

August 16, 1996

To: County Judge R. Lawrence  
Commissioners Court  
Van Zandt County, Texas

Re: Misuse of trust, privilege, and funding,  
294th District Court, Canton, Texas  
and  
Van Zandt County Appraisal District

Regarding funding, you need to be aware of the following:

1. The Clerk of Court is permitting official records to be altered.
2. The Court Administrator is refusing to provide official Court records.
3. The judge has been made aware of falsifications and perjury, yet is continuing to allow the Court to be misused.
4. The judicial and administrative oversight has been officially notified, yet is permitting the problems to continue.
5. The Appraisal District's attorney is using that agency against adversaries in his private practice of law.

I request to address Commissioner's Court to convey my concerns.

Sincerely,

*Udo Birnbaum*

Udo Birnbaum

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

**COPY**

WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\*

294TH JUDICIAL DISTRICT

**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) 479-3927  
NANCY YOUNG  
DISTRICT CLERK VAN ZANDT COUNTY TEXAS

FORWARDED TO  
DISTRICT CLERK  
8-16-95

95 AUG 23 PM 1:45

Granted  
8-23-95  
*A H W*

WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\*

294TH JUDICIAL DISTRICT

MOTION FOR RECUSAL AND DISQUALIFICATION

=====

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

Certified Mail:  
P 211 515 649

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

JUNE 24, 1996

sent  
Inspector  
P.L. Schollenberger  
uh  
24-96

TO: Postmaster General  
c/o Eustace Postmaster, 75124

Re: TAMPERING WITH CERTIFIED MAIL

I report obstruction of official Court process by tampering with CERTIFIED mailing P 211 515 649, June 10, 1996, in the U.S. Mail.

My mailing was presented to me on June 22, 1996 as UNDELIVERABLE, but I have sent other certified mailings to this same address which have been delivered. In addition, the item seems to have been opened, and the time since mailing seems too long.

I have previously complained to the U.S. Justice Department on related matters regarding the addressees, and based on even other occurrences, I have reason to believe that my mailing, properly addressed, has been OPENED, ITS CONTENTS DIVULGED TO OTHERS, BEEN RE-SEALED, AND RE-ENTERED INTO THE U.S. MAIL UNDER FALSE PRETENSES, in order to deny me the documentation of their having had access to the information.

As an officer of the 294th District Court, Canton, Texas I now report tampering with official Court documents while in the U.S. Mail.

I require your findings as evidence. Be sure to TREAT THE RETURNED MAILING AS EVIDENCE by leaving it in its protective clear envelope until such time as you have coordinated with the Justice Department. It is imperative to determine who has handled the document.

As an officer of the Court, I should be informed at each stage of your findings.

Udo Birnbaum  
Rt. 1 Box 295  
Eustace, TX 75124

Udo Birnbaum  
UDO BIRNBAUM \*  
PRO SE DEFENDANT  
OFFICER OF THE COURT  
294th DISTRICT COURT  
CANTON, TEXAS

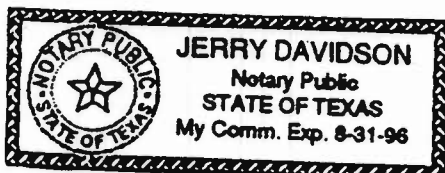
THE STATE OF TEXAS \*  
\*  
COUNTY OF VAN ZANDT \*

Before me the undersigned, a Notary Public in and for said County, State of Texas, on this day personally appeared UDO BIRNBAUM to me well known, and who, after being by me duly sworn, deposes and says upon information and belief that these are his statements to the POSTMASTER GENERAL, and that they are true and correct.

Udo Birnbaum  
UDO BIRNBAUM

SUBSCRIBED AND SWORN TO BEFORE ME by the said UDO BIRNBAUM on this the 24 day of June, 1996

Jerry Davidson  
Notary Public, State of Texas





UNITED STATES POSTAL INSPECTION SERVICE

---

FORT WORTH DIVISION

June 27, 1996

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

Subject: Certified mail number P211 515 649

Dear Mr. Birnbaum:

I received your letter concerning possible mail tampering of certified mail #P211 515 649. After investigating, it appears that, due to this piece of mail having an insufficient address, it was sent to the District Clerk's office where it was opened and returned to you.

As information, the correct address of the George Allen Courts Building is 600 Commerce, your letter was addressed to 6000. I don't believe any unlawful activity has taken place. If you have any other questions concerning this matter, please feel free to contact me at 214/393-6473 or at the address below.

Sincerely,

C. A. Konosky  
Postal Inspector  
951 W. Bethel Rd  
Coppell, TX 75099-5000

Enclosure

Exhibit B

Cert. Mail: P 211 515 719

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

Re: Altering of File 95-63, 294th District Court, Canton, TX.

Regarding recent entries into File 95-63 without official date/time stamps: It appears someone with access to privileged information and File 95-63 has altered these records.

Part of my confidential complaint to Zimmerman and the First Judicial District has suddenly appeared in file 95-63 AFTER I presented my Motion for Recusal and Disqualification to the First Judicial District, as has the notice for Zimmerman's surprise hearing.

I have reason to believe that the belated entry of these two documents is a continuation of the cover-up by parties in this Court, who are now painting a cover of legitimacy upon Zimmerman's hearing and their meddling. These documents now masquerade as evidence of an open, timely, and proper Court process.

I specifically checked the file after my June 10, 1996 Motion and the documents positively were not present.

The out-of-context small part of my complaints to the First Administrative District SHOULD NOT have been divulged by entry into the File. Zimmerman's notice SHOULD have been entered into the file more than FOUR MONTHS ago, BEFORE his hearing.

I have experienced previous non-filing, late filing, and the disappearance of evidence by the 294th District Court, and have requested the assistance of the District Attorney.

I now call on you for the following:

1. The determination of the dates of the filing for the above documents, by whatever means is necessary, so that the actual sequence of events can be determined.
2. The sequential numbering of all pages in File 95-63 to make removal or additions more detectable and traceable.

Sincerely,

*Udo Birnbaum*

UDO BIRNBAUM  
PRO SE DEFENDANT  
Rt. 1 Box 295  
Eustace, TX. 75124  
(903) 479-3929

Copy:  
Criminal District Attorney  
Van Zandt County  
202 N. Capitol St.  
Cantoin, Texas 75103

August 16, 1996

To: County Judge R. Lawrence  
Commissioners Court  
Van Zandt County, Texas

Re: Misuse of trust, privilege, and funding,  
294th District Court, Canton, Texas  
and  
Van Zandt County Appraisal District

Regarding funding, you need to be aware of the following:

1. The Clerk of Court is permitting official records to be altered.
2. The Court Administrator is refusing to provide official Court records.
3. The judge has been made aware of falsifications and perjury, yet is continuing to allow the Court to be misused.
4. The judicial and administrative oversight has been officially notified, yet is permitting the problems to continue.
5. The Appraisal District's attorney is using that agency against adversaries in his private practice of law.

I request to address Commissioner's Court to convey my concerns.

Sincerely,

Udo Birnbaum

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

October 2, 1995

The Hon. James B. Zimmerman  
First Administrative Judicial Region  
George Allen Courts Bldg.  
6000 Commerce, Rm 611  
Dallas, Texas 75202

M 11-2-92 Thus

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

Your Honor:

I was summoned into 294th District Court in Canton, Texas in February 1995 as a result of the fabrications of the suing attorney. I am still in Court in October because of the protection given to the attorney by the Court. In light of previous cover-ups I have experienced by the Court, I am now forced to believe that EVEN MY MOTION FOR RECUSAL OF JUDGE IS BEING OBSTRUCTED BY NOT BEING FORWARDED. I have never been notified by the Court or by your office. I complain of the following:

I

Because of a too close working relationship with then Court, the suing attorney was able to infiltrate the Process and trick the Court into actually PROCEEDING with a Default Judgment. No such motion and no such documents had been filed. THE DOCUMENT THE COURT WAS ACTING ON HAS DISAPPEARED.

