

CAUSE NO. 25-00024

UDO BIRNBAUM	\$	IN THE DISTRICT COURT
Plaintiff	\$	
v.	\$	294TH JUDICIAL DISTRICT
CSD VAN ZANDT LLC	\$	
SANGER BANK	\$	VAN ZANDT COUNTY, TX
Defendants	\$	

FIRST AMENDED ORIGINAL PETITION **FOR BILL OF REVIEW**

COMES NOW UDO BIRNBAUM ("Birnbaum"), complaining of CSD Van Zandt LLC ("CSD") by fraudulent motion for summary judgment duping this court to unlawfully appropriate them 88 year old Birnbaum's 42 year 150 acre homestead, such appropriation in clear violation of Birnbaum's Right to a trial¹, indeed a jury trial², and SANGER BANK "holding" such.

I. **EXHIBIT LIST**

- | | |
|------------|--|
| Exhibit 01 | The 10-20-2022 <u>PROPOSED ORDER</u> on Motion for Summary Judgment - - - <u>the artifice used by CSD to defraud Birnbaum of his Right to a trial</u> - - - - "(GRANTED - - - in all things)" |
| Exhibit 02 | The 8-17-2023 <u>SIGNED PROPOSED ORDER</u> - - - - <u>without there ever even a hearing</u> on the motion for summary judgment |
| Exhibit 03 | The 8-30-2023 <u>WRIT OF POSSESSION</u> - - - <u>without there ever a judgment of possession</u> to execute on - - - this writ was executed solely on the 8-17-23 <u>Order on Motion for Summary Judgment</u> (Exhibit 02) which is NOT a judgment. |
| Exhibit 04 | The 9-21-2023 <u>EVICTON</u> as a supposed TENANT - - - <u>in Texas a district court cannot do eviction</u> - only the JP justice court of the precinct, and even there only upon Right to a trial., indeed by JURY |

¹ Texas Bill of Rights Sec. 15. RIGHT OF TRIAL BY JURY. The right of trial by jury shall remain inviolate. The Legislature shall pass such laws as maybe needed to regulate the same, and to maintain its purity and efficiency

² Texas Constitution. Sec. 10. TRIAL BY JURY IN CIVIL CASES. In the trial of all causes in the district courts, the plaintiff or defendant shall, upon application made in open court, have the right of trial by jury

- Exhibit 05 COUNTER POST onto front door - - - details exactly why the “eviction” was unlawful - - - because it came out of a district court. In Texas eviction solely by the JP court. Tex. Property Code 24.004
- Exhibit 06 The DAMAGE done by this supposed “eviction”. Just the amount of STUFF shows **Birnbaum was not a mere tenant**. With EIGHT (8) armed standby officers, this was a mob event, as the pictures show
- Exhibit 07 WARRANTY DEED - - -Gwendolyn Wright Thibodeaux to Udo Birnbaum. Evidence Birnbaum not a mere tenant. Also evidence that the 150 acres **never entered into the estate that CSD claimed their chain of titles came out of**
- Exhibit 08 The 9-20-2023 belated FINAL JUDGMENT - - - it says this judgment was by reason of the summary judgment of 8-17-2023. - - - **which summary judgment was the artifice used to defraud Birnbaum of his Right to a trial**
- Exhibit 09 The COURT DOCKET SHEET - - - SEVEN (7) PAGES - - - over a year - - - and supposedly no “*genuine issues of material fact*” so as to allow for summary judgment. **The summary judgment was the artifice used to defraud Birnbaum of his Right to a trial**

II.

DISCOVERY-CONTROL PLAN

1. Plaintiff intends to conduct discovery under Level 3 of Texas Rules of Civil Procedure 190.4.

III.

CLAIM FOR RELIEF

2. Plaintiff pleads for this court to restore him to the position he would have occupied had due process of law been accorded to him in the first place.

IV.

PARTIES

3. Udo Birnbaum (“Birnbaum”) is an individual who may be served at 119 AN County Road 2501, Tennessee Colony, Texas 75861

4. CSD Van Zandt LLC ("CSD") is a Texas Limited Liability Company whose registered agent is Robert O. Dow. Plaintiff's principal place of business is 6115 Owens St Suite 201, Dallas, TX 75235.

SANGER BANK ("Sanger") is an entity whose principal place of business is at 1405 W Chapman Dr. Sanger, TX 76266

V.

INTRO

What is a Bill of Review?

5. This directly from *Baker v. Goldsmith*, 582 S.W.2d 404, 406-7 (Tex. 1979):

A bill of review is an independent equitable action brought by a party to a former action seeking to set aside a judgment, which is no longer appealable or subject to motion for new trial. See *McEwen v. Harrison*, 162 Tex. 125, 131-32, 345 S.W.2d 706, 709-10 (1961); Comment, Setting Aside Judgments Against the Absent Defendant, 37 Texas L.Rev. 208, 221 (1958). Rule 329b(b) of the Texas Rules of Civil Procedure provides that: "After the expiration of thirty (30) days from the date the judgment is rendered or motion for new trial overruled, the judgment cannot be set aside except by bill of review for Sufficient cause, filed within the time allowed by law." Tex.R.Civ.P. 329b(5) (emphasis added). The rules do not define "sufficient cause," but Texas courts have enunciated several requirements that must be satisfied. In *Alexander v. Hagedorn*, 148 Tex. 565, 568, 226 S.W.2d 996, 998 (1950), this court stated that in order to be successful upon a bill of review the complainant must "allege and prove: (1) a meritorious defense to the cause of action alleged to support the judgment, (2) which he was prevented from making by the fraud, accident or wrongful act of the opposite party, (3) unmixed with any fault or negligence of his own" (emphasis added)

Baker v. Goldsmith, 582 S.W.2d 404, 406-7 (Tex. 1979)

VI. Introductory Summary

6. CSD Van Zandt LLC used the artifice of a fraudulent motion for summary judgment by submission, in order to deprive Birnbaum of his absolute right to a trial³, indeed a jury trial⁴, and keep Birnbaum from presenting his claim⁵, even challenging his accuser, even countering the fraud in the motion for summary judgment, there never even having been a hearing on the motion for summary judgment against him, nor on Birnbaum's own motion 166(a)i summary judgment "no evidence" against CSD Van Zandt LLC, nor Birnbaum's complaints of obstruction of discovery, production, etc and etc.. All inconsistent with the due process. (See Exhibit 9 – a seven page full year Docket Sheet)

³ Texas Bill of Rights Sec. 15. RIGHT OF TRIAL BY JURY. The right of trial by jury shall remain inviolate. The Legislature shall pass such laws as maybe needed to regulate the same, and to maintain its purity and efficiency. Provided, that the Legislature may provide for the temporary commitment, for observation and/or treatment, of mentally ill persons not charged with a criminal offense, for a period of time not to exceed ninety (90) days, by order of the County Court without the necessity of a trial by jury. (Feb. 15, 1876. Amended Aug. 24, 1935.)

