

No. 95-63

COPY

WILLIAM B. JONES

VS.

UDO BIRNBAUM

FILED FOR RECORD  
\* 95 JUL 31 AM 10:36  
IN THE DISTRICT COURT  
OF VAN ZANDT COUNTY, TEXAS  
294TH JUDICIAL DISTRICT  
NANCY YOUNG  
CLERK VAN ZANDT CO. TX.  
\*  
DEP.

DEFENDANT'S FIRST AMENDED PLEADINGS  
=====

Defendant, Udo Birnbaum denies each and every allegation in PLAINTIFF'S ORIGINAL PETITION.

Whereas, premises considered, Defendant prays that Plaintiff take nothing by reason of this action, and that Defendant go hence with its costs, and for such other and further relief to which it may show itself justly entitled.

This the 31st day of July, 1995

Udo Birnbaum

UDO BIRNBAUM  
ENGINEER, RANCHER, TEACHER  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

July 28, 1995

The Honorable Judge Tommy Wallace  
294th District Court  
Van Zandt County Courthouse

Re: Cause No. 95-63  
Request for Ruling and Orders

Sir:

I have just been served with ANSWERS TO DEFENDANT'S FIRST SET OF INTERROGATORIES and find it totally unsatisfactory. I am forced to complain of the following:

1. The ANSWERS do not comply with the rule that all answers are to be preceded by the question. If the answers had been put into the proper form it would be obvious that the attorney is dodging questions and providing erroneous replies.
2. The answers are not those of the Plaintiff but those of the Attorney. The Plaintiff's oath is also not proper in that he does not swear that "these are his answers" but only that "he has read the foregoing answers". THE REPLIES ARE NOT PROPERLY TIED TO MY QUESTIONS!
3. The INTERROGATORIES are clear and great care was taken so as not to invade the attorney work product privilege. The questions involve only the Plaintiff and his actions only. All questions are relevant to my defense and require complete answers.  
I OBJECT TO ALL OF THE PLAINTIFF'S OBJECTIONS.

I request the Court to:

1. Rule individually on each and every one of the Plaintiff's objections.
2. Order that ANSWERS be in the required form.
3. Order that questions be answered completely.
4. Order that the answers be those of the Plaintiff and be properly sworn to as such. My request is not for the Plaintiff to act without counsel but that the answers be those of the Plaintiff.  
I AM NOT INTERESTED IN INTERROGATING THE ATTORNEY AT THIS TIME.
5. Order the Plaintiff to comply in a timely manner.

No Hearing is required and none is requested.

Sincerely,

*Udo Birnbaum*

Udo Birnbaum  
Pro Se

Udo Birnbaum  
Route 1, Box 295  
Eustace, TX 75124

FILED FOR RECORD  
95 JUL 28 PM 2:00  
CLERK OF DISTRICT COURT  
VAN ZANDT COUNTY, TEXAS

WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

294TH JUDICIAL DISTRICT

COPY

MOTION FOR RECUSAL OF JUDGE

=====

The Plaintiff's attorney is being shielded by his too close working relationship with this Court and my Rights are being trampled.

Due to the simplicity of the case, any proper action by this Court at any stage would have disposed of Cause 95-63 and resolved this whole matter.

What I, as a Defendant, have experienced in your Court is a mockery of Justice that must not be permitted in these United States.

This Court has failed to comply with the rules of Law and Conduct. File 95-63 speaks for itself and needs no elaboration.

I find it impossible to defend myself under such conditions.

In light of the above, your recusal is in order.

This the 15th day of August, 1995

*Udo Birnbaum*

UDO BIRNBAUM  
ENGINEER, RANCHER, TEACHER  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

FILE FOR RECORD  
AUG 15 PM 1:30  
VAN ZANDT CO. TX.  
DEP.

WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\*

294TH JUDICIAL DISTRICT

FILED FOR RECORD  
96 JUN 18 PM 2:25

NANCY YOUNG  
MOTION FOR RECUSAL AND DISQUALIFICATION  
DISTRICT COURT CO. TX.  
=====

BY

Cause 95-63 is not now, and never has been, a legitimate process, but only one aspect of the attempt of a powerful attorney to overwhelm me and steal from me by the misuse of his authority, aided and abetted by this Court, and another legal body which he has manipulated against me.

You and the Administrative District have refused to do your duty of policing and bringing this Court into compliance.

You have refused to enter my complaints of obstruction of process on the District's official agenda. I have entered SIX (6) petitions, motions, and complaints starting October 2, 1995, without receiving a single reply!

You have sneaked into a courtroom for a secret kangaroo hearing in support of cronies. You have not addressed the reason for my calling on the District, namely OBSTRUCTION OF PROCESS, and the reason for my motion of recusal, CRIMES IN THE COURT, and the refusal of judge Wallace to address crimes. There has been no notification of any kind from the District!

You and the District have had all the time in the world to act. Judge Zimmerman, you have failed to address what is before the Court. Your subsequent distancing yourself from the serious charges before the Court, by interposing one too close to those I have been complaining about, robs me of process, procedure, and the right to be heard by an impartial judge.

I am unwilling to endure any more of this charade and put off.

It is obvious to anyone that the parties I have been complaining about should have been suspended long ago, and that the coverup reaches to the highest levels.

In light of the above, your immediate recusal and the disqualification, from Cause 95-63, of all judges and ex-judges of the First Administrative District is in order.

This the 10th day of June, 1996

Udo Birnbaum

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

Presiding Judge  
First Administrative Judicial Region  
George Allen Courts Bldg.  
6000 Commerce, Rm 611  
Dallas, Texas 75202

Re: Cause 95-63  
294th District Court  
Canton, Texas

PETITION FOR COURT TO RESPOND

Defendant's motions and petitions before the Court are not being addressed.

It is time to get the Process moving in a timely manner, and to act upon what is before the Court.

Your action is required to bring the Court into compliance.

This the 3rd day of January, 1996

Udo Birnbaum

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

Certified Letter:  
Z 036 254 372

Sandy Lewis  
Forward thru  
to 296 M

# JAMES ZIMMERMANN

## DISTRICT JUDGE 294th Judicial District Court

Betty Davis  
Court Administrator

121 East Dallas Street  
Room 301  
Canton, Texas 75103  
903/567-4422  
FAX 903/567-5652

February 5, 1996

### NOTICE OF SETTING

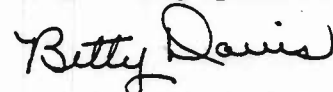
RE: No: 95-63  
William B. Jones  
VS.  
Udo Birnbaum

The above referenced cause has been set for hearing on  
March 4, 1996, at 10:00 A.M. by Honorable James Zimmermann.

Action as indicated: resolution / pre-trial hearing.

By copy of this notice, I am notifying all the parties  
listed below.

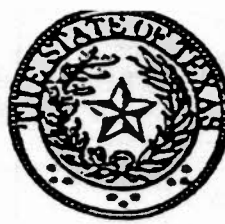
Very truly yours,



Betty Davis  
Court Administrator

cc: Richard L. Ray  
Attorney at Law  
300 S. Hwy. 19  
Canton, Texas 75103

Udo Birnbaum  
Route 1, Box 295  
Eustace, Texas 75124



**TOMMY W. WALLACE**

**District Judge  
294th Judicial District**

**Betty Davis  
Court Administrator**

**121 East Dallas Street  
Room 301  
Canton, Texas 75103-1465  
903/567-4422  
FAX 903/567-5652**

**February 5, 1997**

**NOTICE OF SETTING**

**RE: No: 95-63  
William B. Jones  
VS.  
Udo Birnbaum**

**The above referenced cause has been set for hearing on  
April 21, 1997, at 9:00 A.M. by Honorable James Zimmermann.**

**Action as indicated: to enforce mediation or enter judgment.**

**By copy of this notice, I am notifying all the parties  
listed below.**

**Very truly yours,**

*Betty Davis*

**Betty Davis  
Court Administrator**

**cc: Richard Davis  
Certified Mediator  
301 S. Main  
Canton, Texas 75103**

**Richard L. Ray  
Attorney at Law  
300 S. Hwy. 19  
Canton, Texas 75103**

**Udo Birnbaum  
Route 1, Box 295  
Eustace, Texas 75124**

This document sent IN SEALED and SIGNED inner envelope marked:

\*\*\*\*\* CONFIDENTIAL TO JUDGE PRESIDING \*\*\*\*\*

9:00 AM, April 21, 1997  
294th District Court, Canton, Texas  
CAUSE 95-63

Outer envelope: Nancy Young District Clerk CERT. ARTICLE:

Copies: District Attorney  
Justice Department

OBJECTION TO SETTING OF:

"Action as indicated: to enforce mediation or enter judgment"

To: Whosoever presiding:

Prior motions and petitions before this Court have not yet been addressed. Motions for recusal and reports of perjury and obstruction are being suppressed.

I am again being victimized by backstage plotting. I object to these proceedings, on grounds that the agenda is inappropriate, and that the very SETTING of this hearing by the Court Administrator and others, is just a cover for threats by FRAUDULENT COURT ORDER. This hearing was not SET until immediately after I pointed out the smoking gun to Mr. Davis. (Reference below)

For over two years this Court has denied me protection from a conspiracy of official oppression, operating within this Court, and judges have proceeded as though they were oblivious to sworn complaints of crimes, and motions for their recusals.

Action as indicated: Your calling on the U. S. Justice Department for an in depth investigation, in order that each judge presiding on this Cause can be briefed before he has any hearing, makes any ruling, or issues any Orders.