II

Both the Court and the attorney were surprised by the appearance of the Defendant and his objection to the proceedings before the bench. The Court ever-after has shielded the attorney by suppressing what truly transpired before the bench, including the private discussion between the attorney and the judge. Between the judge and the attorney they rolled these proceedings into a pre-trial hearing.

III

The Court then proceeded with a pre-trial hearing, which was itself improper, since no such request had been made to the Court. Without an evidentiary hearing, and in the absence of the Plaintiff, the judge was willing to accept the Plaintiff's Original Petition, despite the Defendant's Pleading complaining of false charges and assault by the attorney. THE DEFENDANT HAS BEEN UNABLE TO OBTAIN THE TRANSCRIPT OF THE PROCEEDINGS BEFORE THE BENCH IN OPEN COURT.

IV

There has never been an evidentiary hearing and the Plaintiff has NEVER been before the Court, despite numerous requests by the Defendant to hear from the Plaintiff. The Defendant has challenged the attorney's authority from the beginning.

V

The Court has suppressed evidence by failing to comply with the Defendant's numerous requests for transcripts of this and other hearings. The Court never questioned the actions of the suing attorney or attempted to correct its own mistakes.



VI

The Court has failed to pursue the Defendant's complaints of fraudulent charges and perjury by the attorney, even in the face of a Sheriff's report and a crime report to the District Attorney.

VII

Defendant is entitled to fair and impartial treatment based on the facts. THE DEFENDANT'S EXPOSURE AND VULNERABILITY MUST NOT BE EXTENDED BECAUSE OF FAVORITISM, COVER-UPS, AND TAMPERING.

VIII

My defense has been obstructed, and I was forced to ask for the recusal of the judge. But I have never been notified by the Court or your office regarding the status of the motion for recusal.

We the citizens of Van Zandt County have had a history of questionable behavior by our elected officials. But it is only now that I find myself personally confronted by individuals who are or who have been in high public positions.

My farm constitutes a sizeable investment. I find it totally unacceptable to have such persons, by fraudulent means, appropriate what is rightfully mine.

I have filed a complaint with the District Attorney of Van Zandt County regarding the above matters.

It is time to restore confidence. A DEFENDANT SHOULD NOT BE FORCED TO DEFEND HIMSELF AGAINST THE MACHINATIONS OF A SUING ATTORNEY IN A MANIPULATED COURT.

I now petition your office to refer the above matters to the Attorney General of the State of Texas and the Commission on Judicial Revue.

Please inform me regarding the status of recusal of judge.

*Certified Article*  
*z 036 253 982*

This the 2nd day of October, 1995

*Udo Birnbaum*

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

UDO BIRNBAUM  
PRO SE DEFENDANT

Encl: Motion for recusal of judge

The Hon. James B. Zimmerman  
First Administrative Judicial Region  
George Allen Courts Bldg.  
6000 Commerce, Rm 611  
Dallas, Texas 75202