⁴ Texas Constitution. Sec. 10. TRIAL BY JURY IN CIVIL CASES. In the trial of all causes in the district courts, the plaintiff or defendant shall, upon application made in open court, have the right of trial by jury; but no jury shall be empaneled in any civil case unless demanded by a party to the case, and a jury fee be paid by the party demanding a jury, for such sum, and with such exceptions as may be prescribed by the Legislature. (Feb. 15, 1876)

⁵ PERALTA v. HEIGHTS MEDICAL CENTER, INC., 485 U.S. 80 (1988)
Where a person has been deprived of property in a manner contrary to the most basic tenets of due process, "it is no answer to say that in his particular case due process of law would have led to the same result because he had no adequate [485 U.S. 80, 87] defense upon the merits." Coe v. Armour Fertilizer Works, 237 U.S. 413, 424 (1915). As we observed in Armstrong v. Manzo, 380 U.S., at 552 , **only "wip[ing] the slate clean . . . would have restored the petitioner to the position he would have occupied had due process of law been accorded to him in the first place." The Due Process Clause demands no less in this case.** (emphasis added)

VII.

Element 1: Birnbaum had a meritorious defense

7. CSD Van Zandt LLC, claiming to have just acquired title, brought trespass to try title against Birnbaum in the 294th District Court of Van Zandt County, and wanting immediate possession of an 150 acres. Birnbaum, long time homesteader, answered that it was all fraud.

8. CSD Van Zandt LLC thus alleged: (in CSD First Amended)

“15. Plaintiff obtained title to the Property via a regular chain of conveyance from the sovereign, as explained hereinabove. To reiterate, Mr. and Mrs. Travis conveyed the Property to Defendant, who conveyed same to Gwendolyn Wright Thibodeaux. Upon her death, the Property passed to Louis Thibodeaux, Patricia Moore Barclay, and James T. Moore, III. Subsequently, Lisa Leger Girot inherited Louis Thibodeaux’s interest in the Property upon his death. Plaintiff then purchased the Property from Lisa Leger Girot, Patricia Moore Barclay, and James T. Moore, III. As such, Plaintiff is entitled to immediate possession of the Property and a declaration of title in Plaintiff’s favor and against Defendant.”

9. Birnbaum thereto replied thus: (in his Response to CSD’s motion for summary judgment, also by Birnbaum’s own MSJ 166(a)i “no evidence” against CSD)

“3. PLAINTIFF [CSD in 294th] claims title to 148.12 acres in Van Zandt County, Texas by a purported warranty deed “stitching” purported individual undivided entitlements of a Patricia Moore Barclay, James T. Moore, and a Lisa Leger Girot, supposedly arising out of the 2006 estate of a Gwendolyn Wright Thibodeaux, by stitching such purported individual undivided **entitlements** into purported 100% fee simple **land title**.

“4. DEFENDANT [Birnbaum in 294th] pleads that it is all pure fraud and theft by real estate deed fraud upon the elderly because 1) the 148.12 acres **not being part of that estate**, 2) **no** document of administrator’s **deed** or executor’s deed ever **came out of probate nor could it** by 4 year statute of limitations (no probate occurred until 2021), 3) no document of deed ever arose among the supposed THREE grantors, and 4) if by nothing else, defendant has full title **if by nothing but peaceable and adverse possession** , and 5) **no document showing passage of title to Barclay, Moore, nor Girot exists.**” (emphasis added)

10. CSD Van Zandt LLC further thus alleged: (in CSD First Amended)

“7. Subsequently, in Cause No. 15622 in the County Court of Van Zandt County, Texas, Judge Don Kirkpatrick determined Ms. Thibodeaux’s heirs and their respective shares and interests in the Property as follows: Louis Thibodeaux: 50%; Patricia Moore Barclay: 25%; and James T. Moore, III: 25%. As a result, Louis Thibodeaux, Patricia Moore Barclay and James T. Moore, III owned the Property in the percentages set out above”.

11. Birnbaum thereto countered: (in his Response to CSD’s MSJ)

“7. The 148.12 acres was brought into the probate of Gwendolyn Wright Thibodeaux by clear error and fraud in the Corrected Affidavit of Facts of December 7, 2009 also in an earlier one of August 16, 2008. It could not have been, as Gwendolyn Wright Thibodeaux signed that property to Defendant Birnbaum April 29, 2002 via warranty deed. This was done long before her death in December 8, 2006.

“8. Even if that were not the case, no document of title (such as Executor’s deed or Administrator’s deed) could have come out of that probate. Lisa Girot brought a belated probate at 15 years - - - long after the 4 year statute of limitations.

“9. Emails and phone recordings with Girot show that in 2020 Girot was clearly setting Defendant up for theft.

“10. Any chain of title Lisa Girot claims would have been further intercepted by warranty deed Louis Thibodeaux insisted on writing to Defendant Birnbaum April 3, 2017. Louis Thibodeaux, source of supposed inheritance to Lisa Girot - - an inheritance which in regards to this property could not have passed from Gwendolyn Wright Thibodeaux to Louis Thibodeaux because as of 2017 when Defendant obtained the deed, Gwendolyn could not have passed any thing to Louis Thibodeaux nor Louis Thibodeaux to Lisa Girot. Girot’s title would have been a “bag of thin air”.

“11. The warranty deed of June 24, 2022 to CSD Van Zandt LLC is a blatant fraud of and within itself. It is deception and fraud to stitch together divided supposed estate entitlements into a single warranty deed land title and it furthermore contains “weasel” language of “*without recourse against the grantor*”. That phrase is next to the last paragraph and just above the first signature.

“12. This very suit upon Defendant by CSD Van Zandt LLC is a fraud - - a real estate deed fraud. This very motion for summary judgment by hearing by submission is fraud. It is contradicting to the original August 23, 2022 affidavit of Robert Dow to make it appear there are no contested issues. No contested

issues is the condition for the allowance of any hearing by submission. There are, in fact, contested issues - - **highly contested**.

“13. Like what were these guys up to when they repeatedly cut lock and chain to get their bulldozer to tear up 3000 feet of internal fences of the property Defendant has possessed and lived on since 1985 in his 2200 square foot 1 ½ story house? Was their inquiry before purchase, into the state of the property, or into the state of Defendant as an 85 year old, and just what they were told by Lisa Girot, and why they went with that, instead of inquiring with Defendant or his neighbors? And why, after them multiple times cutting Defendant’s chains, he had to physically park a car across his gate to put a stop to a bulldozer.”

* * END Birnbaum counter * *

NOTE:

12. As for the CSD claim of “Judge Don Kirkpatrick determined” - - Kirkpatrick’s determination was about **entitlement**, **not title**. The Judgment of Heirship clearly states that there was no administration, i.e. no inventory determination, “*No administration is necessary*”, i.e. no TITLE by executor’s deeds nor administrator’s deeds came out, nor could come out, even if title had been in there, which it was not, conveyance of title in Texas solely by DEED, and by probate DEED back to a living.

13. No ADMINISTRATION because of belated 2021 probate on the 2006 estate, well outside the four (4) year statute of limitation. Also note entitlement, a 50% right, to “*Louis Thibodeaux, an adult, now deceased*”.

14. FROM A DEAD TO A DEAD. CSD Van Zandt has no chain of title conveyance, and Right to a trial would have made the fraud clear.

VIII.