Udo Birnbaum

CERTIFIED MAIL, this the  
16th day of April, 1997

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

References:

- \* Reply to Davis (not attached)  
(Dated Jan. 27, 1997)
- \* Motions and Petitions to Zimmerman & (not attached)  
First Adm. Jud. Dist.  
(Last communication dated March 11, 1997)



WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\*

294TH JUDICIAL DISTRICT

FILED FOR RECORD  
96 JUN 18 PM 2:25  
NANCY YOUNG  
CLERK VAN ZANDT CO. TX.  
MOTION FOR RECUSAL AND DISQUALIFICATION  
=====SEP=====

COPY

BY \_\_\_\_\_

Cause 95-63 is not now, and never has been, a legitimate process, but only one aspect of the attempt of a powerful attorney to overwhelm me and steal from me by the misuse of his authority, aided and abetted by this Court, and another legal body which he has manipulated against me.

You and the Administrative District have refused to do your duty of policing and bringing this Court into compliance.

You have refused to enter my complaints of obstruction of process on the District's official agenda. I have entered SIX (6) petitions, motions, and complaints starting October 2, 1995, without receiving a single reply!

You have sneaked into a courtroom for a secret kangaroo hearing in support of cronies. You have not addressed the reason for my calling on the District, namely OBSTRUCTION OF PROCESS, and the reason for my motion of recusal, CRIMES IN THE COURT, and the refusal of judge Wallace to address crimes. There has been no notification of any kind from the District!

You and the District have had all the time in the world to act. Judge Zimmerman, you have failed to address what is before the Court. Your subsequent distancing yourself from the serious charges before the Court, by interposing one too close to those I have been complaining about robs me of process, procedure, and the right to be heard by an impartial judge.

I am unwilling to endure any more of this charade and put off.

It is obvious to anyone that the parties I have been complaining about should have been suspended long ago, and that the coverup reaches to the highest levels.

In light of the above, your immediate recusal and the disqualification, from Cause 95-63, of all judges and ex-judges of the First Administrative District is in order.

This the 10th day of June, 1996

*Original  
in back of  
file in order!*

Udo Birnbaum

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929



**TOMMY W. WALLACE**

**District Judge  
294th Judicial District**

**Betty Davis  
Court Administrator**

**121 East Dallas Street  
Room 301  
Canton, Texas 75103-1465  
903/567-4422  
FAX 903/567-5652  
July 16, 1997**

**NOTICE OF SETTING**

RE: No: 95-63  
William B. Jones  
VS.  
Udo Birnbaum

The above referenced cause has been set for hearing on  
July 22, 1997, at 1:00 P. M. by Honorable Pat McDowell.

Action as indicated: motion to recuse Honorable James  
Zimmermann.

By copy of this notice, I am notifying all the parties  
listed below.

Very truly yours,

*Betty Davis*

Betty Davis  
Court Administrator

cc: Richard Davis  
Certified Mediator  
301 S. Main  
Canton, Texas 75103

Richard L. Ray  
Attorney at Law  
300 S. Hwy. 19  
Canton, Texas 75103

Uno Birnbaum  
Rt. 1, Box 295  
Eustace, Texas 75124



FILED FOR RECORD NO.

95-63

97 JUL 22 PM 1:25

J. W. YOUNG  
DIST. CLERK VAN ZANDT CO. TX.

BY Jones DEP.

IN THE 294th DISTRICT

VS.

COURT OF VAN ZANDT

BIRNBAUM

COUNTY, TEXAS

**ORDER ON MOTION TO RECUSE**

A motion to recuse having been heard by me in the above styled and numbered cause and after considering the pleadings, evidence and argument thereon the Motion is

GRANTED/ DENIED.

~~The Court further finds that the Motion was brought solely for the purpose of delay and was without sufficient cause and the Plaintiff/ Defendant and/or Plaintiff's/Defendant's Counsel~~

~~\_\_\_\_\_ be ordered to pay attorneys' fees in the amount of \$ \_\_\_\_\_ to the non movant herein on or before~~

ORDERED THIS 22 DAY OF July, 1997

[Signature]

Judge Presiding

**JAMES ZIMMERMANN**

**DISTRICT JUDGE  
294th Judicial District Court**

**Betty Davis  
Court Administrator**

**121 East Dallas Street  
Room 301  
Canton, Texas 75103  
903/567-4422  
FAX 903/567-5652**

September 12, 1997

**NOTICE OF SETTING**

RE: No: 95-63  
William B. Jones  
VS.  
Udo Birnbaum

The above referenced cause has been set for hearing on October 28, 1997, at 9:00 A.M. Honorable James Zimmermann presiding.

Action as indicated: mediation or disposition of cause.

By copy of this notice, I am notifying all the parties listed below.