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

**DEFENDANT'S COMPLAINTS**  
~~~~~

Defendant is the victim of racketeering under color of law in a hijacked Court.

Defendant initially was the victim of the Plaintiff's irresponsible terrain modification.

Defendant next became the victim of the machinations of the attorney, starting with his Petition not based on facts, but crafted to get the attorney into his Court. **THE ATTORNEY IS THE REAL PLAINTIFF.**

Defendant next became the victim of a conspiracy involving the Plaintiff and his attorney, because of the failure of the Plaintiff either to have the Petition corrected or to notify the Court of the fabrications.

Not only did the Defendant's property become the object of the attorney's attention, but it also received the close scrutiny of the Van Zandt County Appraisal District. The attorney is a past County Judge and is presently the attorney for the Appraisal District.

The Court itself became a party to the conspiracy, by aiding and abetting the attorney, obstructing the Defense, denying Defendant due Process, and providing cover for the attorney. **IT IS THE CONTINUOUS COVER-UP THAT HAS MADE THE WHOLE ORCHESTRATION VISIBLE.**

Defendant is entitled to have the above crimes pursued in order to reveal the extent of involvement of all parties. Defendant should not be forced into the role of a prosecutor.

Defendant's adversaries have enjoyed many influential positions, both elected and appointed. Defendant is vulnerable to Byzantine reprisals.

This the 25th day of October, 1995

*Udo Birnbaum*

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

*Certified Article*  
*Z 036 254 019*



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

3301 Golden Road, Suite 303  
Tyler, Texas 75701  
September 11, 1995

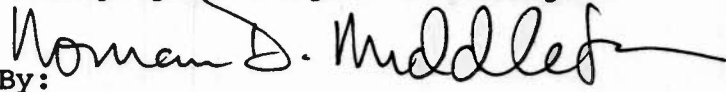
Udo Herman Birnbaum  
Route 1, Box 295  
Eustace, Texas 75124

Dear Mr. Birnbaum:

This letter is in response to your meeting with Special Agent (SA) TIM REECE at the Tyler Office of the FEDERAL BUREAU OF INVESTIGATION (FBI) on August 17, 1995. The information provided by you has been provided to the Civil Rights Division, Department of Justice, Washington, D.C.

Sincerely yours,

James F. Adams  
Acting Special Agent in Charge

By: 

Norman D. Middleton  
Supervisory Senior Resident Agent

November 2, 1995

TO: Commissioner's Court  
Van Zandt County

We the citizens of Van Zandt County are aware of the liabilities laid at the feet of Commissioner's Court, and ultimately on the taxpayers, by some of our recently replaced public officials.

We are also becoming painfully aware, as you must be, that these replacements have remedied only a part of the problem.

Commissioner's Court, through its role of funding, shares responsibility.

Misuse of power and abuse of authority is certainly not an official function, to be funded by this Court, and to be encouraged by the guarantee of legal defense even for capricious acts or criminal misconduct.

It is common knowledge that "they do what they want to", but the appointive-elective process precludes the direct remediation of these problems at the ballot box. Only you, our elected representatives, can address the lingering problems.

A proper review is therefore appropriate.

YOUR CALLING UPON THE APPROPRIATE STATE AUTHORITIES WILL CLEAN OUT THE WEB, REDUCE FUTURE LIABILITIES OF COMMISSIONER'S COURT, AND ELIMINATE THE HARASSMENT.

Concerned Citizen  
Van Zandt County

August 16, 1996

To: County Judge R. Lawrence  
Commissioners Court  
Van Zandt County, Texas

Re: Misuse of trust, privilege, and funding,  
294th District Court, Canton, Texas  
and  
Van Zandt County Appraisal District

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I request to address Commissioner's Court to convey my concerns.

Sincerely,

Udo Birnbaum

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

October 2, 1996


To: Cary Hilliard  
Precinct 2 Commissioner  
Van Zandt County, Texas

Re: Request to address Commissioners Court

Thank you for your assistance. The 10:00 AM time on October 11 quoted by your office is compatible with my schedule.

Regarding the subject matter, please refer to my request to Commissioners Court, dated August 16, 1996, a copy of which is attached.

Sincerely,



Udo Birnbaum

encl:  
Request to Commissioners Court

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

June 21, 1996

Cert. Mail: P 211 515 719

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

Re: Altering of File 95-63, 294th District Court, Canton, TX.

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1. The determination of the dates of the filing for the above documents, by whatever means is necessary, so that the actual sequence of events can be determined.
2. The sequential numbering of all pages in File 95-63 to make removal or additions more detectable and traceable.

Sincerely,

*Udo Birnbaum*

UDO BIRNBAUM  
PRO SE DEFENDANT  
Rt. 1 Box 295  
Eustace, TX. 75124  
(903) 479-3929

Copy:  
Criminal District Attorney  
Van Zandt County  
202 N. Capitol St.  
Cantoin, Texas 75103



JUNE 24, 1996

sent  
P. Inspector  
R. Schollenberger  
furch  
5-24-96

TO: Postmaster General  
c/o Eustace Postmaster, 75124

Re: TAMPERING WITH CERTIFIED MAIL

I report obstruction of official Court process by tampering with CERTIFIED mailing P 211 515 649, June 10, 1996, in the U.S. Mail.

My mailing was presented to me on June 22, 1996 as UNDELIVERABLE, but I have sent other certified mailings to this same address which have been delivered. In addition, the item seems to have been opened, and the time since mailing seems too long.

I have previously complained to the U.S. Justice Department on related matters regarding the addressees, and based on even other occurrences, I have reason to believe that my mailing, properly addressed, has been OPENED, ITS CONTENTS DIVULGED TO OTHERS, BEEN RE-SEALED, AND RE-ENTERED INTO THE U.S. MAIL UNDER FALSE PRETENSES, in order to deny me the documentation of their having had access to the information.

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As an officer of the Court, I should be informed at each stage of your findings.

Udo Birnbaum  
Rt. 1 Box 295  
Eustace, TX 75124

Udo Birnbaum  
UDO BIRNBAUM  
PRO SE DEFENDANT  
OFFICER OF THE COURT  
294th DISTRICT COURT  
CANTON, TEXAS

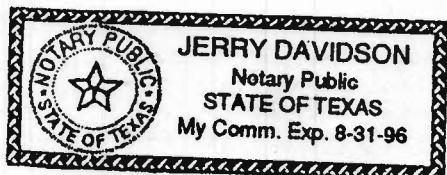
THE STATE OF TEXAS \*  
\*  
COUNTY OF VAN ZANDT \*

Before me the undersigned, a Notary Public in and for said County, State of Texas, on this day personally appeared UDO BIRNBAUM to me well known, and who, after being by me duly sworn, deposes and says upon information and belief that these are his statements to the POSTMASTER GENERAL, and that they are true and correct.

Udo Birnbaum  
UDO BIRNBAUM

SUBSCRIBED AND SWORN TO BEFORE ME by the said UDO BIRNBAUM on this the 24 day of June, 1996

Jerry Davidson  
Notary Public, State of Texas







UNITED STATES POSTAL INSPECTION SERVICE

---

FORT WORTH DIVISION

June 27, 1996

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

Subject: Certified mail number P211 515 649

Dear Mr. Birnbaum:

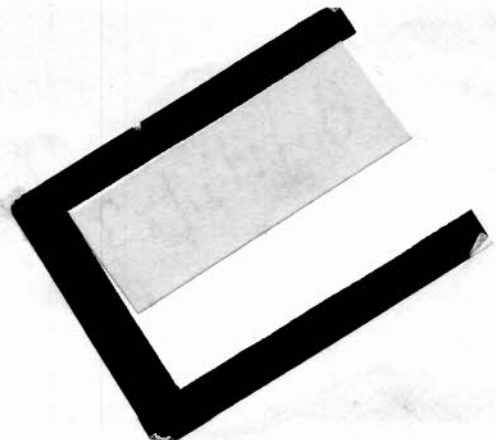
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As information, the correct address of the George Allen Courts Building is 600 Commerce, your letter was addressed to 6000. I don't believe any unlawful activity has taken place. If you have any other questions concerning this matter, please feel free to contact me at 214/393-6473 or at the address below.

Sincerely,

C. A. Konosky  
Postal Inspector  
951 W. Bethel Rd  
Coppell, TX 75099-5000

Enclosure



June 10, 1996

Davis & Price, L.L.P.  
Attorneys At Law  
301 South Main Street  
Canton, TX 75103-1466

Occupants at above address:

I have no need of your services, advice, or communication. I have nothing to discuss with your office, and am therefore returning your letter, UNOPENED.

*Udo Birnbaum*  
Udo Birnbaum

encl: UNOPENED Letter  
postmarked Can  
May 30, 1996

**USPS Form 3811, December 1991**      **PS Form 3800, April 1995**

**US Postal Service**  
**Receipt for Certified Mail**  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

**is your RETURN ADDRESS completed on the reverse side?**

**SENDER:**

- Complete items 1 and/or 2
- Complete items 3, and 4a
- Print your name and address and return this card to you.
- Attach this form to the front of the mail if the return address does not permit.
- Write "Return Receipt Requested" on the envelope if you want a return receipt.
- The Return Receipt will show the date and time of delivery.

3. Article Addressed to  
**Davis & Price, L.L.P.**  
**301 South Main Street**  
**Canton, TX 75103-1466**

5. Signature (Addressee)  
*Holly*

6. Signature (Agent)  
*Holly*

**P 211 515 648**

|                                              |                                  |
|----------------------------------------------|----------------------------------|
| Sent to                                      | <b>Davis &amp; Price, L.L.P.</b> |
| Street & Number                              | <b>301 South Main Str.</b>       |
| Post Office, State, & ZIP Code               | <b>CANTON, TX 75103-1466</b>     |
| Postage                                      | <b>\$ .55</b>                    |
| Certified Fee                                | <b>1.10</b>                      |
| Special Delivery Fee                         |                                  |
| Restricted Delivery Fee                      |                                  |
| Return Receipt Showing Whom & Date Delivered | <b>10</b>                        |
| Return Receipt Showing Date & Address        | <b>10</b>                        |
| TOTAL Postage & Fees                         | <b>1.65</b>                      |
| Postmark or Date                             | <b>10 15 96</b>                  |

**USPS**

*Ret. r ntel. cp*

**DOMESTIC RETURN RECEIPT**

# DAVIS & PRICE, L.L.P.

Attorneys and Counselors  
301 South Main Street  
Canton, Texas 75103

Richard D. Davis  
Marla D. Price

Telephone: (903) 567-4399  
Telecopier: (903) 567-6549

June 10, 1996

Mr. Richard L. Ray  
Attorney for William B. Jones  
300 S. Trade Days Blvd.  
Canton, TX 75103

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

Re: Cause No. 95-93; William B. Jones vs. Udo Birnbaum

Gentlemen:

Due to scheduling conflicts with the previously suggested mediation dates, please consider the following proposed dates: Thursday, July 25; Tuesday, August 27; Thursday, August 29; or Thursday, September 5.

Please contact our office at your earliest convenience to confirm one of these dates.

Yours truly,

DAVIS & PRICE, L.L.P.



Rhita Koches, PLS, CLAS  
Certified Legal Assistant

rak

**T O M M Y W. W A L L A C E**  
District Judge  
294th Judicial District

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

Date: October 23, 1996

(903) 567-4422

**"Request For Setting Form"**

CAUSE NO: 95-93

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

NON-JURY

NATURE/TYPE OF HEARING: To Enforce Mediation or Enter Judgment

MONTH REQUESTED SET: Next available docket

COURT TIME REQUIRED: 15 minutes

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

TEL: 903-567-2051

DEFT'S ATTORNEY & ADDRESS: None

TEL:

The undersigned hereby certifies that his pleadings are in order, good faith negotiations have been made to attempt settlement, and that he expects to be ready for trial. A copy of this request has been furnished all counsel in the case as listed below.

  
\_\_\_\_\_  
ATTORNEY REQUESTING SETTING

List all parties with their addresses requiring notice:

|                         |                    |                   |
|-------------------------|--------------------|-------------------|
| Richard L. Ray          | Mr. Udo Birnbaum   | Mr. Richard Davis |
| Attorney At Law, P.C.   | Route 1 Box 295    | Davis & Price,    |
| 300 S. Trade Days Blvd. | Eustace, Tx. 75124 | Attorneys At Law  |
| Canton, Texas 75103     |                    | 301 S. Main       |
|                         |                    | Canton, Texas     |
|                         |                    | 75103             |

CAUSE NO. 95-93

WILLIAM B. JONES  
VS. **COPY**  
UDO BIRNBAUM

§  
§  
§  
§  
§

IN THE 294TH JUDICIAL  
DISTRICT COURT  
VANZANDT COUNTY, TEXAS

**ORDER TO APPEAR FOR MEDIATION**

The above-referenced cause has been ORDERED to mediation with RICHARD DAVIS of Canton, Texas, being appointed as mediator.

A date for mediation has been scheduled for Tuesday, January 28, 1997 at 9:00 a.m. in the Law Offices of Davis & Price, L.L.P., located at 301 S. Main, Canton, Texas. Each of the above-named parties shall be present during the entire mediation process.

The mediation fee of \$600.00 per party is to be paid directly to the Law Offices of Davis & Price, L.L.P., on or before January 15, 1997. This mediation fee shall be taxed as costs.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that William B. Jones and Udo Birnbaum and counsel for either party shall appear at the Law Offices of Davis & Price, L.L.P. on January 28, 1997 at 9:00 a.m. for the purpose of mediating the above-referenced cause and shall attend the entire mediation meeting.

IT IS FURTHER ORDERED that William B. Jones and Udo Birnbaum shall pay the mediation fee of \$600.00 each on or before January 15, 1997, and such payment shall be paid directly to the Law Offices of Davis & Price, L.L.P., 301 S. Main, Canton, Texas.

**NOTE TO ALL PARTIES: FAILURE TO COMPLY WITH AN ORDER OF THE COURT MAY RESULT IN CONTEMPT CHARGES WITH THE PUNISHMENT TO BE ASSESSED BY THE COURT.**

SIGNED THIS the 16 day of January, 1997.

*[Handwritten Signature]*  
Judge Presiding

FILED FOR RECORD  
97 JAN 21 AM 8:01  
MAYNOR YOUNG  
CLERK  
VANZANDT CO. TX.  
BY \_\_\_\_\_  
DEP.  
TOTAL P. 02

Davis & Price, L.L.P.  
Attorneys At Law  
301 South Main Street  
Canton, TX 75103-1466

By CERTIFIED Mail Jan. 27, 1997

CERTIFIED Article:

P 246 623 510

Mr. Davis:

You are in total disregard and in violation of TWO (2) Recusals.

Your stale and ILLEGAL Court Order, with its hyper-compacted time schedule, and your novel notification, is an attempt by persons in control of the process, to cover up for their many transgressions, by shoveling the parties INSIDE the Court, into your private setting, in order to have them sacrificed.

I WILL NOT BE A PARTY TO ANY SUCH ILLEGAL AND SHAMEFUL PROCEEDINGS.

I OBJECT TO ANY AND ALL PROCEEDINGS REGARDING CAUSE 95-63 UNTIL THE CHARGES OF CRIMINAL CONDUCT HAVE BEEN ADDRESSED BY A HIGHER AUTHORITY.

Richard Ray is continuing to misuse the Court, this time by the use of a BOGUS Cause number 95-93, to obtain this Court Order.

Richard Ray's PRIOR use of this bogus number is clearly documented above his signature on his "Request for Setting Form" dated October 23, 1996 (attached).

Apparently no one wants to be aware of my file, ((( CAUSE 95-63 )))), which clearly shows the two RECUSALS and the complaint of CRIMES.

For context and the record, I am enclosing the ORDER which I received from your office this Friday, Jan. 24, the Motion for Recusal and Disqualification, dated over SEVEN (7) months ago, a document from the Justice Department, and the "Request for Setting Form".

*Aldo Birnbaum*

Udo Birnbaum  
PRO SE

encl:

|                       |                |
|-----------------------|----------------|
| Justice Department    | Sept. 11, 1995 |
| Motion for Recusal    | June 10, 1996  |
| Court Order           | Jan. 16, 1997  |
| "Request for Setting" | Oct. 23, 1996  |

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



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to  
File No.

3301 Golden Road, Suite 303  
Tyler, Texas 75701  
September 11, 1995

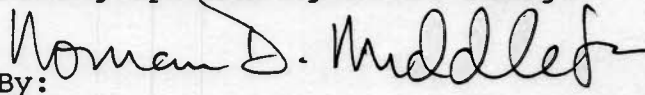
Udo Herman Birnbaum  
Route 1, Box 295  
Eustace, Texas 75124

Dear Mr. Birnbaum:

This letter is in response to your meeting with Special Agent (SA) TIM REECE at the Tyler Office of the FEDERAL BUREAU OF INVESTIGATION (FBI) on August 17, 1995. The information provided by you has been provided to the Civil Rights Division, Department of Justice, Washington, D.C.

Sincerely yours,

James F. Adams  
Acting Special Agent in Charge

By:   
Norman D. Middleton  
Supervisory Senior Resident Agent



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  
JUDGE WALLACE VAN ZANDT CO. TX  
===== DEP =====

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



**T O M M Y W. W A L L A C E**  
District Judge  
294th Judicial District

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

Date: October 23, 1996

(903) 567-4422

**"Request For Setting Form"**

CAUSE NO: 95-93

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

NON-JURY

NATURE/TYPE OF HEARING: To Enforce Mediation or Enter Judgment

MONTH REQUESTED SET: Next available docket

COURT TIME REQUIRED: 15 minutes

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

TEL: 903-567-2051

DEFT'S ATTORNEY & ADDRESS: None

TEL:

The undersigned hereby certifies that his pleadings are in order, good faith negotiations have been made to attempt settlement, and that he expects to be ready for trial. A copy of this request has been furnished all counsel in the case as listed below.

*Richard L. Ray*

**ATTORNEY REQUESTING SETTING**

List all parties with their addresses requiring notice:

|                         |                    |                   |
|-------------------------|--------------------|-------------------|
| Richard L. Ray          | Mr. Udo Birnbaum   | Mr. Richard Davis |
| Attorney At Law, P.C.   | Route 1 Box 295    | Davis & Price,    |
| 300 S. Trade Days Blvd. | Eustace, Tx. 75124 | Attorneys At Law  |
| Canton, Texas 75103     |                    | 301 S. Main       |
|                         |                    | Canton, Texas     |
|                         |                    | 75103             |

1-28-97

Between 10:11 AM

Documents I saw:

95-93, a closed divorce file in the name of Vickery

- A Court order identified as belonging in file 95-93 that was in fact a Xerox of a fax (second sheet only) that was then stamped (original blue color) in right hand lower corner by file clerk stamp.

- Upper right hand corner carries a hand-written note in bluish ball point ink (original again), that said "Original".

- The file number (95-93) had been high-lited by a yellow grease pencil, making the file number immediately noticeable.

95-63, Jones vs. Branbaum

- Reviewing the file from front to back, I did not find a copy of the information disclosed on above (no copy of the court order!)

- Looked for request for setting form dated Oct 23/96; did not find such either.

- Last file in 95-43 was dated July 21, 1996.

Observed and concur with above. Aldo Kurlan

Thomas J. Lyon  
 RT 1, Box 37, Edgewood TX 75717  
 dated 1-28-97

In the presence of the three of us  
 Aldo Kurlan  
 Thomas J. Lyon  
 Thomas J. Lyon

Attorney General  
State of Texas

Re: Request for assistance  
Cause 95-63  
294th District Court

I request the assistance of this Office regarding crimes being committed against me in the 294th District Court in Canton, Texas. I am the victim not only of the fabrications of an attorney, but of the Court itself, by not only refusing to discipline the lawyer, BUT IN CONDONING SUCH ACTIONS BY ACTUALLY CONSPIRING WITH HIM AGAINST ME.

The Court has been infiltrated and manipulated to such an extent that the Court itself has suppressed evidence and tampered with documents, and has ignored my petitions, requests, and complaints.

I have submitted a formal complaint to the District Attorney of Van Zandt County, and the State Commission on Judicial Conduct, and have not been able to get either to move.

My defense has been obstructed, and I was forced to ask for the recusal of the judge. But I have never been notified by this Court regarding the status of the motion for recusal, and I have never been notified by any other authority either.

The motions before the Court need to be addressed. It is time to investigate and rule on these motions.

IN LIGHT OF MY PREVIOUS EXPERIENCE WITH COVER-UPS BY THIS COURT, I HAVE REASON TO BELIEVE THAT THE ISSUE OF RECUSAL HAS NEVER BEEN FORWARDED TO THE ADMINISTRATIVE JUDICIAL DISTRICT.

There is no action being taken at any level. I seek your help to investigate the status of these matters and to get the Process moving.

Encl: Request for

Udo Birnbaum  
Route 1 Box 295  
Eustace, Texas 751  
(903) 479-3929

|                                                                                                                                              |                                                                                                                                                                                                                                           |                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| Is your RETURN ADDRESS completed on the reverse side?                                                                                        | <b>SENDER:</b><br>• Complete items 1 and/or 2 for additional services.<br>• Complete items<br>• Print your name<br>return this card to<br>• Attach this form<br>does not permit.<br>• Write "Return Re<br>• The Return Rece<br>delivered. | I also wish to receive the      |
|                                                                                                                                              | 3. Article Ad<br>Attorn<br>209 W.<br>P.O. Box<br>AUSTIN                                                                                                                                                                                   | Z 036 254 051                   |
| 5. Signature (A                                                                                                                              | 6. Signature (A                                                                                                                                                                                                                           | PS Form 3800, March 1993        |
| Receipt for Certified Mail<br>No Insurance Coverage Provided<br>Do not use for International Mail<br>(See Reverse)                           |                                                                                                                                                                                                                                           |                                 |