Element 2: Birnbaum was prevented from making his defense by the fraud of the opposite party

15. As already summarized in the introductory summary, the artifice of the CSD fraudulent motion for summary judgment by submission deprived Birnbaum of his absolute right to a trial, indeed a jury trial, precluding him from presenting his defense, challenging his accuser, ever presenting his own counter-claim. Details in:

- Response in Opposition to this Court's Setting for Hearing by Submission of Plaintiff's MSJ for Nov. 14, 2022 (see Docket Sheet, which is attached Exhibit 9)
- Defendant's Motion for Summary Judgment RCP Rule 166(a)i "no evidence" to CSD Claim of Title (see Docket Sheet)
- Motions for Sanctions and Criminal Refer (see Docket Sheet)
- Motions to Compel, Sanctions, Refer, etc. etc. (see Docket Sheet)

IX.

Element 3: unmixed with any fault or negligence of his own"

16. Simple reference to the SEVEN (7) page over full year Docket Sheet (Exhibit 09) indicates Birnbaum was not negligent in trying to present his defense, indeed his counter-claim, before this Court, and more.

17. Any semblance of due process would have allowed Birnbaum to counter this fraud upon both him, and upon this Court.

18. Such fraud by the weaponizing of summary judgment by CSD.

PRAYER

Birnbaum prays this Court grant this Petition for Bill of Review and wipe the slate clean and restore Birnbaum to the position he would have occupied had due process of law been accorded to him in the first place.⁶

The Due Process Clause demands no less. Birnbaum demands his right to a trial⁷, indeed a jury trial⁸.

SANGER BANK is responsible by irresponsibly and negligently arming CSD VAN ZANDT LLC, by \$850,000 "balloon" loan, when they must or should have known that NONE of the "grantors" onto CSD owned any such property, for there exist no DEEDS onto any of their "grantors".

Also for SANGER BANK now, by deed of trust, harboring property stolen from me, namely my 150 acres at issue.

⁶ PERALTA v. HEIGHTS MEDICAL CENTER, INC., 485 U.S. 80 (1988)

Where a person has been deprived of property in a manner contrary to the most basic tenets of due process, "it is no answer to say that in his particular case due process of law would have led to the same result because he had no adequate [485 U.S. 80, 87] defense upon the merits." Coe v. Armour Fertilizer Works, 237 U.S. 413, 424 (1915). As we observed in Armstrong v. Manzo, 380 U.S., at 552, only "wip[ing] the slate clean . . . would have restored the petitioner to the position he would have occupied had due process of law been accorded to him in the first place." The Due Process Clause demands no less in this case.

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UDO BIRNBAUM, Pro Se
119 AN County Road 2501
Tennessee Colony, TX 75861
903-922-5996
BRNBM@AOL.COM

CERTIFICATE OF SERVICE

Today, Aug., 2, 2025, CERTIFIED MAIL
CMRR 9589 0710 5270 2057 7950 04, to:
Sanger Bank, 1405 W Chapman Dr, Sanger, TX 76266

Email attach, to:

Corey Kellam	corey@sullivanlawoffices.com
Nicole Faragen	nicole@sullivanlawoffices.com
Kent Canada	kent@sullivanlawoffices.com
District Clerk	districtclerk@vanzandtcounty.org


Udo Birnbaum

AFFIDAVIT OF UDO BIRNBAUM

STATE OF TEXAS

COUNTY OF ANDERSON

Before me, the undersigned notary public, on this day personally appeared Udo Birnbaum, who after being duly sworn, on his oath stated:

1. My name is Udo Birnbaum. I am over 18 years of age, of sound mind, and capable of making this Affidavit. I have not been convicted of a felony or crime involving moral turpitude.
2. The 294th District Court of Van Zandt County took my long time 150 acre homestead in violation of due process and my Right to a trial, indeed a jury trial.
3. So hereby my *Original Petition for Bill of Review*. I have personal knowledge of all facts contained therein, which are true and correct.
4. Attached to such *Original Petition for Bill of Review* by attach to this Affidavit are nine (9) Exhibits, which are true copies of the originals except for obvious markups, all by me:

EXHIBITS

- | | |
|------------|---|
| Exhibit 01 | The 10-20-2022 <u>PROPOSED ORDER</u> on CSD Van Zandt LLC's Motion for Summary Judgment - - - <u>the artifice used by CSD to defraud Birnbaum of his Right to a trial</u> - - - - "(GRANTED - - - in all things)" |
| Exhibit 02 | The 8-17-2023 <u>SIGNED PROPOSED ORDER</u> - - - - without there ever even a hearing on the motion for summary judgment |
| Exhibit 03 | The 8-30-2023 <u>WRIT OF POSSESSION</u> - - - without there ever a judgment of possession to execute on - - - this writ was executed solely on the 8-17-23 <u>Order on Motion for Summary Judgment</u> (Exhibit 02) which was NOT a judgment. |

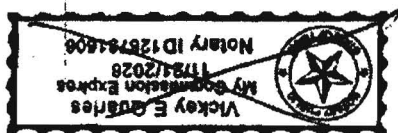
- Exhibit 04 The 9-21-2023 EVICTON as a supposed TENANT - - - in Texas a district court cannot do eviction – only the JP justice court of the precinct - - - and even there only after a right to a trial, indeed a JURY TRIAL
- Exhibit 05 COUNTER POST onto front door - - - details exactly why the “eviction” was unlawful - - - because it came out of a district court. Tex. Property Code 24.004
- Exhibit 06 The DAMAGE done by this supposed “eviction”. Just the amount of STUFF shows Birnbaum was not a mere tenant. With EIGHT (8) armed standby officers, this was a mob event, as the pictures show
- Exhibit 07 WARRANTY DEED - - -Gwendolyn Wright Thibodeaux to Udo Birnbaum. Evidence Birnbaum not a mere tenant. Also evidence that the 150 acres never entered into the estate that CSD claimed their chain of titles came out of
- Exhibit 08 The 9-20-2023 belated FINAL JUDGMENT - - - it says this judgment was by reason of the summary judgment of 8-17-2023. - - - which summary judgment was the artifice used to defraud Birnbaum of his Right to a trial
- Exhibit 09 The COURT DOCKET SHEET - - - SEVEN (7) PAGES - - - over a year - - - and supposedly no “*genuine issues of material fact*” so as to allow for summary judgment. The summary judgment was the artifice used to defraud Birnbaum of his Right to a trial

5. I understand that any false statements made in this Affidavit will subject me to penalties of perjury.

Affiant further sayeth not.

Udo Birnbaum
Udo Birnbaum

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this the 31 day of January, 2025 to certify which witness my hand and seal of office.



Vickie E. Quarles
Notary Public, State of Texas

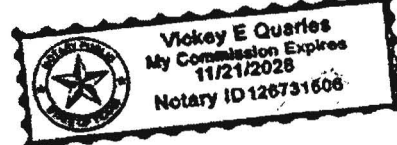


Exhibit 01 - - PROPOSED ORDER - - - Robert O. Dow, of CSD Van Zandt LLC , weaponized summary judgment, a procedural shortcut for DISPOSING of meritless claims, to rob Udo Birnbaum of his right to a trial, indeed a jury trial, and STEAL his 42-year 150 acre homestead, by the stroke of an evil pen.

CSD VAN ZANDT LLC
Plaintiff

v.