Very truly yours,



Betty Davis  
Court Administrator

cc: Richard Davis  
Certified Mediator  
301 S. Main  
Canton, Texas 75103

Richard L. Ray  
Attorney at Law  
300 S. Hwy. 19  
Canton, Texas 75103

Uno Birnbaum  
Rt. 1, Box 295  
Eustace, Texas 75124

WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\*

294TH JUDICIAL DISTRICT

DEFENDANT'S PLEADINGS OF DURESS BY FRAUDULENT PROCESS  
~~~~~

I, Udo Birnbaum, a citizen of this Country and this County, summoned before this Court by a totally fraudulent petition, now plead duress by official oppression and a fraudulent process.

From the beginning, I have complained of assault by fabrication. The discovery process, even though it was blocked and obstructed by multiple parties, has revealed a conspiracy in the Court, involving plots, threats, and cover-ups by the Court itself. I have provided this Court with ample evidence of violations of my rights. Now, after nearly three years, I have yet to get any protection.

This Court has disregarded my Constitutional right of equal protection under the law, by failure to address or refer my complaints of crimes. Because of the involvement of the Court itself, only the Justice department can rightfully address evidence of fraudulent process, duly entered before this Court.

ANY FURTHER COURT ACTION TO FORCE MY PARTICIPATION UNDER CAUSE 95-63 WOULD ONLY PROLONG MY PERSECUTION AND FURTHER PREJUDICE MY RIGHTS.

This the 28th day of July, 1997

Udo Birnbaum

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

Sent to be filed by:

\* Betty Davis, Court Administrator  
294th District Court  
121 East Dallas St., Room 301  
Canton, Texas 75103

Certified Mail:

P 246 619 386

Sent to be filed by:

\* First Administrative Judicial District  
Att.: Administrative Judge James Zimmerman  
George Allen Courts Bldg.  
600 Commerce, Rm. 611  
Dallas, Texas 75202

Certified Mail:

P 246 619 387

NO. 95-63

WILLIAM B. JONES

\* IN THE DISTRICT COURT

VS.

\* OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\* 294TH JUDICIAL DISTRICT

ORDER WITHDRAWING PRIOR ORDER OF MEDIATION

On this the 28th day of October, 1997, came on to be heard an oral request to withdraw the prior order of mediation and after considering the matter, it is

ORDERED that this previous order to mediate is withdrawn without the occurrence of such mediation and that all parties who have deposited a mediation fee with the Court appointed mediator shall be entitled to a refund from the mediator.

SIGNED on this the 28 day of October, 1997.

  
JUDGE JAMES ZIMMERMANN

FILED FOR RECORD  
97 OCT 28 PM 2:26  
MAYNOR & YOUNG  
DIST. CLERK VAN ZANDT CO. TX.  
BY \_\_\_\_\_ DEP.

COPY

WILLIAM B. JONES \*

IN THE DISTRICT COURT

FILED FOR RECORD

VS.

97 OCT 27 PM 4:40 \*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM <sup>ARBY YOUNG</sup> DIST. CLERK VAN ZANDT CO. TX.

294TH JUDICIAL DISTRICT

BY \_\_\_\_\_ DEP.

DEFENDANT'S RESPONSE TO THE SPONTANEOUS SETTING OF  
"ACTION AS INDICATED: MEDIATION OR DISPOSITION OF CAUSE"

DEFENDANT DECLARES READY FOR TRIAL

TO JUDGE JAMES B. ZIMMERMAN:

I, UDO BIRNBAUM, the Defendant, held in this Court now for nearly THREE years, give this my response to your setting of "action as indicated: mediation or disposition of cause", for October 23, 1997:

I.

Defendant has no counter-suit, and has been complaining of assault by attorney from the beginning. There is not now, and never has been anything to "mediate".

II.

The above setting, as all previous settings to force mediation, is the Attorney again speaking with the voice of the Court, to dispose of evidence of his fabrications and fraud, discovered and documented by this Cause.

III.

Attorney's control of the Court process is clearly indicated by his January 16, 1997 Court Order to press Defendant before his "mediator", by threat of judgment. Attorney was able to privately expedite and obtain

said Court Order, UNDER A BOGUS CAUSE, WITHOUT A WRITTEN REQUEST, AND WITHOUT A HEARING, all in blatant violation of Rule 21, Rules of Civil Procedure.

IV.

Said "mediator" withheld timely and crucial information, indicating he is indeed an agent for the attorney. His communication to YOU AS JUDGE, dated January 28, 1997, grossly misrepresents Defendant's objection as mere "correspondence", when in fact Defendant provided him unequivocal evidence that the Order had been obtained by fraud and under a bogus number. His continued use of the BOGUS number, as well as his supposed withdrawal as "mediator", as shown by the above instrument, clearly indicate that he was hurriedly trying to distance himself from these proceedings, and concealing that the Order was indeed BOGUS, and that he had known it all along.

V.

The Defendant has also reported retaliation against him by the misuse of other legal bodies.

VI.

For nearly three years, and to no avail, Defendant has sought judicial and administrative protection from a fabricated Cause and diversionary proceedings. The Court's failure to direct an inquiry and impose sanctions as required by Rule 13, Rules of Civil Procedure, indicates judicial failure to provide protection.

VII.

Defendant is therefore forced to seek vindication by a verdict of his peers, by showing unto the Court by jury trial, that the entire Cause before the Court is fraudulent.



VIII.

Now, after nearly three years of delay, justice cannot be served by either "mediation" or judicial "disposition of cause", and Defendant stands by his July 28, 1997 pleading, and his initial pleadings to the Court of February 9 and 15, 1995, demanding that these proceedings initiated against him, be resolved with NOTHING LESS THAN A JURY TRIAL by twelve of his peers.

IX.

Defendant is ready, willing, and able to present and defend his pleadings. Defendant has paid the jury fee. The applicable "Request for Setting Form" is on file.

NOW, WHEREFORE, PREMISES CONSIDERED, Defendant requests that this matter be set for trial in a timely manner.

This the 20th Day of October, 1997

Udo Birnbaum

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

although I have received notification that this mailing was received by the Court Administrator, I do not find it in the file at this time, 3:37 PM, October 27, 1997.

I provide this copy, to be sure the judge duly receives this, my response, to his setting for 9:00 AM, tomorrow October 28, 9:00 AM. Udo Birnbaum

**RICHARD L. RAY, P.C.**

A Professional Corporation  
Attorney at Law

300 S. TRADE DAYS BLVD.  
(300 S. HWY. 19)  
CANTON, TEXAS 75103

(903)567-2051  
(903)567-6101  
TELECOPIER: (903)567-6998

November 4th, 1997

Ms. Nancy Young  
Van Zandt County District Clerk  
2nd Floor, Courthouse  
Canton, Texas 75103

Dear Ms. Young:

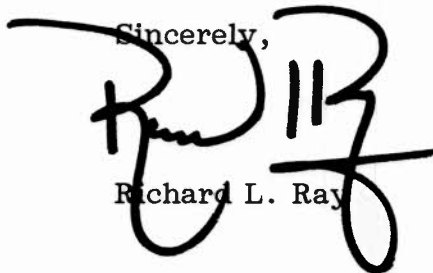
Re: Cause No. 95-63  
William B. Jones  
vs.  
Udo Birnbaum

Enclosed is Plaintiff's Notice to Take Oral Deposition in regard to the above referenced cause. I have also enclosed a copy of same which I would appreciate your file marking and returning to me.

By copy of this letter, a copy of the above referenced document is being provided Mr. Udo Birnbaum, via U.S. Certified Mail, Return Receipt Requested.

Thank you for your assistance in this matter.

Sincerely,



Richard L. Ray

RLR/ch

Enclosure

cc: Mr. Udo Birnbaum (P966 016 766)  
Mr. William Jones

FILED FOR RECORD  
97 NOV -5 AM 11:12  
NANCY YOUNG  
DIST. CLERK VAN ZANDT CO. TX.  
DEP.

CAUSE NO. 95-63

WILLIAM B. JONES

§  
§  
§  
§  
§

IN THE DISTRICT COURT OF

VS.

VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

294TH JUDICIAL DISTRICT

PLAINTIFF'S NOTICE TO TAKE ORAL DEPOSITION

TO THE HONORABLE JUDGE OF SAID COURT:

You will please take notice that Plaintiff, WILLIAM B. JONES, by and through his attorney of record, Richard L. Ray, will take the oral deposition of UDO BIRNBAUM on Wednesday morning, December 10th, 1997, at 9:00 a.m., at the Van Zandt County District Courtroom; 121 East Dallas; Canton, Texas 75103, and continuing until completion.

Said oral deposition is to occur pursuant to controlling guidelines of the Texas Rules of Civil Procedure before a certified shorthand reporter. A transcript of said oral deposition will be used at the time of trial for all purposes allowed under Texas Procedural and Substantive Rules.

FILED FOR RECORD  
97 NOV -5 AM 11:12  
NANALY YOUNG  
JIST. CLERK VAN ZANDT CO. TX.  
BY \_\_\_\_\_ DEP.

Respectfully submitted,

RICHARD L. RAY  
Attorney at Law, P.C.  
300 S. Trade Days Blvd.  
Canton, Texas 75103  
(903) 567-2051  
(903) 567-6998 (Fax)

BY: 

RICHARD L. RAY  
State Bar No. 16606300

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was delivered by certified mail, return receipt requested, No. P 966 016 766, to Defendant, Mr. Udo Birnbaum, at Rt. 1 Box 295; Eustace, Texas 75124, on this the 4<sup>th</sup> day of November, 1997.

  
RICHARD L. RAY

**RICHARD L. RAY, P.C.**

A Professional Corporation  
Attorney at Law

300 S. TRADE DAYS BLVD.  
(300 S. HWY. 19)  
CANTON, TEXAS 75103

(903)567-2051  
(903)567-6101  
TELECOPIER: (903)567-6998

November 4th, 1997

Ms. Nancy Young  
Van Zandt County District Clerk  
2nd Floor, Courthouse  
Canton, Texas 75103

Dear Ms. Young:

Re: Cause No. 95-63  
William B. Jones  
vs.  
Udo Birnbaum

Enclosed is Plaintiff's Notice to Take Oral Deposition in regard to the above referenced cause. I have also enclosed a copy of same which I would appreciate your file marking and returning to me.

By copy of this letter, a copy of the above referenced document is being provided Mr. Udo Birnbaum, via U.S. Certified Mail, Return Receipt Requested.

Thank you for your assistance in this matter.

Sincerely,

Richard L. Ray

RLR/ch  
Enclosure  
cc: Mr. Udo Birnbaum (P966 016 766)  
Mr. William Jones

**CAUSE NO. 95-63**

**WILLIAM B. JONES**

**VS.**

**UDO BIRNBAUM**

§  
§  
§  
§  
§

**IN THE DISTRICT COURT OF  
VAN ZANDT COUNTY, TEXAS  
294TH JUDICIAL DISTRICT**

**PLAINTIFF'S NOTICE TO TAKE ORAL DEPOSITION**

**TO THE HONORABLE JUDGE OF SAID COURT:**

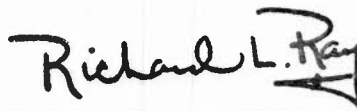
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Said oral deposition is to occur pursuant to controlling guidelines of the Texas Rules of Civil Procedure before a certified shorthand reporter. A transcript of said oral deposition will be used at the time of trial for all purposes allowed under Texas Procedural and Substantive Rules.

Respectfully submitted,

RICHARD L. RAY  
Attorney at Law, P.C.  
300 S. Trade Days Blvd.  
Canton, Texas 75103  
(903) 567-2051  
(903) 567-6998 (Fax)

BY:

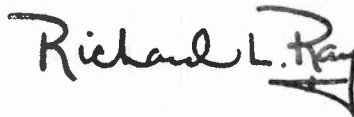


RICHARD L. RAY  
State Bar No. 16606300

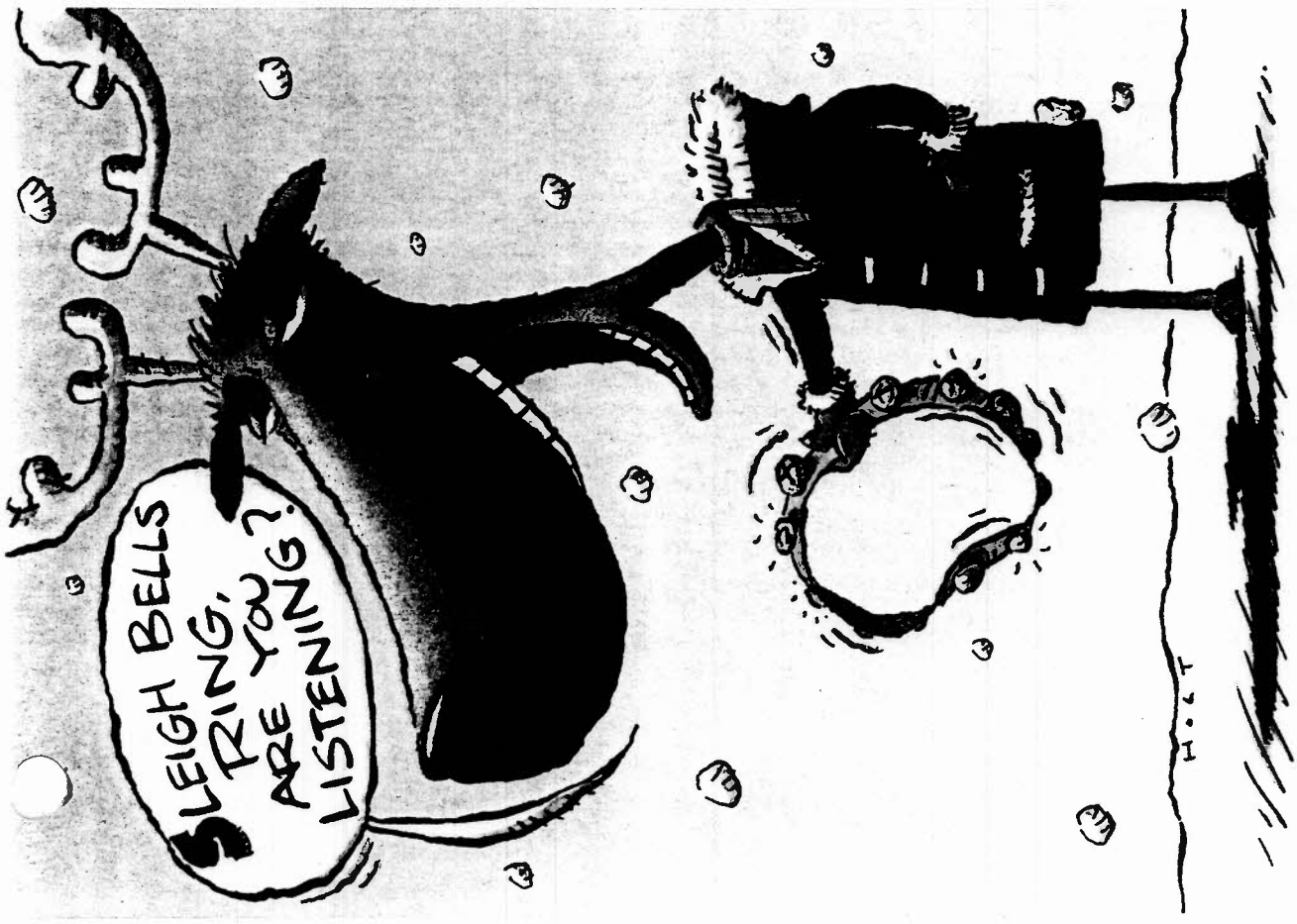
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was delivered by certified mail, return receipt requested, No. P 966 016 766, to Defendant, Mr. Udo Birnbaum, at Rt. 1 Box 295; Eustace, Texas 75124, on this the 4<sup>th</sup> day of November, 1997.



RICHARD L. RAY



YOU BETTER BE, OR YOU'LL  
GET YOUR BUTT RUN OVER.

Dear Ricky:

It is time to end these  
proceedings. If you were  
to draw up a simple motion,  
we could sign it jointly.

December 2, 1997

HAPPY HOLIDAYS

Alolo



WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\*

294TH JUDICIAL DISTRICT

JOINT MOTION FOR DISMISSAL  
~~~~~