| Sent to<br>Attorney General<br>Street and No.<br>209 W. 14th and Colorado St.<br>P.O. State and Zip Code<br>P.O. Box 12578, Austin, TX 78711 |                                                                                                                                                                                                                                           |                                 |
| Postage                                                                                                                                      | \$ 55                                                                                                                                                                                                                                     |                                 |
| Certified Fee                                                                                                                                | 1.10                                                                                                                                                                                                                                      |                                 |
| Special Delivery Fee                                                                                                                         |                                                                                                                                                                                                                                           |                                 |
| Restricted Delivery Fee                                                                                                                      |                                                                                                                                                                                                                                           |                                 |
| Return Receipt Showing to Whom & Date Delivered                                                                                              |                                                                                                                                                                                                                                           | 1.10                            |
| Return Receipt Showing to Whom, Date, and Addressee's Address                                                                                |                                                                                                                                                                                                                                           |                                 |
| TOTAL Postage & Fees                                                                                                                         |                                                                                                                                                                                                                                           | 2.75                            |
| Postmark or Meter                                                                                                                            |                                                                                                                                                                                                                                           | BEAUMONT<br>SEP 26 1995<br>USPA |

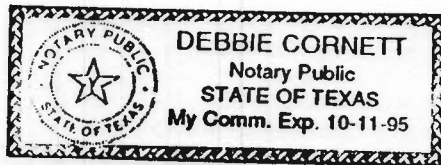
THE STATE OF TEXAS \*  
\*  
COUNTY OF VAN ZANDT \*

Before me the undersigned, a Notary Public in and for said County, State of Texas, on this day personally appeared UDO BIRNBAUM to me well known, and who, after being by me duly sworn, deposes and says upon information and belief that these are his statements to the Attorney General of Texas and that they are true and correct.

Udo Birnbaum  
UDO BIRNBAUM

SUBSCRIBED AND SWORN TO BEFORE ME by the said Udo Birnbaum on this the 26 day of September, 1995.

Debbie Cornett  
Notary Public, State of Texas



COPY

WILLIAM B. JONES

\*

IN THE DISTRICT COURT

VS.

\*

OF VAN ZANDT COUNTY, TEXAS

UDO BIRNBAUM

\*

294TH JUDICIAL DISTRICT

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) 479-3920  
NANCY YOUNG  
DIST. CLERK VAN ZANDT CO. TX

FORWARDED TO  
DISTRICT CLERK  
8-16-95

95 AUG 23 PM 1:45

FILED FOR RECORD  
8-23-95

I found this in the files  
Udo Birnbaum

Granted

*[Handwritten signature]*



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

October 6, 1995

Udo H. Birnbaum  
Route 1, Box 295  
Eustace, TX 75124

Dear Mr. Birnbaum:

Thank you for your recent letter regarding the difficulties you are experiencing with the legal system. I appreciate you contacting my office in this regard.

Please know that under Texas law, the local district and county attorneys are given original jurisdiction to prosecute criminal charges within their respective counties. These local prosecutors are granted extensive discretion in determining which cases will be prosecuted and how those cases proceed before the Grand Jury. This exercise of discretion is not subject to review by the Office of the Attorney General. Therefore, you may wish to continue working with the district and county attorneys' offices in an effort to resolve this matter.

Furthermore, the Office of the Attorney General cannot act as an appellate body to review the rulings or conduct of a Texas judge. Ethics matters are properly addressed by the Texas Commission on Judicial Conduct. Therefore, it appears you have pursued the proper course of action by relaying your concerns to that agency.

However, the State Bar of Texas is the agency charged by law with authority to regulate attorneys in Texas. If you feel that an attorney, who is licensed in Texas, has acted in an unethical or illegal fashion, you may wish to file a grievance with the State Bar. They will review your complaint to determine if the situation warrants disciplinary action. For a copy of a grievance complaint form, you may call the Office of General Counsel of the State Bar of Texas at 1-800-932-1900.

Again, thank you for writing, and I hope the information I have provided is useful. Please feel free to contact me if I can be of assistance on any other matter.

Sincerely,

A handwritten signature in black ink that reads "Dan Morales".

Dan Morales  
Attorney General

DCM:kms



July 21, 1995

The Honorable Wm Wayne Justice  
US District Court, Tyler, Texas  
221 W. Ferguson Street, Tyler, Texas

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

Your Honor:

Under color of law I am being held hostage by the racketeering of an officer of the Court and the refusal of the Court to acknowledge and correct the injustice being imposed on me.

In spite of the Sheriff's report, my crime report to the District Attorney, and my pleadings to the Court complaining of false charges, I have been subjected to the following injustices:

1. In light of common knowledge of the notorious tactics of this attorney to promote litigation, this Court was willing to accept his one man indictment and fabrications, yet was unwilling to act on my petition complaining of false charges and legal assault. There has never been an evidentiary hearing to assess the merits of the case.
2. Fraud by an officer of the Court in his original petition, and perjury in his petition for a default judgment.
3. Violations of Canon 3 of the Code of Judicial Conduct regarding the initiation of disciplinary measures against a lawyer for unprofessional conduct of which the Judge had become aware.

Due to the initial simplicity of the case I chose self representation. Any proper review by the Court, particularly in light of the Sheriff's report and the crime report to the District Attorney, should have disposed of this matter.

We as law abiding citizens should not be terrorized by barratry and a system that permits such crimes, condones injustice, and obstructs defense with delays.

The file for Cause 95-63 clearly documents violations of 18 USCS § 241 and 18 USCS § 242. I have attached just some of my petitions to the Court to show the basis of my complaints.

I therefore petition this Court to intervene to protect my Constitutional and Civil Rights and to restore public confidence in our Judicial System.

I respectfully request your referral of this matter to the U.S. Justice Department or the appropriate Federal authorities.

|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                      |                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Is your RETURN ADDRESS completed on the reverse side?                                | <b>SENDER:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                      | I also wish to receive the following services (for an extra fee):<br>1. <input type="checkbox"/> Addressee's Address<br>2. <input type="checkbox"/> Restricted Delivery<br>Consult postmaster for fee. |
|                                                                                      | <ul style="list-style-type: none"> <li>■ Complete items 1 and/or 2 for additional services.</li> <li>■ Complete items 3, 4a, and 4b.</li> <li>■ Print your name and address on the reverse of this form so that we can return this card to you.</li> <li>■ Attach this form to the front of the mailpiece, or on the back if space does not permit.</li> <li>■ Write "Return Receipt Requested" on the mailpiece below the article number.</li> <li>■ The Return Receipt will show to whom the article was delivered and the date delivered.</li> </ul> |                                                                                      |                                                                                                                                                                                                        |
| 3. Article Addressed to:                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 4a. Article Number                                                                   | Thank you for using Return Receipt Service. um                                                                                                                                                         |
| Hon. Wm Wayne Justice<br>US District Court<br>221 W. Ferguson St.<br>Tyler, TX 75702 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 7 157 478 031                                                                        |                                                                                                                                                                                                        |
| 5. Received By: (Print Name)                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 4b. Service Type                                                                     |                                                                                                                                                                                                        |