UDO BIRNBAUM
Defendant

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IN THE DISTRICT COURT

294th JUDICIAL DISTRICT

VAN ZANDT COUNTY, TEXAS

ORDER GRANTING PLAINTIFF'S TRADITIONAL
MOTION FOR SUMMARY JUDGMENT

On this the ____ day of _____ 2022, came on to be considered *Plaintiff's Traditional Motion for Summary Judgment*. The Court, having considered said *Motion*, and all Responses and Replies, if any, is of the opinion that Plaintiff is entitled to judgment as a matter of law.

IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that *Plaintiff's Traditional Motion for Summary Judgment* is hereby **GRANTED** in all things.

IT IS SO ORDERED.

SIGNED this the ____ day of _____ 2022.

Judge Presiding

Exhibit 02 - - SIGNED ORDER - - - Robert O. Dow, of CSD Van Zandt LLC , weaponized summary judgment, a procedural shortcut for DISPOSING of meritless claims, to rob Udo Birnbaum of his right to a trial, indeed a jury trial, and STEAL his 42-year 150 acre homestead, by the stroke of an evil pen.

CAUSE NO. 22-00105

CSD VAN ZANDT LLC

Plaintiff

v.

UDO BIRNBAUM

Defendant

§
§
§
§
§
§
§

IN THE DISTRICT COURT

294th JUDICIAL DISTRICT

VAN ZANDT COUNTY, TEXAS

2023 AUG 17 AM 11:23

RECORD
KAREN WILSON
DIST CLERK VAN ZANDT CO. TX
BY Kara DEP

**ORDER GRANTING
PLAINTIFF'S TRADITIONAL MOTION FOR SUMMARY JUDGMENT**

On August 17, 2023, came on to be considered *Plaintiff's Traditional Motion for Summary Judgment*. The Court, having considered said *Motion*, and all Responses and Replies, if any, is of the opinion that Plaintiff is entitled to judgment as a matter of law.

IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that *Plaintiff's Traditional Motion for Summary Judgment* is hereby GRANTED in all things.

IT IS SO ORDERED.

SIGNED this 17th day of August 2023.



Judge Chris Martin

Exhibit 03 - - WRIT OF POSSESSION - - - by a weaponized summary judgment robbing Birnbaum of his Right to a trial to counter and show his evidence. Also, see Note below - - - lots of stuff "curious" - - - like no judgment to execute on.

CAUSE NO. 22-00105

CSD VAN ZANDT LLC
Plaintiff

v.

UDO BIRNBAUM
Defendant

§
§
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§
§
§
§

IN THE DISTRICT COURT

294th JUDICIAL DISTRICT

VAN ZANDT COUNTY, TEXAS

WRIT OF POSSESSION OF PREMISES

TO ANY SHERIFF OR CONSTABLE IN THE STATE OF TEXAS:

WHEREAS the Plaintiff has recovered judgment of possession of the premises in the above-entitled and numbered action; and

WHEREAS the judgment was executed on August 17, 2023; and

WHEREAS the Plaintiff has proven an entitlement to immediate possession of the premises;

YOU ARE HEREBY COMMANDED to place Plaintiff, CSD VAN ZANDT, LLC, in immediate possession of the premises located at 540 VZ County Road 2916, Eustace, Texas 75124, and legally described as:

~~All that certain lot, tract or parcel of land located within the P. Young Survey, Abstract No. 978 of Van Zandt County, Texas, being all of a called 74.907 acre tract, described as Tract 1 and all 488 called 574.807 acre tract, situated in Township 34 N., Range 12 E.,~~

Exhibit 03 - - * There was no judgment of possession.
* The 8-17-2023 was an ORDER - - not a judgment.
* A district court cannot even do "possession"
* And certainly not without a trial, indeed a jury trial
* And writs are signed by a clerk not a judge.
* "immediate possession" upon TITLE - - that is the common law "action of ejectment" which is not available in this state.
* Also note the absence of a Clerk file mark

~~Irwin and Sharon Irwin, dated June 26, 2020 and recorded in Document No. 2020-005638 bears North 04 deg. 24 min. 24 sec. West, a distance of 513.56 feet;~~

THENCE with said County Road 2916, the West line of said 96.60 acre tract, a called 52.46 acre tract, described as Tract 1 in Said Volume 2255, Page 113, and the residue of a called 106.73 acre tract as described in a deed from Shirley Roberts Phillips, Executrix of the Estate of Harland William Phillips to Susan Alice Emerson, et al, dated January 25, 2005 and recorded in Volume 2091, Page 529, and the common line of said P. Young Survey, said A. Flowers Survey, and the W. Flowers Survey, Abstract No. 263, the following four (4) courses and distances:

South 01 deg. 18 min. 19 sec. East, a distance of 1,350.63 feet to a Point for Corner;

South 00 deg. 56 min. 34 sec. East, a distance of 1,127.70 feet to a Point for Corner;

South 01 deg. 25 min. 26 sec. East, a distance of 682.63 feet to a Point for Corner;

South 01 deg. 08 min. 12 sec. East, a distance of 313.34 feet to a Point for Corner at the Southeast corner of said 74.507 acre tract, Tract 2, same being the Northeast corner of a called 43.13 acre tract, described as Tract Two in a deed from Charles E. Womble, Trustee of the Richard E. Womble Irrevocable Trust to Charles E. Womble, dated December 5, 2013 and recorded in Document No. 2014-000264, from which an 8" wood fence corner post bears South 86 deg. 56 min. 25 sec. West, a distance of 39.71 feet;

THENCE South 89 deg. 17 min. 06 sec. West, with the North line of said 43.13 acre tract, a distance of 1,864.85 feet to a Point in an Oak Tree in the East line of a called 30.36 acre tract as described in a deed from Roy Allen Phillips and Gloria Jean Phillips to Steven D. Kiewit, dated February 25, 2022 and recorded in Document No. 2022-002473 and being at the most northerly Northwest corner of said 43.13 acre tract, from which a 1/2" Iron Rod Found at the Southeast corner of said 30.36 acre tract bears South 01 deg. 20 min. 03 sec. East, a distance of 423.83 feet;

THENCE North 01 deg. 20 min. 05 sec. West, with the East line of said 30.36 acre tract and a called 35.96 acre tract as described in a deed from Roy Allen Phillips and Gloria Jean Phillips to R.G. Phillips Revocable Trust, dated May 12, 2017 and recorded in Document No. 2017-004184, passing a 5/8" Iron Rod Found at the East common corner of same at 522.28 feet and continuing for a total distance of 1,563.49 feet to a 2" Steel Post fence corner found at the Southeast corner of a called 17.25 acre tract as described in a deed from the Sheriff of Van Zandt County, Texas to Manuel Gallegos, dated November 4, 2020 and recorded in Document No. 2020-011428;

THENCE North 01 deg. 07 min. 07 sec. West, with the East line of said 17.25 acre tract, a distance of 1,873.23 feet to a 3/4" Iron Pipe Found in the South line of a called 31.88 acre tract, described as Tract 1 in said Document No. 2020-005698 at the Northeast corner of said 17.25 acre tract, from which a 1/2" Iron Rod Found at the Southwest corner of said 31.88 acre tract bears South 88 deg. 06 min. 23 sec. West, a distance of 46.19 feet;

THENCE North 88 deg. 06 min. 23 sec. East, with the South line of said 17.25 acre tract, said 5.72 acre tract, and said 5.00 acre tract, passing a 1/2" Iron Rod Found at the South common corner of said 5.72 acre tract and said 5.00 acre tract at 1,490.81 feet and continuing for a total distance of 1,866.20 feet to the POINT OF BEGINNING AND CONTAINING 142.12 ACRES OF LAND.