Plaintiff, WILLIAM B. JONES, and Defendant, UDO BIRNBAUM, jointly  
move for dismissal of Cause 95-63.

This the \_\_\_\_\_ day of December, 1997

-----  
Udo Birnbaum

DEFENDANT

This the \_\_\_\_\_ day of December, 1997

-----  
William B. Jones

PLAINTIFF

December 8, 1997

Mr. Richard L. Ray  
300 S HWY 19  
Canton, Texas 75103

Re: Cause 95-63  
WILLIAM B. JONES  
VS.  
UDO BIRNBAUM

Dear Mr. Ray:

Please be advised that Louis Thibodeaux will be present at the time and place you have designated for the taking of my oral depositions: December 10th, 1997, at 9:00 a.m., at the Van Zandt County District Courtroom; 121 East Dallas; Canton, Texas 75103.

Sincerely,

*Udo Birnbaum*

Udo Birnbaum

Udo Birnbaum  
Rt. 1 Box 295  
Eustace, TX 75124

vs.

No.

DATE OF ORDERS

Month Day Year

1 22 91

2 9 98

ORDERS OF COURT

MINUTE BOOK

Vol. Page

109 170

Application for renewed depositions -  
 [Signature]  
 The reviewed  $\frac{1}{2}$  copy of Δ's pleading of  
 1/21/98 obtained - ~~summe~~

vs. No. \_\_\_\_\_

DATE OF ORDERS			ORDERS OF COURT	MINUTE BOOK	
Month	Day	Year		Vol.	Page
1	22	98	Motion for renewed demer-		
			<del>its</del>		
2	9	98	The reviewed $\frac{1}{2}$ copy of D's pleading of	109	176
			1/21/98 obtained - <del>same</del>		
2	23	98	Motion to renew demer <del>its</del>		
			was agreed at 9:10 - 9:15 (FDN 2/1)		
2	23	98	Cass called on M/Compd II pressur <del>its</del> ready		
			to discuss with you. Motion to Compd		
			denied. Jan 13 1999		

WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

FILED FOR RECORD

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

98 FEB -3 PM 2:32

294TH JUDICIAL DISTRICT

DEFENDANT'S RESPONSE TO BACKDATED SETTINGS:  
NANCY YOUNG  
CLERK VAN ZANDT CO. TX.

MOTION FOR RECUSAL OF ZIMMERMAN AND MCDOWELL  
===== DEP =====

Judge Zimmerman and Judge McDowell:

COPY

Both of you have contributed to the systematic rigging of the entire Court against the Defendant, to conceal the fraud upon the Court. Any proper action by the Court, the First Administrative Judicial District, or the District Attorney would have produced indictments.

The Court's personal priorities are again shown by the obstruction of my January 21, 1998 "Application for Order to Compel". The Court has BACKDATED another document, and is in total disregard of what is proper before the Court. My January 21, 1998 call for the District Attorney supersedes all Civil process and settings.

You have acquired "personal knowledge of disputed evidentiary facts concerning the proceeding", and have acquired a conflict of interest.

Per Rule 18b(2), Rules of Civil Procedure, both of your recusals are mandatory and in order.

This the 3rd day of February, 1998

Udo Birnbaum

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

CERTIFICATE OF SERVICE

~~~~~

I hereby certify that a true and correct copy of the foregoing was delivered by certified mail, return receipt requested, to the Plaintiff's attorney of record, Mr. Richard L. Ray, and the Court Administrator, Betty Davis, on this the 3rd day of February, 1997, as indicated below.

*Udo Birnbaum*  
UDO BIRNBAUM

Richard L. Ray  
300 S. Trade Days Blvd.  
Canton, Texas 75103

CERTIFIED:  
2 131 073 118

Betty Davis  
Court Administrator  
121 E. Dallas, Room 301 Courthouse  
Canton, TX 75103

CERTIFIED:  
2 131 073 119

FILED FOR RECORD

98 FEB -3 PM 2:32

MANCY YOUNG  
DIST. CLERK VAN ZANDT CO. TX.

BY:  DEP.

February 20, 1998

TO: BETTY DAVIS, Court Administrator  
121 East Dallas Street, Room 301  
Canton, Texas 75103-1465

CERTIFIED:  
Z 131 073 312

COPY: Thomas R. Phillips, Chief Justice  
The Supreme Court of Texas  
201 West 14th St., Room 104  
Austin, Texas 78701

CERTIFIED:  
Z 131 073 313

COPY: Richard L. Ray  
Attorney for the Plaintiff  
300 S. Trade Days Blvd.  
Canton, Texas 75103

CERTIFIED:  
Z 131 073 314

RE: MOTION FOR RECUSAL, CAUSE 95-63, 294TH DISTRICT COURT

The next judge should, of course, come through Chief Justice Phillips.  
I trust that complete documentation regarding assignment will be provided

Sincerely,

Udo Birnbaum

UDO BIRNBAUM  
PRO SE  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

FILED FOR RECORD  
98 FEB 20 PM 2:21  
NANCY YOUNG  
DIST. CLERK VAN ZANDI CO. TX.  
BY \_\_\_\_\_ DEP.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was sent by certified mail, return receipt requested, on this the 20<sup>th</sup> day of February, 1998, as indicated.

Udo Birnbaum  
UDO BIRNBAUM

Att.:

Motion for recusal, Cause 95-63, 294th District Court

February 20, 1998

TO: BETTY DAVIS, Court Administrator  
121 East Dallas Street, Room 301  
Canton, Texas 75103-1465

CERTIFIED:  
2 131 073 312

COPY: Thomas R. Phillips, Chief Justice  
The Supreme Court of Texas  
201 West 14th St., Room 104  
Austin, Texas 78701

CERTIFIED:  
2 131 073 313

COPY: Richard L. Ray  
Attorney for the Plaintiff  
300 S. Trade Days Blvd.  
Canton, Texas 75103

CERTIFIED:  
2 131 073 314

RE: MOTION FOR RECUSAL, CAUSE 95-63, 294TH DISTRICT COURT

The next judge should, of course, come through Chief Justice Phillips.  
I trust that complete documentation regarding assignment will be provided.

Sincerely,

Udo Birnbaum

UDO BIRNBAUM  
PRO SE  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

FILED FOR RECORD  
98 FEB 20 PM 2:21  
HAROLD YOUNG  
JIST. CLERK VAN ZANDT CO. IX.  
BY \_\_\_\_\_ DEP.

CERTIFICATE OF SERVICE  
~~~~~

I hereby certify that a true and correct copy of this document was sent by certified mail, return receipt requested, on this the 20<sup>th</sup> day of February, 1998, as indicated.

Udo Birnbaum  
UDO BIRNBAUM

Att.:  
Motion for recusal, Cause 95-63, 294th District Court  
(dated February 3, 1998)



WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\*

294TH JUDICIAL DISTRICT

DEFENDANT'S RESPONSE TO BACKDATED SETTINGS:

MOTION FOR RECUSAL OF ZIMMERMAN AND MCDOWELL  
=====

Judge Zimmerman and Judge McDowell:

Both of you have contributed to the systematic rigging of the entire Court against the Defendant, to conceal the fraud upon the Court. Any proper action by the Court, the First Administrative Judicial District, or the District Attorney would have produced indictments.

The Court's personal priorities are again shown by the obstruction of my January 21, 1998 "Application for Order to Compel". The Court has BACKDATED another document, and is in total disregard of what is proper before the Court. My January 21, 1998 call for the District Attorney supersedes all Civil process and settings.

You have acquired "personal knowledge of disputed evidentiary facts concerning the proceeding", and have acquired a conflict of interest.

Per Rule 18b(2), Rules of Civil Procedure, both of your recusals are mandatory and in order.

This the 3rd day of February, 1998

*Udo Birnbaum*

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was delivered by certified mail, return receipt requested, to the Plaintiff's attorney of record, Mr. Richard L. Ray, and the Court Administrator, Betty Davis, on this the 3rd day of February, 1997, as indicated below.