| 6. Signature: (Addressee or Agent)                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified    |                                                                                                                                                                                                        |
| X Myrna Davis                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured               |                                                                                                                                                                                                        |
|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD |                                                                                                                                                                                                        |
|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 7. Date of Delivery                                                                  |                                                                                                                                                                                                        |
|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 7-25-95                                                                              |                                                                                                                                                                                                        |
|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 8. Addressee's Address (Only if requested and fee is paid)                           |                                                                                                                                                                                                        |
|                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                      |                                                                                                                                                                                                        |
| PS Form 3811, December 1994                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Domestic Return Receipt                                                              |                                                                                                                                                                                                        |

encl:

|                                |         |
|--------------------------------|---------|
| Sheriff's Incidence Report     | 2-08-95 |
| Complaint to District Attorney | 2-15-95 |
| Petition to Court              | 5-15-95 |
| Petition to Court              | 5-31-95 |
| Petition to Court              | 6-01-95 |
| Request for Transcript         | 6-26-95 |
| Petition to Court              | 7-07-95 |

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



Incident No: **95000970**

# Van Zandt County Sheriff's Office Incident Report

Date & Time Reported: **2-8-95 2:00 p.m.**

|                                                    |                   |                                                  |       |                                                     |  |                                           |                                             |                                               |                                               |
|----------------------------------------------------|-------------------|--------------------------------------------------|-------|-----------------------------------------------------|--|-------------------------------------------|---------------------------------------------|-----------------------------------------------|-----------------------------------------------|
| Location of Incident<br><b>VZ 2916 At FM 1256</b>  |                   |                                                  |       | Related Incident Number                             |  | Incident Status                           |                                             | Exceptional Status                            |                                               |
| City<br><b>Canton TX</b>                           | Grid<br><b>29</b> | Beat                                             | Shift | Number of Officers Killed<br>By Accident/Negligence |  | <input type="checkbox"/> Active           | <input type="checkbox"/> Inactive           | <input type="checkbox"/> Death Of Offender    | <input type="checkbox"/> Prosecution Declined |
| Earliest Date & Time Occurred<br><b>2-8-95 2pm</b> |                   | Latest Date & Time Occurred<br><b>2-8-95 2pm</b> |       | Incident Status Date                                |  | <input type="checkbox"/> Adult Arrest     | <input type="checkbox"/> Adult eXception    | <input type="checkbox"/> Extradition Declined | <input type="checkbox"/> Refused To Cooperate |
|                                                    |                   |                                                  |       |                                                     |  | <input type="checkbox"/> Juvenile Custody | <input type="checkbox"/> Juvenile eXception | <input type="checkbox"/> Juvenile, No Custody | <input type="checkbox"/> Warrant              |
|                                                    |                   |                                                  |       |                                                     |  | <input type="checkbox"/> Unfounded        |                                             |                                               |                                               |

| REPORTING PARTY                                   |  |                 |
|---------------------------------------------------|--|-----------------|
| Name (Last, First Middle)<br><b>Same as below</b> |  | Home Phone      |
| Address                                           |  | Work Phone      |
|                                                   |  | City, State Zip |

| VICTIM                                                         |  |                                            |                                          |                                       |                                                |                                             |                                     |           |                                                          |
|----------------------------------------------------------------|--|--------------------------------------------|------------------------------------------|---------------------------------------|------------------------------------------------|---------------------------------------------|-------------------------------------|-----------|----------------------------------------------------------|
| Victim (Last, First Middle)<br><b>Bienbaum, Udo Herman</b>     |  |                                            |                                          |                                       | Victim Type:                                   |                                             | Religious                           |           | Other                                                    |
| Address<br><b>RT 1 Box 295</b>                                 |  |                                            |                                          |                                       | <input checked="" type="checkbox"/> Individual |                                             | <input type="checkbox"/> Financial  |           | <input type="checkbox"/> Unknown                         |
| City, State Zip<br><b>Eustance</b>                             |  |                                            |                                          |                                       | <input type="checkbox"/> Business              |                                             | <input type="checkbox"/> Government |           | <input type="checkbox"/> Society                         |
| Resident<br><b>Yes</b>                                         |  | Race<br><b>W</b>                           | Sex<br><b>M</b>                          | Height                                | Weight                                         | Hair                                        | Eye                                 | Hispanic? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Date Of Birth (Month/Day/Year) or Age Range<br><b>11-28-36</b> |  | OLN                                        |                                          | OLS                                   |                                                | OLY                                         |                                     |           |                                                          |
| Phone<br><b>903 479 3929</b>                                   |  | Social Security Number                     |                                          | Relative (Last, First Middle)         |                                                |                                             |                                     |           |                                                          |
| Employer                                                       |  | Employer's Address                         |                                          |                                       | Address                                        |                                             |                                     |           |                                                          |
| City, State Zip                                                |  | City, State Zip                            |                                          |                                       | City, State Zip                                |                                             |                                     |           |                                                          |
| Phone                                                          |  | Extension                                  |                                          | Phone                                 |                                                | Relation To Victim                          |                                     |           |                                                          |
| Scars/Marks/Tatoos                                             |  | Type Of Injury                             |                                          | <input type="checkbox"/> Broken Bones | <input type="checkbox"/> Loss of Teeth         | <input type="checkbox"/> Other Major Injury |                                     |           |                                                          |
|                                                                |  | <input type="checkbox"/> Internal Injury   | <input type="checkbox"/> Scalds/Burns    | <input type="checkbox"/> Minor Injury |                                                |                                             |                                     |           |                                                          |