(1) When the writ is executed:

- (A) deliver possession of the premises to CSD Van Zandt LLC;
- (B) instruct Udo Birnbaum and/or all persons claiming under him to leave the premises immediately, and, if the persons fail to comply, physically remove them;
- (C) instruct Udo Birnbaum to remove, or to allow CSD Van Zandt LLC or other persons acting under your supervision to remove, all personal property from the premises other than personal property claimed to be owned by CSD Van Zandt LLC; and,
- (D) place, or have an authorized person place, the removed personal property outside at a nearby location, but not blocking a public sidewalk, passageway, or street and not while it is raining, sleeting, or snowing, with the exception of circumstances existing under Texas Property Code Sec. 24.0061 (d-1).

The officer serving this *Writ*, at the officer's discretion, may engage the services of a bonded or insured warehouseman to remove and store, subject to applicable law, part or all of the property at no cost to CSD Van Zandt LLC or the officer executing the *Writ*. The officer may not require CSD Van Zandt LLC to store the property.

NOTICE TO OFFICER: Under Section 7.003, Texas Civil Practice and Remedies Code, the officer is not liable for damages resulting from the execution of the *Writ* if the officer executes the *Writ* in good faith and with reasonable diligence.

8/30/2023 4:05:42 pm

SIGNED this ____ day of _____ 2023.



JUDGE PRESIDING
Chris Martin

Exhibit 04 - - EVICTION AS A SUPPOSED TENANT - - - by a weaponized summary judgment robbing Birnbaum of his Right to a trial to counter and show that it was all fraud. Besides a district court cannot evict - - - only the JP court. See NOTE below.

WARNING

A Writ of Possession has been issued by 294th
Judicial District Court of Van Zandt County,
Case No. 22-00105

All tenants and their personal property should be
removed from 540 Van Zandt County Road
2916, Eustace, Texas 75124 by

SEPTEMBER 07, 2023 at
9:00AM

Tenants and personal property remaining on the
premises after that date and time will be subject to
removal. The unit will be turned over to:

CSD Van Zandt, LLC

Van Zandt County Sheriffs Office
Posted by S.D. Henson

05 Day of September, 2023 at 2:54 pm

Exhibit 04 - - - "tenant" eviction by the 294th District Court.
But a district court cannot do eviction. It was by ROBERT O.
DOW and his lawyers having succeeded in fooling Judge
Chris Martin into doing this. That makes it a "forcible entry
and detainer" by Dow - - indeed a HOME INVASION.

Exhibit 05 - - EVICTION - - self explanatory - - this "eviction" by what turned out to be 8 armed officers was a setup for a mob event. NO other explanation fits. Left posted onto front door.

WARNING

TO ANY OFFICER EXECUTING, be warned that I am clearly NOT a "tenant" in a "unit". Here lives UDO BIRNBAUM, a native born Texan. I have uninterruptedly lived for 42 YEARS on my 150 acre

42 YEAR HOMESTEAD

Any Officer sent to execute be warned that this writ is **UNLAWFULLY** perpetrated **under color of law** by signature of a JUDGE. True writs are under authority, Seal, and signature of the CLERK.

Furthermore, **this writ is UNLAWFUL** because it is issued by a District Court. Only the JUSTICE COURT of the PRECINCT is authorized to issue Writs of Possession.

An **execution** is a process of the court from which it is issued. **The clerk** of the **district** or **county** court or the **justice** of the peace, as the case may be, shall tax the costs in every case in which a **final judgment** has been rendered and **shall issue execution to enforce such judgment** and collect such costs. The execution and subsequent executions shall not be addressed to a particular county, but shall be addressed to any sheriff or any constable within the State of Texas. Tex. R. Civ. P. 622 , As Amended August 7, 2023

Eviction Cases must be filed in the **Justice Court in the Justice of the Peace Precinct in the county in which the real property is located**. See Section 24.004, Texas Property Code.

OFFICER, you have a duty to NOT obey papers that you recognize or should recognize as being UNLAWFUL, particularly upon such specific and detailed Warning as above. (i.e. the **fraudulent writ** which produced **Attach 1**)

UDO BIRNBAUM, *Landlord*

By Robert O. Dow's lawyers getting Judge Chris Martin to seize Birnbaum's 150 acres by depriving Birnbaum of his Right to a trial.
EIGHT (8) armed officers, plus Sheriff Carter, that indeed makes it a "forcible entry and detainer" - - by Dow - - indeed a HOME INVASION.

EIGHT (8) armed officers, plus Sheriff Carter, that indeed makes it a "forcible entry and detainer" -- by Dow -- indeed a HOME INVASION.



Sampling of my “STUFF” – including my mother’s, and now MY wheelchair

WARRANTY DEED

20

THE STATE OF TEXAS
COUNTY OF VAN ZANDT

That I GWENDOLYN WRIGHT THIBODEAUX, of the County of Van Zandt and State of Texas, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration to me in hand paid by UDO BIRNBAUM, as follows:

\$10.00 cash in hand paid, and other good and valuable consideration this day paid to me all in cash by the said Udo Birnbaum, the receipt and sufficiency of which is hereby acknowledged and confessed,

have GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY, unto the said UDO BIRNBAUM, of the County of Van Zandt and State of Texas, all those tracts and parcels of land, totaling more or less 170 acres, described as follows, to-wit:

Property No. 1: That tract or parcels of land, being more or less 150 acres, more fully described in Deed of Records, Vol. 964, page 447.

Property No. 2: That tract or parcels of land, being more or less 18 acres, more fully described in Deed of Records, Vol. 997, page 807.

Property No. 3: That tract or parcels of land, being more or less 4.5 acres, more fully described in Deed of Records, Vol. 1037, page 321.

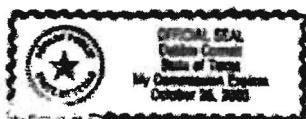
TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said UDO BIRNBAUM, his heirs and assigns forever, and I do hereby bind ourselves, and our heirs, executors and administrators, to Warranty and Forever Defend, all and singular the said premises unto the said UDO BIRNBAUM, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

EXECUTED this the 29th day of April, 2002.

Gwendolyn Wright Thibodeaux
Gwendolyn Wright Thibodeaux

THE STATE OF TEXAS
COUNTY OF VAN ZANDT

This instrument was acknowledged before me on this 29th day of April, 2002, by
GWENDOLYN WRIGHT THIBODEAUX



Heidi Cornejo
Notary Public, State of Texas

CAUSE NO. 22-00105

C **Exhibit 08 - - FINAL JUDGMENT - - - ALL IN CLEAR VIOLATION**
 v. **OF ABSOLUTE RIGHT TO A TRIAL, INDEED A JURY TRIAL.**
VOID *ab initio* and *ad perpetuum* (from the start and forever)

UDO BIRNBAUM
Defendant

§
 §
 §

VAN ZANDT COUNTY, TEXAS

FINAL JUDGMENT

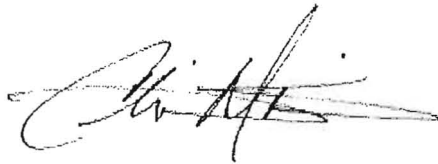
1. On August 17, 2023 the Court Granted all relief requested in *Plaintiff's Traditional Motion for Summary Judgment*.
2. Specifically, the Court grants judgment as a matter of law on Plaintiff's declaratory judgment and suit to quiet title claims.
3. Accordingly, the Court ORDERS, ADJUDGES AND DECREES that Plaintiff was a bona-fide purchaser of the Property and the Warranty Deed with Vendor's Lien, recorded on June 24, 2022 as document number 2022-007473 in the Official Public Records of Van Zandt County, Texas, conveying the subject Property from Lisa Leger Girot, Patricia Moore Barclay and James T. Moore, III to CSD Van Zandt LLC (Plaintiff) is valid and conveys full and complete legal title to Plaintiff, unencumbered by any interests asserted by Defendant.
4. The Court further ORDERS, ADJUDGES AND DECREES that the Warranty Deed Purporting to convey the subject Property from Louis Thibodeaux to Defendant, recorded on July 20, 2022 as document number 2022-008580 in the Official Public Records of Van Zandt County, Texas, along with any other unrecorded deed or instrument affecting title to the Property, are invalid and unenforceable.
5. The Court also ORDERS, ADJUDGES AND DECREES that Defendant is permanently enjoined from: 1) entering onto or loitering at or near the Property for any reason, 2)

harassing or slandering Plaintiff or Plaintiff's legal counsel, or any director, officer, employee, agent, or contractor of Plaintiff or Plaintiff's legal counsel.

6. Further, the Court AWARDS to Plaintiff attorney's fees in the amount of sixteen thousand five hundred and eighty two dollars (\$16,582.00).

7. Lastly, the Court denies and disposes of any and all other claims, counter claims and relief requested by or against any party, individual or entity named or otherwise implicated in any pleadings which are pending in this suit.

SIGNED this 20th day of September 2023.

A handwritten signature in black ink, appearing to read 'Chris Martin', written over a horizontal line.

JUDGE PRESIDING

Chris Martin, 294th District Court

as on 9-19-2024

**Exhibit 09 - - SEVEN (7) PAGE DOCKET SHEET - - paper paper
everywhere but not a trial or even a hearing - - despite the jury fee paid**

CSD VAN ZANDT LLC

TYLER, TX 75701
(903)534-8063
ATTORNEY: SMITH,GREG D.
110 NORTH COLLEGE AVE. SUITE 1120
TYLER, TX 75702
(903)363-7165

-- VS. --

BIRNBAUM,UDO

ATTORNEY:

CAUSE OF ACTION: TRESPASS TO TRY TITLE
FILE DATE: 08/24/2022

DATE	NATURE OF PROCEEDINGS
08/24/2022	ORIGINAL PETITION
	PLAINTIFF'S ORIGINAL PETITION AND APPLICATION FOR TEMPORARY INJUNCTION
08/24/2022	ISSUE CITATION
08/24/2022	JURY FEE
08/24/2022	RECEIPT ISSUED
214999	
08/24/2022	ISSUE CITATION
	UDO BIRNBAUM CITATION ISSUED ENV# 67633331/ST/HP
08/29/2022	ANSWER
	ANSWER AND COUNTERCLAIM
08/30/2022	CITATION RETURNED
	UDO BIRNBAUM CITATION RETURNED EXECUTED ON 08/25/2022
09/29/2022	AMENDED FILING
	FIRST AMENDED ANSWER, COUNTER, CROSS, TRESPASS TO TRY TITLE, INJUNCTION, LAW LICENSES, CRIMINAL REFER
09/29/2022	ISSUE CITATION
09/29/2022	ISSUE CITATION
09/29/2022	ISSUE CITATION
09/29/2022	ISSUE CITATION
09/29/2022	RECEIPT ISSUED
215551	
09/29/2022	ISSUE CITATION
	ROBERT O. DOW-CITATION ISSUED BY HAND TO UDO BIRNBAUM
09/29/2022	ISSUE CITATION
	COREY KELLAM-CITATION ISSUED BY HAND TO UDO BIRNBAUM
09/29/2022	ISSUE CITATION
	CELIA C. FLOWERS-CITATION ISSUED BY HAND TO UDO BIRNBAUM
09/29/2022	ISSUE CITATION
	VAN ZANDT COUNTY-CITATION ISSUED TO UDO BIRNBAUM
09/30/2022	CERTIFICATE OF
	CERTIFICATE OF WRITTEN DISCOVERY
10/20/2022	AMENDED FILING
	PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION AND APPLICATION FOR TEMPORARY INJUNCTION
10/20/2022	MOTION (NO FEE)
	PLAINTIFF'S TRADITIONAL MOTION FOR SUMMARY JUDGMENT

VAN ZANDT COUNTY CIVIL DOCKET
CAUSE # 22-00105

CAUSE OF ACTION: TRESPASS TO TRY TITLE
FILE DATE: 08/24/2022

DATE	NATURE OF PROCEEDINGS
10/20/2022	NOTICE NOTICE OF HEARING ENV#69447981
10/21/2022	DOCKET NOTE FIRST SET OF INTERROGATORIES TO CSD VAN ZANDT LLC
10/28/2022	PROPOSED ORDER PROPOSED*ORDER GRANTING PLAINTIFF'S TRADITIONAL MOTION FOR SUMMARY JUDGMENT
11/03/2022	RESPONSE RESPONSE IN OPPOSITION TO THIS COURT'S SETTING FOR HEARING BY SUBMISSION OF PLAINTIFF'S MSJ FOR NOV.14,2022
11/11/2022	CERTIFICATE OF WRITTEN DISCOVERY CERTIFICATE OF WRITTEN DISCOVERY
11/14/2022	ANSWER/CONTEST/RESPONSE/WAIVER-FAM PLAINTIFF'S REPLY TO DEFENDANT'S RESPONSE IN OPPOSITION TO HEARING BY SUBMISSION OF PLAINTIFF'S MSJ FOR 11/14/22
11/14/2022	OBJECTION PLAINTIFF'S OBJECTIONS TO DEFENDANT'S EXHIBIT EVIDENCE
12/12/2022	MOTION (NO FEE) MOTION FOR RCP 190.4 LEVEL 3 DISCOVERY CONTROL PLAN
12/12/2022	REQUEST FIRST REQUEST FOR PRODUCTION OF CSD VAN ZANDT LLC
12/12/2022	MOTION (NO FEE) DEFENDANT'S MOTION FOR SUMMARY JUDGMENT RCP RULE 166 A (I) NO EVIDENCE TO CSD CLAIM OF TITLE
12/29/2022	MOTION (NO FEE) PLAINTIFF'S MOTION TO QUASH AND OBJECTIONS TO DEFENDANT'S NOTICE OF DEPOSITION OF CSD VAN ZANDT LLC
12/30/2022	CERTIFICATE OF WRITTEN DISCOVERY CERTIFICATE OF WRITTEN DISCOVERY
01/10/2023	MOTION (NO FEE) MOTION FOR SANCTIONS AND CRIMINAL REFER
02/07/2023	ANSWER SECOND AMENDED ANSWER COUNTER,CROSS,TRESPASS TRY TITLE, INJUCTION, LAW LICENSES, CRIMINAL REFER
02/07/2023	MOTION (NO FEE) MOTION IN RE BONHOEFFER'S THEORY OF STUPIDY
03/10/2023	VACATION LETTER VACATION LETTER
03/15/2023	PROPOSED ORDER PROPOSED ORDER GRANTING RCP 190.4 DISCOVERY CONTROL PLAN
03/15/2023	PROPOSED ORDER PROPOSED ORDER ON MOTION FOR SANCTIONS
04/10/2023	NOTICE NOTICE OF TRIAL SETTING ENV#74622761
04/11/2023	MOTION (NO FEE) MOTION FOR JUDICIAL NOTICE OF FRAUD BY FLOWERS DAVIS LAWYERS UPON OWN CLIENT AND THIS COURT
04/05/2023	PROPOSED ORDER PROPOSED- ORDER ON MOTION FOR SANCTIONS

VAN ZANDT COUNTY CIVIL DOCKET
CAUSE # 22-00105

CAUSE OF ACTION: TRESPASS TO TRY TITLE
FILE DATE: 08/24/2022

DATE	NATURE OF PROCEEDINGS
04/05/2023	NOTICE DEFENDANT READY FOR TRIAL
04/19/2023	MOTION (NO FEE) PLAINTIFF'S MOTION FOR ENTRY OF DISCOVERY CONTROL PLAN AND SCHEDULING ORDER
04/19/2023	PROPOSED ORDER PROPOSED DISCOVERY CONTROL PLAN AND SCHEDULING ORDER
04/19/2023	NOTICE NOTICE OF HEARING BY SUBMISSION ENV#75047404
04/24/2023	CERTIFICATE OF WRITTEN DISCOVERY CERTIFICATE OF WRITTEN DISCOVERY
04/21/2023	MOTION (NO FEE) MOTION TO COMPEL, SANCTIONS, AND CRIMINAL REFER RE A FLOWERS DAVIS PLLC VAN ZANDT REAL ESTATE DEED FRAUD RING
05/02/2023	RESPONSE DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION FOR DISCOVERY CONTROL PLAN AND RCP 220 AND RCP 504.1(C) NON-AGREE TO BEN TRIAL
05/03/2023	NOTICE OF INTENTION NOTICE OF INTENTION TO TAKE ORAL DEPOSITION OF UDO BIRNBAUM
05/08/2023	NOTICE NOTICE OF INTENTION TO TAKE ORAL DEPOSITION OF LISA GIROT
05/08/2023	DESIGNATION OF PLAINTIFF'S DESIGNATION OF EXPERT WITNESSES
05/11/2023	CERTIFICATE OF WRITTEN DISCOVERY CERTIFICATE OF WRITTEN DISCOVERY
06/15/2023	NOTICE NOTICE OF WITHDRAWAL AS COUNSEL
06/19/2023	CERTIFICATE OF REPORTER'S CERTIFICATE DEPOSITION OF LISA GIROT
07/14/2023	PROPOSED ORDER PROPOSED ORDER DECLARING CSD VAN ZANDT TITLE AS VOID-NOT SIGNED BY THE JUDGE
07/14/2023	MOTION (NO FEE) MOTION FOR SUMMARY ADJUDICATION OF TITLE
07/24/2023	LETTER LETTER TO JUDGE MARTIN
08/09/2023	PROPOSED ORDER DEFENDANT'S MOTION TO ORDER MEDIATION - TOOK DOWN TO WB
08/09/2023	RESPONSE DEFENDANT'S RESPONSE TO THIS COURT'S INQUIRY
08/14/2023	ANSWER/CONTEST/RESPONSE/WAIVER-FAM PLAINTIFF'S RESPONSE TO 1) DEFENDANT'S RESPONSE TO COURT'S INQUIRY AND 2) DEFENDANT'S MOTION TO ORDER MEDIATION
08/17/2023	ORDER ORDER DENYING DEFENDANTS MOTION FOR MEDIATION ENV# 79273221
08/17/2023	ORDER ORDER GRANTING PLAINTIFF'S TRADITIONAL MOTION FOR SUMMARY JUDGEMENT ENV# 79273221
08/29/2023	DOCKET NOTE CK #3033 TO CHRISTEL CHANTELL WALLING - SENT TO SDU
08/28/2023	SERVICE - SHERIFF - WRIT

VAN ZANDT COUNTY CIVIL DOCKET
CAUSE # 22-00105

CAUSE OF ACTION: TRESPASS TO TRY TITLE
FILE DATE: 08/24/2022

DATE	NATURE OF PROCEEDINGS
08/28/2023	ISSUE WRIT
08/30/2023	ISSUE WRIT
08/31/2023	WRIT OF POSSESSION OF PREMISES-ISSUED TO VTSO FOR SERVICE RECEIPT ISSUED
220667	
09/05/2023	LETTER
	LETTER FROM UDO BIRNBAUM
09/06/2023	NOTICE OF APPEAL
	NOTICE OF APPEAL
09/06/2023	MOTION (NO FEE)
	MOTION FOR RECUSAL
09/06/2023	MOTION (NO FEE)
	EMERGENCY MOTION TO STAY WRIT OF POSSESSION
09/06/2023	DOCKET NOTE
	LINES 71-73 TAKENT TO W. BARKER FOR REVIEW
09/06/2023	NOTICE OF COURT ORDER
	NOTICE OF COURT ORDER- ORDER GRANTING PLAINTIFF'S TRADITIONAL MOTION FOR SUMMARY JUDGMENT ENV# 79273221
09/06/2023	NOTICE OF COURT ORDER
	NOTICE OF COURT ORDER -ORDER DENYING DEFENANT'F MOTION FOR MEDIATION ENV# 79273221
09/20/2023	NOTICE OF APPEAL
	CIVIL CERTIFICATE AND NOTICE OF APPEAL AND CIVIL CERTIFICATE SENT TO 12TH COURT OF APPEALS TRACE #14550
09/13/2023	NOTICE
	NOTICE FROM 12TH COURT OF APPEALS
09/13/2023	AMENDED FILING
	FIRST AMENDED EMERGENCY MOTION TO STAY WRIT OF POSSESSION/("EVICTION")
09/13/2023	AMENDED FILING
	ADDENDUM TO FIRST AMENDED EMERGENCY MOTION TO STAY WRIT OF POSSESSION/("EVICTION")
09/13/2023	AMENDED FILING
	FIRST AMENDED ADDENDUM TO FIRST AMENDED EMERGENCY MOTION TO STAY WRIT OF POSSESSION/("EVICTION")
09/13/2023	AMENDED FILING
	FIRST AMENDED MOTION FOR RECUSAL OF HON. JUDGE CHRIS MARTIN
09/13/2023	DOCKET NOTE
	LINES 77-80 TAKEN DOWN TO PT FOR REVIEW
09/08/2023	REQUEST
	REQUEST FOR ASSIGNMENT
09/08/2023	ORDER
	ORDER OF REFERRAL ON MOTION TO RECUSE ENV# 79596705 - SC
09/15/2023	NOTICE
	NOTICE OF COURT SETTING
09/15/2023	ORDER
	ORDER OF ASSIGNMENT BY THE PRESIDING JUDGE EVN# 79623809 - SC
09/18/2023	ANSWER/CONTEST/RESPONSE/WAIVER-FAM
	PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR RECUSAL
09/18/2023	PROPOSED ORDER
	PROPOSED *ORDER DENYING DEFENDANT'S MOTION FOR RECUSAL

VAN ZANDT COUNTY CIVIL DOCKET
CAUSE # 22-00105

CAUSE OF ACTION: TRESPASS TO TRY TITLE
FILE DATE: 08/24/2022

DATE	NATURE OF PROCEEDINGS
09/19/2023	ORDER
	ORDER DENYING MOTION TO RECUSE - SC
09/19/2023	NOTICE OF COURT ORDER
	NOTICE OF COURT ORDER ENV# 79725386
09/20/2023	JUDGMENT
	FINAL JUDGMENT ENV# 79782794
09/20/2023	ORDER
	ORDER DENYING DEFENDANT'S EMERGENCY MOTIONS TO STAY WRIT OF POSSESSION ENV# 79782794
	- SC
09/21/2023	NOTICE OF COURT ORDER
	NOTICE OF COURT ORDER ENV# 79782794
09/21/2023	NOTICE OF COURT ORDER
	NOTICE OF COURT ORDER ENV# 79782794
10/02/2023	NOTICE
	NOTICE FROM 12TH COURT OF APPEALS
10/02/2023	MEMORANDUM OPINION
	MEMORANDUM OPINION
10/02/2023	JUDGMENT
	JUDGMENT 12TH COURT OF APPEALS
10/03/2023	RETURN OF WRIT
	WRIT OF POSSESSION OF PREMISES-EXECUTED 9-21-23
10/05/2023	LETTER
	LETTER TO CLERK
10/05/2023	FINDINGS OF FACT AND CONCLUSION OF LAW
	REQUEST FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW
10/05/2023	MOTION FOR NEW TRIAL
	MOTION FOR NEW TRIAL BECAUSE THERE WAS NEVER A FIRST
10/05/2023	MOTION (NO FEE)
	MOTION TO MODIFY CORRECT AND REFORM THE JUDGMENT
10/05/2023	DOCKET NOTE
	REQUEST OF FINDINGS OF FACT AND CONCLUSIONS OF LAW SENT TO JUDGE'S OFFICE BY EMAIL
10/12/2023	LETTER
	LETTER
10/12/2023	NOTICE OF APPEAL
	NOTICE OF APPEAL
10/12/2023	NOTICE OF APPEAL
	NOTICE OF APPEAL TO COURT REPORTER
10/12/2023	NOTICE OF APPEAL
	CIVIL CERTIFICATE AND NOTICE OF APPEAL SENT TO 12TH COURT OF APPEALS TRACE # 14747
10/16/2023	MOTION (NO FEE)
	MOTION FOR REHEARING AND MOTION FOR RECONSIDERATION OF DISMISSAL OF APPEAL -EMAILED TO WB
10/25/2023	LETTER
	LETTER
10/25/2023	NOTICE OF APPEAL
	MOTION FOR REHEARING/DENIED
11/06/2023	FINDINGS OF FACT AND CONCLUSION OF LAW
	NOTICE OF PAST DUE FINDINGS OF FACT AND CONCLUSIONS OF LAW-EMAILED TO JUDGES OFFICE

VAN ZANDT COUNTY CIVIL DOCKET
CAUSE # 22-00105

CAUSE OF ACTION: TRESPASS TO TRY TITLE
FILE DATE: 08/24/2022

DATE	NATURE OF PROCEEDINGS
11/06/2023	NOTICE OF APPEAL
	NOTICE OF APPEAL -EMAILED TO JUDGES OFFICE
11/06/2023	LETTER
	LETTER -EMAILED TO JUDGES OFFICE
11/06/2023	NOTICE OF APPEAL
	CERTIFICATE AND NOTICE OF APPEAL SENT TO 12TH COURT OF APPEALS TRACE #14831
11/07/2023	NOTICE OF APPEAL
	AMENDED CIVIL CERTIFICATE WITH ADDITIONAL DOCUMENTS SENT TO THE 12TH COURT OF APPEALS TRACE #14840
11/08/2023	NOTICE
	NOTICE FROM 12TH COURT OF APPEALS DEFECTIVE NOA
11/15/2023	LETTER
	LETTER TO CLERK
11/15/2023	NOTICE OF APPEAL
	NOTICE OF APPEAL TO THE COURT REPORTER
11/16/2023	NOTICE OF APPEAL
	2ND AMENDED CIVIL CERTIFICATE SENT TO 12TH COURT OF APPEALS TRACE #14877
11/20/2023	NOTICE
	NOTICE FROM 12TH COURT OF APPEALS
11/28/2023	LETTER
	LETTER TO UDO BIRNBAUM
12/01/2023	LETTER
	LETTER FROM COURT REPORTER
12/01/2023	LETTER
	APPEARANCE OF COUNSEL FOR CSD VAN ZANDT
12/06/2023	LETTER
	LETTER TO UDO BIRNBAUM
12/08/2023	DOCKET NOTE
	DOCKETING STATEMENT -7PG DOC.
12/08/2023	DESIGNATION OF
	DESIGNATION OF CLERK'S RECORD
12/08/2023	DOCKET NOTE
	DOCKETING STATEMENT
12/08/2023	NOTICE
	NOTICE IN LIEU OF DESIGNATION TO COURT REPORTER
12/14/2024	CLERK RECORD
	CHARGE UP FOR APPEAL
12/14/2023	DESIGNATION OF
	DESIGNATION OF CLERK'S RECORD
12/18/2023	DOCKET NOTE
	ONLINE INSTRUCTIONS EMAILED
01/18/2024	RECEIPT ISSUED
	222479 COMMENTS: APPEAL PAID IN FULL
01/18/2023	APPEAL SENT
	APPEAL SENT TO 12TH COURT OF APPEALS TRACE #15083
02/20/2024	DOCKET NOTE
	BRIEF FOR APPELLANT
05/06/2024	DOCKET NOTE

VAN ZANDT COUNTY CIVIL DOCKET
CAUSE # 22-00105

CAUSE OF ACTION: TRESPASS TO TRY TITLE
FILE DATE: 08/24/2022

DATE NATURE OF PROCEEDINGS

BRIEF FOR APPELLANT
06/03/2024 NOTICE
NOTICE FROM 12TH COURT OF APPEALS
06/03/2024 MEMORANDUM OPINION
MEMORANDUM OPINION
06/03/2024 JUDGMENT
JUDGMENT AFFIRMED
06/25/2024 DOCKET NOTE
NOTICE OF EXTENSION OF TIME FROM SUPREME COURT
07/12/2024 DOCKET NOTE
NOTICE FROM SUPREME COURT OF TEXAS
07/12/2024 ORDER
ORDER FROM SUPREME COURT OF TEXAS
09/17/2024 DOCKET NOTE
NOTICE OF EXTENSION OF TIME FOR PETITION FOR REVIEW
09/17/2024 DOCKET NOTE
NOTICE FROM THE SUPREME COURT

Run 9-19-2024