Udo Birnbaum  
UDO BIRNBAUM

Richard L. Ray  
300 S. Trade Days Blvd.  
Canton, Texas 75103

CERTIFIED:  
Z 131 073 118

Betty Davis  
Court Administrator  
121 E. Dallas, Room 301 Courthouse  
Canton, TX 75103

CERTIFIED:  
Z 131 073 119

FILED FOR RECORD  
98 FEB 23 AM 10:59  
NANCY YOUNG  
DIST. CLERK VAN ZANDT CO. TX.  
BY \_\_\_\_\_ DEP

WILLIAM B. JONES  
VS.  
UDO BIRNBAUM

\*  
\*  
\*

IN THE DISTRICT COURT  
OF VAN ZANDT COUNTY, TEXAS  
294TH JUDICIAL DISTRICT

DEFENDANT'S RESPONSE TO BACKDATED SETTINGS:

MOTION FOR RECUSAL OF ZIMMERMAN AND MCDOWELL  
=====

Judge Zimmerman and Judge McDowell:

Both of you have contributed to the systematic rigging of the entire Court against the Defendant, to conceal the fraud upon the Court. Any proper action by the Court, the First Administrative Judicial District, or the District Attorney would have produced indictments.

The Court's personal priorities are again shown by the obstruction of my January 21, 1998 "Application for Order to Compel". The Court has BACKDATED another document, and is in total disregard of what is proper before the Court. My January 21, 1998 call for the District Attorney supersedes all Civil process and settings.

You have acquired "personal knowledge of disputed evidentiary facts concerning the proceeding", and have acquired a conflict of interest.

Per Rule 18b(2), Rules of Civil Procedure, both of your recusals are mandatory and in order.

This the 3rd day of February, 1998

*Udo Birnbaum*

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was delivered by certified mail, return receipt requested, to the Plaintiff's attorney of record, Mr. Richard L. Ray, and the Court Administrator, Betty Davis, on this the 3rd day of February, 1997, as indicated below.

Udo Birnbaum  
UDO BIRNBAUM

Richard L. Ray  
300 S. Trade Days Blvd.  
Canton, Texas 75103

CERTIFIED:  
Z 131 073 118

Betty Davis  
Court Administrator  
121 E. Dallas, Room 301 Courthouse  
Canton, TX 75103

CERTIFIED:  
Z 131 073 119

January 21, 1998

Betty Davis  
Court Administrator  
121 E. Dallas, Room 301  
Canton, TX 75103

"REQUEST FOR SETTING FORM"

294TH JUDICIAL DISTRICT COURT - VAN ZANDT COUNTY

CAUSE NO: 95-63

STYLE OF CASE: William B. Jones vs. Udo Birnbaum

JURY/NON-JURY (circle one) Non-jury

NATURE/TYPE OF HEARING: Application for Court Order

MONTH REQUESTED SET: First Available Docket

COURT TIME REQUIRED: 5 Minutes

PLTF'S ATTORNEY & ADDRESS: Richard L. Ray  
300 S. Trade Days Blvd.  
Canton, TX 75103

DEFENDANT & ADDRESS: Udo Birnbaum  
Rt. 1, Box 295  
Eustace, TX 75124

The undersigned hereby certifies that his pleadings are in order, and that all counsel in the case are listed above and that copy of this request has been furnished all counsel.

Aldo Birnbaum  
PARTY REQUESTING SETTING

List all parties and addresses requiring notice:

Udo Birnbaum  
Rt. 1, Box 295  
Eustace, TX 75124

FILED FOR RECORD  
98 JAN 23 AM 8:58  
NANCY YOUNG  
DIST. CLERK VAN ZANDT CO. TX

BY \_\_\_\_\_

Richard L. Ray  
300 S. Trade Days Blvd.  
Canton, TX 75103

WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\*

294TH JUDICIAL DISTRICT

DEFENDANT'S APPLICATION FOR ORDER TO COMPEL

COPY

TO JUDGE JAMES B. ZIMMERMAN:

I, UDO BIRNBAUM, petition this Court for an Order, to compel the District Attorney of this County, to officially present to the Grand Jury my complaints of crimes.

Plaintiff has produced a fraudulent transcript of December 10, 1997 oral depositions, and it is time for the District Attorney to bring an end to this oppression. Defendant has pleadings of duress before both this Court and the First Administrative Judicial District.

WHEREFORE, Defendant petitions this Court to issue such ORDER upon LESLIE P. DIXON, District Attorney, Van Zandt County.

I certify that copy of this application, and the request for a hearing thereon, has this day been served by Certified Mail, return receipt requested, on the Plaintiff's Attorney of record, Richard L. Ray, at 300 S. Trade Days Blvd., Canton, Texas 75103.

This the 21st Day of January, 1998

Udo Birnbaum

UDO BIRNBAUM  
PRO SE  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

FILED FOR RECORD

98 JAN 23 AM 9:56

HARVEY YOUNG  
DIST. CLERK VAN ZANDT CO. TX.

BY \_\_\_\_\_ DEP.



**JAMES ZIMMERMANN**  
**DISTRICT JUDGE**  
**294th Judicial District Court**

**Betty Davis**  
**Court Administrator**

**121 East Dallas Street**  
**Room 301**  
**Canton, Texas 75103**  
**903/567-4422**  
**Fax 903/567-5652**  
**January 26, 1998**

RE: No: 95-63  
William B. Jones  
VS:  
Udo Birnbaum

**JURY TRIAL NOTICE**

This Schedule is Established for Disposition of this Case:

No later than February 16, 1998, the parties shall submit:

1. A list of all exhibits and portions of dispositions to be offered at trial: and
2. Their requested jury instructions and issues with appropriate citation for source, if jury fee paid. If not, then their requested findings of fact and conclusions of law.

The referenced cause is set for trial by jury on  
February 23, 1998, at 9:00 A.M.

By copy of this notice, I am notifying all the parties listed below.

Very truly yours,

A handwritten signature in cursive script that reads "Betty Davis".

**Betty Davis**  
**Court Administrator**

cc: **Richard Ray**  
**Attorney at Law**  
**300 S. Hwy. 19, Trades Day Blvd.**  
**Canton, Texas 75103**

**Udo Birnbaum**  
**R.t 1, Box 295**  
**Eustace, Texas 75124**



**JAMES ZIMMERMANN**  
**DISTRICT JUDGE**  
**294th Judicial District Court**

**Betty Davis**  
**Court Administrator**

**121 East Dallas Street**  
**Room 301**  
**Canton, Texas 75103**  
**903/567-4422**  
**Fax 903/567-5652**  
**January 26, 1998**

**NOTICE OF SETTING**

**RE: No: 95-63**  
**William B. Jones**  
**VS.**  
**Udo Birnbaum**

The above referenced cause has been set for hearing on February 23, 1998, at 9:00 A.M. Honorable James Zimmermann presiding.

Action as indicated: Defendant's application for order to compel.

By copy of this notice, I am notifying all the parties listed below.

Very truly yours,

*Betty Davis*

**Betty Davis**  
**Court Administrator**

**cc: Richard L. Ray**  
**Attorney at Law**  
**300 S. Hwy. 19**  
**Canton, Texas 75103**

**Uno Birnbaum**  
**Rt. 1, Box 295**  
**Eustace, Texas 75124**





# First Administrative Judicial Region

**PAT McDOWELL**  
*Presiding Judge*

133 N. Industrial Blvd., LB 50  
Dallas, Texas 75207

Telephone  
(214) 653-2943  
Fax (214) 653-2957

*Administrative Assistant*  
**SANDY HUGHES**

*Office Manager*  
**GEORGE COWART**

February 23, 1998

Mr. Udo Birnbaum  
Rt. 1, Box 295  
Eustace, Texas, 75124

Re: 95-63 Jones v. Birnbaum # 95-63 Van Zandt County, Texas

Dear Mr. Birnbaum:

I denied your previously filed Motion seeking to remove Judge Zimmermann and apparently seeking to remove me as well from any connection with this case.

You did not appear this morning to present anything in support of the Motion. Further it presents no grounds which would support a recusal or disqualification. Finally it is not procedurally sufficient.

After I returned to Dallas Ms. Davis faxed me another motion you apparently had filed and which was not opened until later Monday morning. I read it and except that the date you signed it is more recent than the first one, it does not present anything for review and is also denied.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Pat McDowell".

Pat McDowell

cc: 294th District Court



# JAMES ZIMMERMANN

**DISTRICT JUDGE  
294th Judicial District Court**

**Betty Davis  
Court Administrator**

**121 East Dallas Street  
Room 301  
Canton, Texas 75103  
903/567-4422  
Fax 903/567-5652**

**February 26, 1998**

RE: No: 95-63  
William B. Jones  
VS:  
Udo Birnbaum

## JURY TRIAL NOTICE

This Schedule is Established for Disposition of this Case:

No later than May 19, 1998, the parties shall submit:

1. A list of all exhibits and portions of dispositions to be offered at trial: and
2. Their requested jury instructions and issues with appropriate citation for source, if jury fee paid. If not, then their requested findings of fact and conclusions of law.

The referenced cause is set for trial by jury on  
May 26, 1998, at 9:00 A.M.

By copy of this notice, I am notifying all the parties listed below.

Very truly yours,

A handwritten signature in cursive script that reads "Betty Davis".

Betty Davis  
Court Administrator

cc: Richard Ray  
Attorney at Law  
300 S. Hwy. 19, Trades Day Blvd.  
Canton, Texas 75103

Udo Birnbaum  
R.t 1, Box 295  
Eustace, Texas 75124

CERTIFIED:

April 14, 1998

2 131 075 283

TO: BETTY DAVIS, Court Administrator  
121 East Dallas Street, Room 301  
Canton, Texas 75103-1465

RE: TAMPERING WITH SETTINGS OF PROCESS

You have personally and officially witnessed, and may even have inadvertently participated in, the latest surprise and unannounced process.