|                                                                |  | <input type="checkbox"/> Severe Laceration | <input type="checkbox"/> Unconsciousness | <input type="checkbox"/> None         |                                                |                                             |                                     |           |                                                          |

| LEOKA Victims                                                                          | Type of Activity                            |                                                                           |                                                  | Body Armor                                       | Type of Assignment                                      |                                                |
|----------------------------------------------------------------------------------------|---------------------------------------------|---------------------------------------------------------------------------|--------------------------------------------------|--------------------------------------------------|---------------------------------------------------------|------------------------------------------------|
| Only Killed by Felonious Act? <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> 1 Disturbance Call | <input type="checkbox"/> 5 Civil Disorder                                 | <input type="checkbox"/> 9 Ambush                | <input type="checkbox"/> 1 Wearing-Protected     | <input type="checkbox"/> 3 1-Man Car-Uniformed-Alone    | <input type="checkbox"/> 1 2-Man Car-Uniformed |
|                                                                                        | <input type="checkbox"/> 2 Burglary         | <input type="checkbox"/> 6 Handling Prisoners                             | <input type="checkbox"/> 10 Mentally Deranged    | <input type="checkbox"/> 2 Wearing-Not Protected | <input type="checkbox"/> 4 1-Man Car-Uniformed-Assisted | <input type="checkbox"/> 2 2-Man Car-Plain     |
|                                                                                        | <input type="checkbox"/> 3 Robbery          | <input type="checkbox"/> 7 Investigating Suspicious Persons/Circumstances | <input type="checkbox"/> 11 Traffic Pursuit/Stop | <input type="checkbox"/> 3 Not Wearing           | <input type="checkbox"/> 5 1-Man Car-Plain-Alone        | <input type="checkbox"/> 7 Other Alone         |
|                                                                                        | <input type="checkbox"/> 4 Other Arrest     |                                                                           |                                                  |                                                  | <input type="checkbox"/> 6 1-Man Car-Plain-Assisted     | <input type="checkbox"/> 8 Other Assisted      |

| Aggravated Assault/Homicide Circumstances              |                                                   |                                                                | Additional Justifiable Homicide Circumstances                       |  |
|--------------------------------------------------------|---------------------------------------------------|----------------------------------------------------------------|---------------------------------------------------------------------|--|
| Aggravated Assault/Murder/Non-Neg Manslaughter (max 2) | Negligent Manslaughter (max 1)                    | Justifiable Homicide (max 1)                                   |                                                                     |  |
| <input type="checkbox"/> 1 Argument                    | <input type="checkbox"/> 6 Lovers' Quarrel        | <input type="checkbox"/> 20 Criminal Killed by Private Citizen | <input type="checkbox"/> A Criminal Attacked Police Officer         |  |
| <input type="checkbox"/> 2 Assault On LE Officer       | <input type="checkbox"/> 7 Mercy Killing          | <input type="checkbox"/> 31 Gun-Cleaning Accident              | <input type="checkbox"/> B Criminal Attacked Fellow Police Officer  |  |
| <input type="checkbox"/> 3 Drug Dealing                | <input type="checkbox"/> 8 Other Felony Involved  | <input type="checkbox"/> 32 Hunting Accident                   | <input type="checkbox"/> C Criminal Attacked Civilian               |  |
| <input type="checkbox"/> 4 Gangland                    | <input type="checkbox"/> 9 Other Circumstances    | <input type="checkbox"/> 33 Other Negligent Weapon Handling    | <input type="checkbox"/> D Criminal Attempted Flight from a Crime   |  |
| <input type="checkbox"/> 5 Juvenile Gang               | <input type="checkbox"/> 10 Unknown Circumstances | <input type="checkbox"/> 34 Other Negligent Killing            | <input type="checkbox"/> E Criminal Killed in Commission of a Crime |  |
|                                                        |                                                   |                                                                | <input type="checkbox"/> F Criminal Resisted Arrest                 |  |
|                                                        |                                                   |                                                                | <input type="checkbox"/> G Unable to Determine/Not Enough Info      |  |

| Hate-Bias Crimes Only                             | Type Of Bias                                |                                                   |                                                | Target                                 |                                                 |
|---------------------------------------------------|---------------------------------------------|---------------------------------------------------|------------------------------------------------|----------------------------------------|-------------------------------------------------|
| <input type="checkbox"/> 1 Black                  | <input type="checkbox"/> 4 White            | <input type="checkbox"/> 7 Anti-Semitic           | <input type="checkbox"/> 10 Sexual Orientation | <input type="checkbox"/> 12 Disability | <input type="checkbox"/> 1 Place of Worship     |
| <input type="checkbox"/> 2 Asian/Pacific Islander | <input type="checkbox"/> 5 Other Race/Color | <input type="checkbox"/> 8 Other Religion         | <input type="checkbox"/> 11 Age                | <input type="checkbox"/> 14 Political  | <input type="checkbox"/> 2 Other Group Property |
| <input type="checkbox"/> 3 American Indian        | <input type="checkbox"/> 6 Hispanic         | <input type="checkbox"/> 9 Ethnic/National Origin | <input type="checkbox"/> 13 Gender             |                                        | <input type="checkbox"/> 3 Public Property      |
| Circumstances                                     |                                             |                                                   |                                                |                                        | <input type="checkbox"/> 4 Business             |
|                                                   |                                             |                                                   |                                                |                                        | <input type="checkbox"/> 5 Residence            |
|                                                   |                                             |                                                   |                                                |                                        | <input type="checkbox"/> 6 Other Property       |
|                                                   |                                             |                                                   |                                                |                                        | <input type="checkbox"/> 7 Clergy               |
|                                                   |                                             |                                                   |                                                |                                        | <input type="checkbox"/> 8 Other Person         |

|                                                                                                         |                                                                                                                                                                                                                                      |                                                                |          |
|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----------|
| Domestic Abuse Cases Only                                                                               | Children                                                                                                                                                                                                                             | Retainers                                                      | Reporter |
| <input type="checkbox"/> Harmed <input type="checkbox"/> Unharmed <input type="checkbox"/> None Present | <input type="checkbox"/> Counseling <input type="checkbox"/> Financial <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Shelter <input type="checkbox"/> Other <input type="checkbox"/> None | <input type="checkbox"/> Victim <input type="checkbox"/> Other |          |

OTHER NAMES

|                           |                 |            |            |
|---------------------------|-----------------|------------|------------|
| Name (Last, First Middle) | Involvement     | Home Phone | Work Phone |
| Jones, William B          |                 |            |            |
| Address                   | City, State Zip |            |            |
| Name (Last, First Middle) | Involvement     | Home Phone | Work Phone |
|                           |                 |            |            |
| Address                   | City, State Zip |            |            |
| Name (Last, First Middle) | Involvement     | Home Phone | Work Phone |
|                           |                 |            |            |
| Address                   | City, State Zip |            |            |

NARRATIVE

On today's dates and times the comp Udo Birbaum came to the Van Zandt Sheriff's Dept. While at the Sheriff's dept. Mr. Birbaum informed me that he had received civil papers on today's date from deputy Munn. Mr. Birbaum stated that he has been having civil problems with a William B Jones who's land backs up to his land. Mr. Birbaum stated that Mr. Jones had torn down his fence and had done a lot of damage to his property. Mr. Birbaum asked if I would go with him to his property and observe the conditions. I did go with Mr. Birbaum to his property and did observe approx. 300-400 yards of fence that was missing. Also I observed a lot of brush and trees along with sand that had washed onto Mr. Birbaum's property. I also observed what I believed to be large tractor tracks in the ground around the fence area and along the creek. Mr. Birbaum stated that Mr. Jones had destroyed the creek which caused the creek to over follow causing the land and brush to wash onto Mr. Birbaum's land. This caused ~~the~~ ~~water~~ Creek to back up onto Mr. Jones land. Mr. Jones land appeared to be natural wet lands at one time. I told Mr. Birbaum that this was a civil action and not a criminal action. Mr. Birbaum wanted a report for his records.

