

CAUSE NO. 15622

IN THE ESTATE OF

GWENDOLYN WRIGHT THIBODEAUX,

DECEASED

IN THE COUNTY COURT

OF

VAN VANDT COUNTY, TEXAS

PETITION FOR BILL OF REVIEW AND MOTION TO DECLARE JUDGMENT VOID

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, BARNEY DONALSON DBA GOD'S PROPERTY MINISTRIES ("Petitioner"), an interested person and rightful claimant to certain real property formerly owned by Louis Thibodeaux, and respectfully files this Petition for Bill of Review and Motion to Declare Judgment Void pursuant to the **Texas Estates Code**, the **Texas Rules of Civil Procedure**, and the **equitable powers of this Court**. In support thereof, Petitioner would respectfully show as follows:

I. BACKGROUND AND FACTS

1. In 2017, Lisa Girot – acting as a Notary Public commissioned by the State of Louisiana – witnessed the signature of Louis Thibodeaux on a warranty deed, placed her seal upon the document, and caused same to be delivered by mail to Udo Birnbaum. This document conveyed three tracts of real property in Van Zandt County, Texas, from Louis Thibodeaux to Udo Birnbaum.

2. Louis Thibodeaux died in 2019. In 2020, Lisa Girot filed his will in the *Succession of Louis Thibodeaux*, No. P-11-20 (31st Judicial District Court, Jefferson Davis Parish, Louisiana). Girot took no further action in the succession case and has not been granted administrator or executor status. She did not file an index of assets or give the required notice to creditors. She also did not obtain a judgment of possession giving her authority to sell any assets belonging to the estate of Louis Thibodeaux. In fact, the Louisiana succession case currently **remains pending** on the docket of that court.

3. Lisa Girot subsequently took a certified copy of the Louisiana court's initial order accepting the will and commencing the succession, and recorded same in the real property records of Harris and Van Zandt County. She represented to the appraisal district of both counties that the Louisiana succession was complete, and that the Louisiana court document gave her ownership and a right to sell all property previously owned by Louis Thibodeaux.

4. On or about April 13, 2021, this Court entered a *Judgment Declaring Heirship* in the above-captioned *In the Estate of Gwendolyn Wright Thibodeaux, Deceased*. The application was filed by Lisa Girot, who represented to the Court that she was entitled to pursue heirship on behalf of the decedent. However, Lisa Girot failed to disclose to this Court the prior conveyance to Udo Birnbaum, and failed to serve him with statutory notice as required under **Texas Estates Code §§ 202.051–202.052**.

5. Lisa Girot, as the notary public who placed her seal thereon and delivered the instrument conveying the property from Louis Thibodeaux to Udo Birnbaum, had **actual knowledge** that since 2017 Udo Birnbaum was the owner of the property. Girot **intentionally omitted** Birnbaum from notice, preventing him from asserting his rights or appearing before this Court. This constitutes **extrinsic fraud** that deprived Udo Birnbaum (and his successors-in-interest) of due process and a fair opportunity to be heard.

6. Barney Donalson dba God's Property Ministries is Birnbaum's successor-in-interest by and through a warranty and transfer upon death deed, and subsequently executed corrective instruments. Thus, he has standing to present this Bill of Review and Motion.

7. In October 2025, Donalson contacted George Alexander, the attorney who on Lisa Girot's behalf recorded the initial Louisiana succession order in Texas real property records. In a recorded telephone call, George Alexander admitted he was not familiar with Louisiana succession procedures, and stated he recorded the document provided by Lisa Girot because he **thought it was a final disposition** of the *Succession of Louis Thibodeaux*.

8. In October 2025, Donalson personally visited the Jefferson Davis Parish Courthouse. He examined the file for the *Succession of Louis Thibodeaux* with a court clerk, who advised that case **remains pending** because there has been no appointment of an administrator, no list of assets

filed, no published notice to claimants and creditors, and no entry of a final judgment of possession.

II. BASIS FOR BILL OF REVIEW

9. The **intentional failure to provide notice** under **Texas Estates Code § 202.051** is a **jurisdictional defect**, not a mere irregularity. A court lacks jurisdiction to adjudicate the rights of an omitted interested party, and any judgment entered without such notice is **void as to that person**. See *In re Estate of Aguilar*, 492 S.W.3d 807 (Tex. App.—San Antonio 2016, pet. denied). A void judgment may be attacked **at any time**, directly or collaterally. See *Browning v. Prostok*, 165 S.W.3d 336 (Tex. 2005); see also *PNS Stores Inc. v. Rivera*, 379 S.W.3d 267 (Tex. 2012) (bill of review limitations tolled when extrinsic fraud is discovered).

10. Because Udo Birnbaum was known to Lisa Girot as an interested party, and because he received no notice, the April 13, 2021 judgment is void as to him and/or his successors-in-interest. Equity requires that it be set aside.

III. PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Petitioner respectfully requests that this Honorable Court:

- 1.** Grant this Petition for Bill of Review;

2. Declare the Judgment Declaring Heirship entered April 13, 2021, void as to Birnbaum and his successors for lack of notice and jurisdiction;

3. Vacate or reopen the heirship proceeding to permit full adjudication of all interested persons' rights;

4. Consider appointment of a neutral administrator or successor representative, particularly given ongoing related succession proceedings in Louisiana; and

5. Grant such other and further relief to which Petitioner may be justly entitled in law or equity.

Respectfully submitted,

/s/ B.J. Donalson, Jr.

BARNEY DONALSON
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VERIFICATION

I, Barney Donalson, date of birth 07/22/1967, presently maintaining my homestead domicile address of 707 W College Street, Canton, Van Zandt County, Texas, but residing at no permanent address other than temporary lodging at motels, RV parks, and church shelters, do hereby declare under penalty of perjury the above and foregoing is true and correct. Executed in Galveston County, Texas, on this 10th day of November, 2025.

/s/ B.J. Donalson, Jr.

BARNEY DONALSON

CERTIFICATE OF SERVICE

I hereby certify that a true copy of this motion has been electronically served through the Texas eservice on this 10th day of November, 2025.

/s/ B.J. Donalson, Jr.

BARNEY DONALSON

CAUSE NO. 15622

IN THE ESTATE OF

GWENDOLYN WRIGHT THIBODEAUX,

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OF

VAN VANDT COUNTY, TEXAS

**ORDER GRANTING PETITION FOR BILL OF
REVIEW AND DECLARING PRIOR JUDGMENT
VOID**

On this day came to be heard the Petition for Bill of Review and Motion to Declare Judgment Void filed by Barney Donalson dba God's Property Ministries, successor-in-interest to Udo Birnbaum. After reviewing the pleadings, evidence, and arguments of the parties, the Court finds that the Petition should be **GRANTED**.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the *Judgment Declaring Heirship* entered April 13, 2021, in Cause No. 15622, is hereby declared VOID as to Udo Birnbaum and his successor-in-title, Petitioner Barney Donalson dba God's Property Ministries, for want of notice and jurisdiction.

IT IS FURTHER ORDERED that the heirship proceeding be reopened and set for a status conference on the ____ day of _____, 202____, to identify all interested parties and ensure proper administration of the estate.

SIGNED this ____ day of _____, 202____.

JUDGE PRESIDING
County Court of Van Zandt County, Texas