You, as an officer of the Court, should have called upon the District Attorney, and certainly should not have issued any more process, until you had been provided with an official finding.

I therefore call upon you to correct and rescind the latest setting, and to notify me of status.

No setting of hearing is requested, or appropriate.

Sincerely,

Udo Birnbaum

UDO BIRNBAUM

Udo Birnbaum  
Route 1, Box 295  
Eustace, TX 75124  
(903) 479-3929

CERTIFIED:

2 131 075 476

May 4, 1998

TO: **BETTY DAVIS, Court Administrator**  
121 East Dallas Street, Room 301  
Canton, Texas 75103-1465

RE: TAMPERING WITH SETTINGS OF PROCESS

I have yet to receive any response pertaining to my requests to you dated February 20, 1998 and April 14, 1998.

You have officially witnessed the recent unannounced process, and the blatant abuse of position and power, to deny me the protection of the law. My pleadings of crimes and call for the district attorney have precedence over Cause and settings.

There is a clear pattern of someone running roughshod over me and rigging settings and process.

It is high time for you to report to the district attorney, what you, as an Officer of the Court, have personally and officially witnessed.

Sincerely,

Udo Birnbaum

UDO BIRNBAUM

Udo Birnbaum  
Route 1, Box 295  
Eustace, TX 75124

WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\*

294TH JUDICIAL DISTRICT

INSTRUCTIONS TO CLERK OF COURT:

INSTRUCTION TO HAVE SUBPOENA DUCES TECUM SERVED  
~~~~~

Extraordinary circumstances require that you, NANCY YOUNG, Clerk of Court, issue and have served by the Sheriff, subpoenas duces tecum, upon judges JAMES B. ZIMMERMAN, and PAT MCDOWELL, to appear as WITNESSES at the trial of this Cause, and to PRODUCE and PROVIDE the following:

1. All documents pertaining to their official disposition of Defendant's sworn complaints provided each of them at the First Administrative Judicial Region, starting on October 2, 1995.
2. Their official disposition regarding Defendant's July 28, 1997 pleadings.

Both witnesses are represented to reside within one hundred miles of this Court, but can be more easily served at this Courthouse or at the First Administrative Judicial Region, 133 N. Industrial Blvd., LB 50, Dallas, Texas 75207, by your coordinating with the Sheriff.

Such subpoenas to be made returnable immediately. Upon completion of service, I would appreciate your filing the Sheriff's Return and notifying me of such return.

Payment of \$116.00 is for costs of subpoena and service. Please provide a receipt.

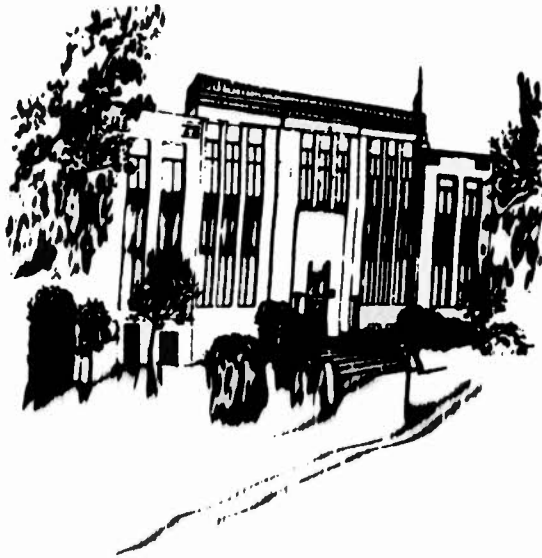
This the 14th Day of May, 1998

Udo Birnbaum

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

NANCY YOUNG  
DISTRICT CLERK

121 E. Dallas St.  
Courthouse - Room 302  
Canton, Texas 75103



## County of Van Zandt

294th Judicial District  
Phone 903-567-6576

May 15, 1998

Mr. Udo Birnbaum  
Route # 1 Box 295  
Eustace, Texas 75124

Re: William B. Jones

Vs. Cause No. 95-63

Udo Birnbaum

Dear Mr. Birnbaum,

Enclosed is your receipt in the amount of \$116.00 for issuing Subpoenas Duces Tecum to Judge James B. Zimmerman and Judge Pat McDowell. The subpoenas were issued today May 15, 1998 at 9:09 Am. The Van Zandt County Sheriff's office will pick these up today for service.

Sincerely,

Nancy Young  
District Clerk, Van Zandt  
County, Texas

enc.

Certified Mail - #P 246 629 333

May 18, 1998

TO:

Thomas R. Phillips, Chief Justice  
The Supreme Court of Texas  
201 West 14th St., Room 104  
Austin, Texas 78701

CERTIFIED:

P 246 624 443

COPY:

BETTY DAVIS, Court Administrator  
294th District Court  
121 East Dallas Street, Room 301  
Canton, Texas 75103-1465

CERTIFIED:

P 246 624 444

Re: Assignment of judge for recusal hearing  
Cause 95-63, 294th District Court  
~~~~~

Your Honor:

I have yet to receive a reply to my April 3, 1998 inquiry to you, and in my defense I am compelled to officially declare judges James B. Zimmerman and Pat McDowell to be witnesses.

I have been denied the protection of the Court from a three year barrage of fraudulent documents and settings, and require the judges' testimony to show how and why the trial was set, despite the evidence provided to both of them.

Subpoenas Duces Tecum were issued on May 15, 1998 per Instructions (attached). By copy to the Court Administrator I am also serving notice upon both judges.

Regarding assignment, I plead for someone independant to address the fraud upon the Court and bring an end to the rigging.

Sincerely,

Udo Birnbaum

UDO BIRNBAUM  
PRO SE DEFENDANT

Attachment:

Instructions to Clerk of Court

May 14, 1998

Udo Birnbaum  
Rt. 1 Box 295  
Eustace, Texas 75124  
(903) 479-3929

WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\*

294TH JUDICIAL DISTRICT

MOTION TO QUASH SUBPOENA  
~~~~~

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Movant, Louis Thibodeaux, longtime mutual counsel with the Defendant, and moves the Court to quash the subpoena issued in the above-numbered and styled cause directing movant to appear as a witness in said cause, and in support thereof would show this Honorable Court the following:

I.

Movant is a longtime mutual counsel with the Defendant, and while acting in this capacity on this day, May 26, 1998, in the Courtroom of the 294th District Court, was served there with a subpoena to testify for the Plaintiff in the above-numbered and styled cause.

II.

There has been no showing that movant's testimony is material in the trial of said cause. Movant should not be required to appear until there is a showing that the discovery sought by the Plaintiff cannot be had by alternate sources, and could not have been done at a more appropriate time by deposition.



III.

Movant is a person whose presence is shown by a party to be essential to the presentation of the cause.

WHEREFORE, PREMISES CONSIDERED, Louis Thibodeaux respectfully prays that the Court enter an order quashing the subpoena requiring him to appear and present evidence in the above-numbered and styled cause.



Louis Thibodeaux  
PRO SE  
Rt. 4, Box 4243  
Athens, Texas 75751

CERTIFICATE OF SERVICE  
~~~~~

I hereby certify that a true and correct copy of this document was mailed, U. S. Mail, to Richard Ray, 300 S. Hwy. 19, Canton, Texas on this the 27<sup>th</sup> day of May, 1998.



Louis Thibodeaux



DALLAS COUNTY  
STAFF ATTORNEYS  
CRIMINAL DISTRICT COURTS

May 22, 1998

Mr. Udo Birnbaum  
Rt. 1, Box 295  
Eustace, Texas 75124

Re: **Jones v. Birnbaum**  
Cause No. 95-63

Dear Mr. Birnbaum:

Enclosed is a copy of a Motion to Quash Subpoena which has been filed on Judge Pat McDowell's behalf.

Sincerely,

A handwritten signature in cursive script that reads "Kerry W. Young".

Kerry W. Young  
Attorney for Judge McDowell

KWY:cjr

Enclosure

WILLIAM B. JONES  
vs.  
UDO BIRNBAUM

*Subpoena issued*  
FOR RECORD

98 MAY 15 \* AM 9:09

NANCY YOUNG  
DIST. CLERK VAN ZANDT CO. TX.

BY *Ny* DEP.

IN THE DISTRICT COURT  
OF VAN ZANDT COUNTY, TEXAS  
294TH JUDICIAL DISTRICT

INSTRUCTIONS TO CLERK OF COURT:

INSTRUCTION TO HAVE SUBPOENA DUCES TECUM SERVED

Extraordinary circumstances require that you, NANCY YOUNG, Clerk of Court, issue and have served by the Sheriff, subpoenas duces tecum, upon judges JAMES B. ZIMMERMAN, and PAT MCDOWELL, to appear as WITNESSES at the trial of this Cause, and to PRODUCE and PROVIDE the following:

1. All documents pertaining to their official disposition of Defendant's sworn complaints provided each of them at the First Administrative Judicial Region, starting on October 2, 1995.
2. Their official disposition regarding Defendant's July 28, 1997 pleadings.

Both witnesses are represented to reside within one hundred miles of this Court, but can be more easily served at this Courthouse or at the First Administrative Judicial Region, 133 N. Industrial Blvd., LB 50, Dallas, Texas 75207, by your coordinating with the Sheriff.

Such subpoenas to be made returnable immediately. Upon completion of service, I would appreciate your filing the Sheriff's Return and notifying me of such return.

Payment of \$116.00 is for costs of subpoena and service. Please provide a receipt.

This the 14th Day of May, 1998

FILED FOR RECORD  
98 MAY 14 AM 4:07  
NANCY YOUNG  
DIST. CLERK VAN ZANDT CO. TX.  
BY *K. Mellab* DEP.