|                               |                               |                        |
|-------------------------------|-------------------------------|------------------------|
| Reporting Officer (ID & Name) | Assisting Officer (ID & Name) | Supervisor (ID & Name) |
| Scott Johnson                 |                               |                        |

FILING A FALSE REPORT WITH A LAW ENFORCEMENT AGENCY IS A CRIMINAL OFFENSE

I hereby certify that the information contained in this report is accurate to the best of my knowledge and I will prosecute the offender if found.

2895  
Date

Signature

February 15, 1995

TO:

Leslie P. Dixon  
District Attorney Van Zandt

I, Udo H. Birnbaum report the following crimes committed by William B. Jones against Udo H. Birnbaum and request your attention to these matters. Both Birnbaum and Jones reside in Van Zandt county and all matters referred to occurred in Van Zandt county.

A report by the Sheriff's Office styled Incident No. 95000270 dated February 8, 1995 is enclosed as documentation of these crimes.

I report the following crimes:

Jones maliciously and negligently destroyed Birnbaum's existing fence at the property line between Jones and Birnbaum for a total distance of about 350 yards. Birnbaum is a rancher who relies on this fence to control his cattle. Jones failed to give any warning to Birnbaum and the fence has been down for more than five (5) months.

Jones trespassed upon the property of Birnbaum by directing the operator of the bulldozer upon the property of Birnbaum, pushing large quantities of brush, debris, and wire fence beyond Jones' property line and up to 25 feet onto the property of Birnbaum. This is willful criminal trespassing.

Jones maliciously and negligently released large quantities of water onto Birnbaum's property by the use of dynamite to blow up a dam existing on Jones's property. Jones failed to give any warning to Birnbaum. Uncontrolled amounts of water containing sand, driftwood, and debris scoured Birnbaum's land and created ditches, gullies, and uncontrollable erosion. Large quantities of sand, driftwood, and debris remain on Birnbaum's property to this day.

I request the District Attorney of Van Zandt to refer these matters to the County Grand Jury for prosecution.

Sincerely,

enc:

Incident Report 95000270  
Van Zandt Sheriffs Office  
dated 2-8-95



Udo H. Birnbaum  
Rt. 1 Box 295  
Eustace, Tex. 75124

UB:ub

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

May 15, 1995

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

Sir:

Richard Ray is misusing his access to your Court to assault me with charges he has fabricated.

I had specifically requested that Jones be present at the pre-trial hearing (copy in file 95-63). The absence of Jones at that hearing deprived both me and this Court of acknowledgment from Jones that he was indeed the author of the complaints. I therefore bring the following to the attention of this Court:

Richard Ray has failed to act in good faith from the beginning. He has refused to inform himself and there is no basis whatsoever in what he has brought before this Court.

Richard Ray has refused to comply with my request of April 18, 1995 to substantiate issues that he raised. (copy in file 95-63)

Richard Ray has refused to answer my communication dated May 3, 1995. (copy in file 95-63)

Richard Ray attempted to run slipshod over me with a Default Judgment. His request for a Default Judgment came MORE THAN ONE MONTH AFTER my reply to this Court. He certified the following FALSE statements in his March 16, 1995 request:

" DEFT'S ATTORNEY & ADDRESS: Unanswered

The undersigned hereby certifies that his pleadings are in order, good faith negotiations have been made to attempt settlement, and that he expects to be ready for trial. A copy of this request has been furnished counsel in the case as listed below.

---

ATTORNEY REQUESTING SETTING

List ALL parties with their addresses requiring notice:

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

"

I had informed Richard Ray that I would be self-representing. I so informed this Court and filed the reply. Richard Ray's statement of "Unanswered" is FALSE.

Richard Ray's representation to this Court that he was the only party requiring notice is FALSE.

Richard Ray's pleadings are a total mess. HE EVEN HAS WATER FLOWING UPHILL! His statement that his pleadings are in good order is FALSE.

Richard Ray stated that "good faith negotiations have been made to attempt settlement". Richard Ray has made NO attempt at being informed WHATSOEVER! (File 95-63 contains ALL correspondence). Richard Ray's claim of "good faith" is FALSE.

Richard Ray states that "he expects to be ready for trial". This is unbelievable and FALSE.

As for the true facts see Sheriffs Report Dated 2-8-95 indicating ALL damage was done by JONES! (report attached)

Also see the report I filed with the District Attorney dated February 15, 1995. (report attached)

Richard Ray has failed to act in good faith, has given improper legal counsel to Jones regarding the merit of his complaint, and has even falsified documents brought before this Court.

I request a Hearing to resolve these matters. I REQUEST THAT THE COURT INSTRUCT MR. WILLIAM B. JONES TO BE PRESENT AT THIS HEARING TO ACKNOWLEDGE THAT HE IS INDEED THE AUTHOR OF THE COMPLAINTS IN CAUSE 95-63.

I request this Court to instruct Jones to replace my fence which he tore down over 9 months ago and to clean up the mess pushed onto my land by his bulldozer operator.

A fully completed "Request for Setting Form" is attached.

Sincerely,

*Udo Birnbaum*

Udo Birnbaum  
pro-se

encl:

Incident Report 9500070 Van Zandt Sheriffs Office dated 2-8-95  
Complaint to District Attorney dated February 15, 1995

RECEIVED  
FEB 15 2019 19  
CLERK  
DISTRICT COURT  
DALLAS CO. TX

May 31, 1995

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

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

Sir:

My request of May 15, 1995 for a resolution hearing is urgent.

I sidestepped Jones because of his age and his condition, but I cannot sidestep his lawyer and this Court. I am being sued for the crimes Jones committed and the damages he created.

His lawyer researched a detailed description of my property, while exercising a conscious indifference to the merit of Jones' complaint, the burdens he is imposing on me, and the rules of Law.

I have been harassed and my Civil and Constitutional rights have been and are being violated.

My factual statements and requests have all fallen on deaf ears.

Due to the above I find it impossible to defend myself under such contrived conditions.

I respectfully request and urge the judge to read my file in its entirety.

I request that the resolution hearing be placed on the next docket.

Sincerely,

*Udo Birnbaum*

Udo Birnbaum  
pro se

Udo Birnbaum  
Route 1, Box 295  
Eustace, TX 75124

**received**  
**5-31-95**

*Betty Davis*

June 1, 1995

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

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

Sir:

My request for the resolution hearing set for June 12, 1995 has not been properly addressed.

I specifically requested the presence of William B. Jones at the hearing.

I specifically listed Jones as one of the parties requiring notice by this Court.

I petition this Court to do whatever is necessary to get Jones into Court for the scheduled hearing, to initial each and every paragraph of the Plaintiff's Original Petition, in the presence of the Judge.

Sincerely,



Udo Birnbaum  
Pro Se

Udo Birnbaum  
Route 1, Box 295  
Eustace, TX 75124

**received**  
6-1-95

TO:

June 26, 1995

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

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

I request a copy of the Court Transcript of the June 12, 1995  
Resolution Hearing for the above named Cause.

Please forward this request to the appropriate persons if required  
so that I may make arrangements to pay for this service.

Also, my two written requests for the transcript of my April 4, 1995  
pre-trial Hearing are being ignored. My requests have never been  
complied with.

I had spoken to the Court Reporter and she had assured me that I would  
receive the transcript, but I have not.

I am the defendant and as such I am entitled to hear all statements made  
by the Plaintiff's attorney at my pre-trial hearing.

Will I be forced to schedule a hearing, subpoena the Court Reporter,  
and obtain an Order to force her into compliance?

This request is urgent.

Sincerely,

*Udo Birnbaum*

Udo Birnbaum  
Pro Se

Udo Birnbaum  
Route 1, Box 295  
Eustace, TX 75124

Phone: (903) 479-3929

UB:ub



July 7, 1995

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

Re: Cause No. 95-63  
A Petition

Sir:

From the beginning I have complained to this Court about Richard Ray's fabrications, and I am still being victimized by his barratry. From the beginning I have sought the protection and involvement of this Court.

I have presented to this Court the Sheriff's report of the date the suit was filed on me, together with my crime report to the District Attorney.

I have been unable to impress on this Court the importance of my requests, petitions, and complaints.

I have documented to this Court numerous cases of misrepresentation and outright falsification.

My defense has been obstructed and my Civil and Constitutional Rights are being violated.

I therefore petition this Court to refer these matters to the U.S. Justice Department to pursue the violations of 18 USCS § 241 AND 18 USCS § 242 that are clearly documented in the files.

A fully completed "Request for Setting Form" is attached.

Sincerely,

*Udo Birnbaum*

Udo Birnbaum  
Pro Se

Udo Birnbaum  
Route 1, Box 295  
Eustace, TX 75124

**received**  
7-7-95

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

DAVID J. MALAND  
CLERK

211 W. FERGUSON  
TYLER, TEXAS 75702

DATE: 7/26/95

TO Udo Birnbaum

RE: Document received 7/25/95

The Clerk's Office received your correspondence and/or pleadings. However, due to the following reason(s), your material is returned herewith.

\_\_\_\_\_ The Court is unable to grant relief unless requested through proper motion in a pending case. If you wish to bring your complaint to the Court's attention by way of a civil rights complaint or a habeas corpus petition, you may request the proper forms from the Clerk.

\_\_\_\_\_ A motion cannot be filed until you have a case pending in this Court.

\_\_\_\_\_ Your pleading must bear a civil action number.

\_\_\_\_\_ The Clerk can only file instruments which pertain to cases filed in this Court.

\_\_\_\_\_ Your materials are incoherent/unintelligible.

\_\_\_\_\_ The Clerk is prohibited from giving legal advice.

\_\_\_\_\_ The Clerk does not perform investigatory tasks.

\_\_XX\_\_ Judge Justice is prohibited by the Code of Judicial Conduct from giving legal advice or issuing advisory opinions. For that reason, he is unable to respond to your letter. If you wish to pursue this matter, please complete the enclosed document, obtain certification, sign, and file in the correct federal district court.

\_\_\_\_\_ Other: