintiff, complaining of CHRISTINA WESTFALL, daughter STEFANI PODVIN, their attorney FRANK C. FLEMING, and all three as “The Westfall Bunch”, and for a cause of action, would respectfully show this Court the following:

I.

Per TRCP Rule 190.1, discovery is intended to be under Level 2.

II.

Plaintiff UDO BIRNBAUM is an individual residing at 540 VZ County Road 2916, Eustace, TX 75124.

Defendant CHRISTINA WESTFALL is an individual with exact address unknown, but may be served through her attorney FRANK C. FLEMING, her attorney of record in this court.

Defendant STEFANI PODVIN is an individual with exact address unknown, but may be served through her attorney FRANK C. FLEMING, her attorney of record in this court.

Defendant FRANK C. FLEMING is presently the attorney in this court for both CHRISTINA WESTFALL and STEFANI PODVIN in Cause 00-00619, The Law Offices etc vs. Birnbaum, and may be served at Law Offices of Frank C. Fleming, 3326 Rosedale Ave, Dallas, Texas 75205-14162, (214) 373-1234, (fax) 1-469-327-2930.

III.

The Essence of this Complaint

Plaintiff complains of The Westfall Bunch using fraudulent documents, known to each of them to be fraudulent and fraudulently procured, and sneaking them past the District Clerk of Van Zandt County to obtain abstracts of judgment, and filing such with the property records of the County Clerk of Van Zandt County, to create fraudulent liens against Plaintiff and Plaintiff's property, and sending an armed sheriff out to seize Plaintiff's property – on at least TWO of these – and working on the THIRD! In Cause 00-00619, The Law Offices of G. David Westfall, P.C. vs. Udo Birnbaum, 294th District Court of Van Zandt County:

1. \$ 85,000 or so plus interest – Judge Paul Banner – ***“This judgment rendered April 11, 2002, signed July 30, 2002”***
2. “\$67,000 or so plus interest – Judge Paul Banner – ***“This judgment rendered July 30, 2002, signed August 9, 2002”***
3. \$125,000 or so plus interest – Judge Ron Chapman – ***“This judgment rendered April 1, 2004, signed October 6, 2006”***

Simple inspection of the wording of these documents – shows that each and every one of these pieces of paper - has a mere semblance of a judgment, but is “**inconsistent with due process**”, i.e. the product of corruption of the judicial machinery itself – and therefore patently **void**.

IV.

The Extraordinary Remedy of an Injunction

The conduct of The Westfall Bunch is much in the pattern of the fraud perpetrated by another bunch calling themselves The Republic of Texas, holed up somewhere in some cabin in the mountains of West Texas (some now in the pen), claiming that Texas never properly became part of these United States, that they were the true government of Texas, on paper setting up their own courts with their own letterheads, issuing all kinds of “judgments”, and entering same into the finely tuned Texas property records system – to the tune of TRILLIONS of dollars – and really gumming up the system – for the system required judicial “undoing” of every single piece of fraudulent paper– until the Texas legislature found a way to “undo” this nonsense – and put severe punishment for “securing execution of documents by deception” (penal code sec 32.46).

Such legislative cure is not available to Plaintiff - hence this request for the extra-ordinary remedy of an injunction to put a stop to this nonsense.

V.

Summary and Conclusion

The issue in **this cause** – is NOT whether there was fraud involved in **another cause**. (there was)

The issue in **this cause** – is NOT whether these documents in **another cause** – were indeed issued by a court.

The issue in **this cause** – is NOT whether the matter regarding another cause - is outside or inside or sideways of some statute of limitations.

The issue in **this cause** – is NOT whether **this cause** is a collateral attack on a judgment or has been settled by res judicata, estoppel, latches, Rooker-Feldman Doctrine, or whatsoever, ad nauseam.

There is no “judgment” or “judgments” to have this stuff on. The three “judgments” above have a mere semblance, but are void – and no such stuff attaches to these pieces of paper – i.e. “inconsistent with due process”.

PRAYER

Plaintiff prays for this Court to issue an injunction to put an end to the fraudulent use of these void and null documents, and for such further relief as he may show himself to be justly entitled by trial by jury.

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