*Udo Birnbaum*

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

CAUSE NO. 95-63

WILLIAM B. JONES

VS.

UDO BIRNBAUM

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IN THE 294TH JUDICIAL

DISTRICT COURT

VAN ZANDT COUNTY, TEXAS

MOTION TO QUASH SUBPOENA

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Movant, Pat McDowell, Presiding Judge of the First Administrative Judicial Region of Texas, and moves the Court to quash the subpoena issued in the above-numbered and styled cause directing movant to appear as a witness in said cause, and in support thereof would show this Honorable Court the following:

I.

Movant is the Presiding Judge of the First Administrative Judicial Region of Texas and has been served with a subpoena duces tecum for the production of records pertaining to recusal motions filed in the above-numbered and styled cause. A copy of the subpoena is attached hereto.

II.

There has been no showing that any portion of the subpoenaed records are relevant or admissible in the trial of said cause.

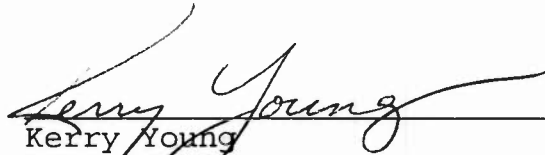
III.

There has been no showing that any portion of the subpoenaed records are material or favorable to the defendant in this cause.

IV.

All records relating to the filing of the recusal motions, the assignment of judges to hear the motions, and the disposition of the motions which are in the possession of the movant, are also contained in the file of this case maintained by the clerk of the Court. Movant should not be required to appear until there is a showing that the requested records contain relevant and admissible evidence which is not discoverable through alternate sources.

WHEREFORE, PREMISES CONSIDERED, Judge Pat McDowell, respectfully prays that the Court enter an order quashing the subpoena requiring him to appear and present evidence in the above-numbered and styled cause.



Kerry Young  
133 N. Industrial Blvd. - LB-7  
Dallas, Texas 75207  
(214) 853-5724  
State Bar No. 22199600

Attorney for Judge Pat McDowell

CAUSE NO. 95-63

WILLIAM B. JONES

VS,

UDO BIRNBAUM

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IN THE 294TH JUDICIAL

DISTRICT COURT

VAN ZANDT COUNTY, TEXAS

ORDER

The Court having considered the Motion to Quash Subpoena filed by Judge Pat McDowell, Presiding Judge of the First Administrative Judicial Region of Texas, and the Court being of the opinion that the said motion should in all things be Granted;

**IT IS THEREFORE ORDERED** that the Motion to Quash Subpoena of Judge Pat McDowell is in all things GRANTED and Judge Pat McDowell is hereby released from said subpoena.

**SIGNED** this \_\_\_\_\_ day of May, 1998.

\_\_\_\_\_  
Judge Presiding

CAUSE NO. 95-63

WILLIAM B. JONES

VS.

UDO BIRNBAUM

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IN THE 294TH JUDICIAL

DISTRICT COURT

VAN ZANDT COUNTY, TEXAS

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing motion was mailed to the defendant, U. S. Mail, postage prepaid, this 22nd day of May, 1998.

---

Attorney for Judge Pat McDowell

ATTORNEY OR PERSON REQUESTING ISSUANCE

Nancy Young, District Clerk, District Clerk  
121 E. Dallas St. Courthouse Room 302 Name

Udo Birnbaum, Pro Se For Defendant

Route # 1 Box 295 Name

Canton,

TX

75103 Address

Eustace,

TX

751254 Address

Phone: (903) 479-3929

THE STATE OF TEXAS Attorney for Plaintiff:

**SUBPOENA**

Richard L. Ray  
300 S. Trade Days Blvd.  
Canton, Texas 75103  
(903) 567-2051

NO. 95-63

William B. Jones

vs. Udo Birnbaum

**TO ANY SHERIFF, CONSTABLE, OR BY ANY OTHER PERSON WHO IS NOT A PARTY AND IS NOT LESS THAN EIGHTEEN YEARS OF AGE, OF THE STATE OF TEXAS, GREETING:**

YOU ARE HEREBY COMMANDED TO SUMMON Judge James B. Zimmerman, First Administrative Judicial Region, 133 N. Industrial Blvd., LB 50, Dallas, Texas 75207

(See copy attached of "Instructions To Clerk of Court: Instruction To have Subpoena Duces Tecum Served")

to be and personally appear at Instanten'clock \_\_\_\_\_ M., on the Instanten day of \_\_\_\_\_, 19 \_\_\_\_\_; before the Honorable 294th. Judicial District Court of Van Zandt County, Texas, to be held within and for said County at the Court House thereof, in Canton, Texas, then and there to testify and the truth to speak on behalf of the Defendant, Udo Birnbaum in the above styled and numbered cause, now pending in said Court, and there to remain from day to day, and from term to term, until discharged by said Court. Said above named witness(s) is further commanded to produce at said time and place above set forth the following books, papers, documents or other tangible things, to wit: <sup>2</sup>

1. All documents pertaining to their official disposition of Defendant's sworn complaints provided each of them at the First Administrative Judicial Region, starting October 2, 1995.
2. Their official disposition regarding Defendant's July 28, 1997 pleadings.  
(See copy of Instructions To Clerk of Court: Instruction To Have Subpoena Duces Tecum Served)

HEREIN FAIL NOT, and make due return hereof, showing how you have executed the same.

Issued and given under my hand and seal of said Court at office, this the 15th day of May, 19 98

Nancy Young  
Nancy Young  
District Clerk, Van Zandt County, Texas

By: \_\_\_\_\_ Deputy

**RETURN**

Came to hand the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and executed the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., by delivering to the within named \_\_\_\_\_ at \_\_\_\_\_ in \_\_\_\_\_ County, Texas, in person, a true copy of this Subpoena, and tendering said witness the sum of \$ \_\_\_\_\_

FEES:

THIS COPY OF CITATION WAS  
DELIVERED TO YOU ON  
20 DAY OF May 19 98  
JIM BOWLES, Sheriff  
Dallas County, Texas  
[Signature]  
Deputy

\_\_\_\_\_  
(Sheriff, Constable, Citizen)  
\_\_\_\_\_  
County, Texas

By: \_\_\_\_\_ Deputy

**ACCEPTANCE OF SERVICE**

The undersigned witness named in the Subpoena accepts and waives service of such Subpoena.

acknowledges receipt of a copy thereof and hereby





# DALLAS COUNTY

STAFF ATTORNEYS  
CRIMINAL DISTRICT COURTS

May 22, 1998

Mr. Udo Birnbaum  
Rt. 1, Box 295  
Eustace, Texas 75124

Re: **Jones v. Birnbaum**  
Cause No. 95-63

Dear Mr. Birnbaum:

Enclosed is a copy of a Motion to Quash Subpoena which has been filed on Judge Pat McDowell's behalf.

Sincerely,

A handwritten signature in cursive script that reads "Kerry W. Young".

Kerry W. Young  
Attorney for Judge McDowell

KWY:cjr

Enclosure

WILLIAM B. JONES FILED FOR RECORD\*

IN THE DISTRICT COURT

VS.

93 MAY 26 AM 8:10

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

HANG YOUNG \*  
DIST. CLERK VAN ZANDT CO. TX.

294TH JUDICIAL DISTRICT

BY \_\_\_\_\_ DEP.

DEFENDANT'S RESPONSE TO MOTION TO QUASH SUBPOENA OF MCDOWELL:

EVIDENCE NOT DISCOVERABLE THROUGH ALTERNATE SOURCES

TO THE HONORABLE JUDGE OF SAID COURT:

Defendant's extraordinary pleadings of July 28, 1997 warrant any inconvenience caused on the party subpoenaed to provide live testimony before the jury. In response to the above motion, Defendant would show this Court the following:

I.

Defendant is a citizen and of this County, and has properly served a subpoena duces tecum upon Judge Pat McDowell of the First Administrative Judicial Region of Texas.

II.

Defendant is pleading duress by official oppression and a fraudulent process, and the subpoenaed documents and testimony are relevant, and therefore admissible in the trial of said cause.

III.

The subpoenaed documents and testimony are material to the Defendant. The evidence is not discoverable through alternate sources, and has been blocked as indicated in the pleadings, and also would not have the weight of testimony by the Judge under examination directly before the jury.

IV.

The Judge's motion wrongly portrays the subpoena duces tecum to pertain to "records relating to the filing of the recusal motions, etc.", when the subpoena issued upon the Judge clearly shows which documents are to be produced. The Judge's motion does not address the special knowledge he has regarding the documents in categories 1 and 2 of the subpoena, and regarding the findings and official actions upon Defendant's extraordinary complaints and pleadings of fraudulent process.

V.

The granting of the Judge's motion, without an official inquiry into the above matters, would leave the Defendant at the mercy of private actions, and maintain the official oppression. The Court has no investigative capability.

WHEREFORE, PREMISES CONSIDERED, Defendant UDO BIRNBAUM pleads for the Court to rule and order that Judge Pat McDowell appear for trial, without any further ado, as summoned by the subpoena duces tecum.

Udo Birnbaum

UDO BIRNBAUM  
PRO SE DEFENDANT  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

CERTIFICATE OF SERVICE  
~~~~~

I hereby certify that a true and correct copy of this document was mailed, U. S. Mail, to Judge Pat McDowell, Presiding Judge, First Administrative Judicial Region, 133 N. Industrial Blvd., LB 50, Dallas, Texas 75207, on this the 26th day of May, 1998.

Udo Birnbaum

Udo Birnbaum

May 26, 1998

Nancy Young, District Clerk  
294th District Court  
121 E. Dallas St. Rm. 302  
Canton, TX 75103

FILED FOR RECORD

98 MAY 26 AM 8:10

NANCY YOUNG  
DIST. CLERK VAN ZANDT CO. TX.

Re: Jury Array, 294th District Court, Canton, TX. BY \_\_\_\_\_ DEP.

Pertaining to my earlier inquiry regarding your jury arrays:

You indicated that the jury wheel is actually a software implementation, and that this software is controlled by someone outside of the County.

You also indicated that the list can be modified by editing on your end.

I request specific assurance that the jury wheel has not been tampered with, and that the array has not been derived from a preferred list.

Sincerely,

*Udo Birnbaum*

UDO BIRNBAUM  
DEFENDANT

Reference:

to Nancy Young District Clerk:  
re: Altering of File etc.

June 21, 1996

Udo Birnbaum  
Rt. 1 Box 295  
Eustace, Texas 75124

**WILLIAM B. JONES**

VS.

UDO BIRNBAUM

\*  
\*  
\*

IN THE DISTRICT COURT  
OF VAN ZANDT COUNTY, TEXAS  
294TH JUDICIAL DISTRICT

**DEFENDANT'S APPLICATION FOR ORDER TO COMPEL**  
-----

TO JUDGE JAMES B. ZIMMERMAN:

I, UDO BIRNBAUM, petition this Court for an Order, to compel the District Attorney of this County, to officially present to the Grand Jury my complaints of crimes.

Plaintiff has produced a fraudulent transcript of December 10, 1997 oral depositions, and it is time for the District Attorney to bring an end to this oppression. Defendant has pleadings of duress before both this Court and the First Administrative Judicial District.

WHEREFORE, Defendant petitions this Court to issue such ORDER upon LESLIE P. DIXON, District Attorney, Van Zandt County.

I certify that copy of this application, and the request for a hearing thereon, has this day been served by Certified Mail, return receipt requested, on the Plaintiff's Attorney of record, Richard L. Ray, at 300 S. Trade Days Blvd., Canton, Texas 75103.

This the 21st Day of January, 1998

*Udo Birnbaum*

UDO BIRNBAUM  
PRO SE  
RT. 1, BOX 295  
EUSTACE, TEXAS 75124  
(903) 479-3929

FILED FOR RECORD

98 JAN 23 AM 9:56

NANCY YOUNG  
JST. CLERK VAN ZANDT CO. TX.

BY \_\_\_\_\_ DEP.

CERTIFIED:

April 14, 1998

2 131 075 283

TO: BETTY DAVIS, Court Administrator  
121 East Dallas Street, Room 301  
Canton, Texas 75103-1465

RE: TAMPERING WITH SETTINGS OF PROCESS

You have personally and officially witnessed, and may even have inadvertently participated in, the latest surprise and unannounced process.

You, as an officer of the Court, should have called upon the District Attorney, and certainly should not have issued any more process, until you had been provided with an official finding.

I therefore call upon you to correct and rescind the latest setting, and to notify me of status.

No setting of hearing is requested, or appropriate.

Sincerely,

Udo Birnbaum

UDO BIRNBAUM

Udo Birnbaum  
Route 1, Box 295  
Eustace, TX 75124  
(903) 479-3929

FILED FOR REC'D  
98 APR 16 AM 11:3  
NANCY YOUNG  
DIST CLERK VAN ZANDT C  
BY \_\_\_\_\_

FILED FOR RECORD NO. 95-63

WILLIAM B. JONES

VS.

UDO BIRNBAUM

98 MAY 26 AM 9:14

NANCY YOUNG  
DIST. CLERK VAN ZANDT CO. TX.

BY \_\_\_\_\_ DEP.

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IN THE DISTRICT COURT OF  
VAN ZANDT COUNTY, TEXAS  
294TH JUDICIAL DISTRICT

**EXHIBIT LIST**

1. Jones deed;
2. Birnbaum deed;
3. Jones' photographs of land;
4. Epperson release form;
5. Demand notice letter to Birnbaum (12/07/94);
6. Birnbaum deposition (entire deposition);
7. Birnbaum Christmas card;
8. TNRCC correspondence and response;
9. Board of Disciplinary proceedings; and
10. Written discovery, interrogatories and admissions.

WILLIAM B. JONES, Plaintiff

By: Richard L. Ray  
of counsel

RICHARD L. RAY  
ATTORNEY AT LAW, P.C.  
300 S. TRADE DAYS BLVD.  
CANTON, TEXAS 75103  
903/567-2051  
903/567-6998 (Fax)

STATE BAR NO. 16606300

ATTORNEY FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been given, via hand delivery, on this the 26<sup>th</sup> day of May, 1998, to Mr. Udo Birnbaum; Rt. 1 Box 295, Eustace, Texas 75124.

*Richard L. Ray*

---

RICHARD L. RAY



NO. 95-63

FILED FOR RECORD

98 MAY 26 AM 9:14

WILLIAM B. JONES

VS.

UDO BIRNBAUM

NANCY YOUNG  
DIST. CLERK VAN ZANDT CO. TX.

BY \_\_\_\_\_ DEP.

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IN THE DISTRICT COURT OF  
VAN ZANDT COUNTY, TEXAS  
294TH JUDICIAL DISTRICT

WITNESS LIST

- 1. William B. Jones
- 2. Roy Phillips
- 3. Ignacio Leos
- 4. Richard L. Ray (attorney fees)
- 5. Steve Epperson
- 6. Louis Thibodeaux (*adverse witness*)

WILLIAM B. JONES, Plaintiff

By: Richard L. Ray  
of counsel

RICHARD L. RAY  
ATTORNEY AT LAW, P.C.  
300 S. TRADE DAYS BLVD.  
CANTON, TEXAS 75103  
903/567-2051  
903/567-6998 (Fax)

STATE BAR NO. 16606300

ATTORNEY FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been given, via hand delivery, on this the 26<sup>th</sup> day of May, 1998, to Mr. Udo Birnbaum; Rt. 1 Box 295, Eustace, Texas 75124.

*Richard L. Ray*

---

RICHARD L. RAY

file 5/26/48

To: Judge James B. Zimmerman

You have today called on me to state specifically what I thought you should address,

1. Defer trial until the below are complete
2. Subpoena Muriel Pierce, Shortliss Reporter, and the Source Documents regarding Depositions, and Defendant's Objection thereto.
3. Appoint a special prosecutor to pursue Defendant's sworn complaint of fraud upon the Court, as previously pleaded.

I pray you do not deny my opinions, for I plead that they will enlighten the Court.  
In the Courtroom at 3:20 PM, May 26, 1998  
Aldo Birnbaum

CERTIFIED:

May 1, 1998

TO: BETTY DAVIS, Court Administrator  
121 East Dallas Street, Room 301  
Canton, Texas 75103-1465

RE: TAMPERING WITH SETTINGS OF PROCESS

I have yet to receive any response pertaining to my requests to you dated February 20, 1998 and April 14, 1998.

You have officially witnessed the recent unannounced process, and the blatant abuse of position and power, to deny me the protection of the law. My pleadings of crimes and call for the district attorney have precedence over Cause and settings.

There is a clear pattern of someone running roughshod over me and rigging settings and process.

It is high time for you to report to the district attorney, what you, as an Officer of the Court, have personally and officially witnessed.

Sincerely,

*Udo Birnbaum*

UDO BIRNBAUM

Udo Birnbaum  
Route 1, Box 295  
Eustace, TX 75124

C I V I L J U R Y

CASE NO. 95-63  
DATE OF JURY SELECTION WEDNESDAY, MAY 27, 1998  
DATES OF TRIAL: May 27, 28  
COURT REPORTER: LINDA KAY BRAGG  
VERDICT \_\_\_\_\_

PLAINTIFF: WILLIAM B. JONES  
VS.  
DEFENDANT: UDO BIRNBAUM  
JUDGE: JAMES B. ZIMMERMAN  
TYPE OF CASE DAMAGES

294TH. JUDICIAL DISTRICT COURT, VAN ZANDT COUNTY, TEXAS

TERM: JANUARY 1998

- |                                                                                     |                                                                                  |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| 1. <u>Jimmy Eugene Staats #121</u><br>Rt. # 1 Box 19-N, Edgewood, Tex. 75117        | 7. <u>Bobby Glen Bridwell #58</u><br>Rt. # Box 92, Canton, Tex. 75103            |
| 2. <u>Terry Maxine Owen #138</u><br>Rt. # 1 Box 402, Eustace, Tex. 75124            | 8. <u>Esther S. Cummings #45</u><br>Rt. # 2 Box 155-A1, Canton, Tex. 75103       |
| <u>Yvonne Corinne McCauley #115</u><br>Route # 2 Box 451, Ben Wheeler, Tex 75754    | 9. <u>Pamelia Robertson #9</u><br>728 Henderson, Wills Point, Tex. 75169         |
| 4. <u>Rosie Richardson #41</u><br>Route # 1 Box 326-1, Mabank, Tex. 75147           | 10. <u>John H. Prater #36</u><br>P. O. Box 1114, Van, Tex. 75790                 |
| 5. <u>Emma Lazano Vines #158</u><br>Rt. # 5 Box 48, Wills Point, Tex. 75169         | 11. <u>Billy Ray Spencer #24</u><br>800 S.E. Fourth St. Wills Point, Tex. 75169  |
| 6. <u>Dewey Gene Willingham #94</u><br>Route # 4 Box 80 A, Grand Saline, Tex. 75140 | 12. <u>Amy Montez Mislivets #100</u><br>412 Willow Lake, Wills Point, Tex. 75169 |

FOREMAN OF THE JURY: \_\_\_\_\_