

## WHY I NEED TO GET THEM TO ARREST ME

(having tried ALL else)

### Very short background

My YouTube video titled Van Zandt Courthouse Beaver Dam Scheme introduces how the Court itself ran a fraudulent suit over a non-existent beaver dam – up into THREE fraudulent judgments of \$85,000, \$62,000, and \$125,000 – the \$62,000 and the \$125,000 as “SANCTIONS” – for me having made a counter-claim.

### Where to find more info

Google for “beaver dam scheme” or “damn courthouse criminals”, with and without quotes, maybe with “van zandt” thrown in.

Else go directly to my site – [www.OpenJustice.US](http://www.OpenJustice.US). My name UDO BIRNBAUM should be the jackpot. Or just for fun – try “judge poopi”.

### What my arrest – and trial - would accomplish

My arrest, at age 81, for such as criminal trespass at our courthouse, as I am currently being threatened with, would allow me – ONCE AND FOR ALL – to put THE LIGHT OF DAY – upon the wrongs upon me – i.e. to show at a PUBLIC TRIAL, that with my rusty wheelbarrow or such – I am NOT trying to do TRESPASS, but appearing with such, out of DESPARATION, to finally and honestly be HEARD.

### plum UNLAWFUL

As for the two SANCTIONS against me – each sanction clearly states - that it was PUNISHMENT for me making a COUNTER-CLAIM – a First Amendment Right. And each sanction clearly states – that such PUNISHMENT – such word throughout each document – that such PUNISHMENT - was “sought by the court” – “which the court seeks” - - was to “to stop Birnbaum and others like him” – ad nauseam.

It is NOT a normal function - for a court to seek punishment.

Rather, it is highly customary – that it is THE STATE – that “seeks”

**THESE SANCTIONS ARE UNCONDITIONAL**, therefore **requiring full criminal process** - of “beyond a reasonable doubt” – by a JURY. They are **unlawful**. PERIOD.

**Civil** process “punishment” is permitted only to “**coerce**” into compliance, i.e. has to be **forward looking** - requires “keys to own release” – like **until** you abide by some Order to testify, do or not do something, etc.

**“and others like him”**

Back to “to stop Birnbaum **and others like him**”. WHO, exactly, is “another like him” – what about me is it – that so disturbed “them”?

People like me, insisting on determination **by jury**?

### **The disappearance of the American jury trial**

The upper legal community – is publicly lamenting the effective DISAPPEARANCE of JURY trials – that too much goes on behind closed doors, by such as plea bargaining in criminal cases, summary judgment etc. in civil cases, and that such is detrimental to the functioning of democracy and the rule of law – that jury trials are the ONLY effective INSIGHT and OVERSIGHT – of DUE PROCESS.

### **My all-week Pro Se BEAVER DAM trial**

Let me quote from that initial BEAVER DAM suit, at CLOSING ARGUMENT – of the ALL WEEK trial – 596 page transcript – cost me somewhere around \$2000 - available on my web site. Provided to me for an extra \$100 on a 1.44 MB floppy, which I converted into a full searchable PDF. Browsers can handle PDFs, but tend to choke on large PDF files, such as this. Better to download, then properly open with Adobe Reader.

Back to me, as “another” – as one of those “**and others like him**” - i.e. **jury trial** – and **not hiring a lawyer**:

These paragraphs directly from the 596 page trial transcript, Canton Attorney Richard Ray, his CLOSING ARGUMENT, my emphasis:

11 CONTINUED CLOSING ARGUMENT

12 BY MR. RAY

:

13 **MR. RAY: I told you this had been**  
14 **an experience for me, as an attorney. I**  
15 **never had a case exactly like this.**  
16 **Hopefully, I'll not have the misfortune**  
17 **to have another one exactly like this,**  
18 **in terms of being the only lawyer and**  
19 **the other side not having one.**  
20 **Ya'll have been present, and you've**  
21 **had the opportunity to look and see what**  
22 **kind of -- quite frankly -- problems it**  
23 **creates.**

Pretty clear statement – connecting “*misfortune*”, “*being the only lawyer*”, and “*other side not having one*”, “*problems it creates*”

8 **I do believe that if Mr. Birnbaum**  
9 **had chosen to hire counsel, rather than**  
10 **to represent himself, that we might have**  
11 **ever come this far -- but that's purely**  
12 **speculative.**

Pretty clear statement connecting - “*represent himself*”, and “*ever come this far*” – i.e. the “experience” of “misfortune”, by one “like him”, as such term is also used by “them” - in the huge sanctions against me.

21 **I don't know that Mr. Birnbaum**  
22 **fully understands this proceeding. I**  
23 **regret he doesn't, because all disputes**  
24 **do not have to end in jury trials -- But**  
25 **this one has been headed that way from**  
1 **day-one -- And I had no way to avail it**

Pretty clear statement connecting – “*jury trials*” – and “*no way to avail it*” – i.e. Mr. Ray being caught in his own trap – of fraudulently bringing a suit – over a natural beaver dam, long ago dynamited by his client, wanting to further dynamite my creek – when there was no water – and no beavers left. (for fun, search for “beaver”, “dam”, “dynamite”, “blow”, “blew”, “dig”, “dug”)

And bringing such suit, as a violation of Section 11.06 of the Texas Water Code – for me “building and maintaining a dam”.

### **The supposedly “disappearing” jury trial**

For me, at least, the jury trial has not disappeared. Statistics says that of civil cases, only about ONE in 300 or so is disposed of by jury trial. And with TWO jury trials for me, I have somehow beaten the odds by something like 90,000 (300x300) – so there must indeed be something special regarding me. And since it is certainly no crime to ask for a jury trial – definitely NOT when one is sued – so what is the real problem?

If I had not been sued – with that damn beaver dam case - I would never have been even introduced into to the courthouse, but been “tending to my cows, taking care of my invalid 90 year old mother, and only known the courthouse from getting license place” – as I clearly state on my web site.

### **Rather – it is the filing – of all the CRAP**

The real problem, as I have experienced it, is that lawyers file more CRAP, and with the public only willing to fund a certain amount for the courts, lawyers and lawyers who are judges, have to dispose, and are able to dispose of this CRAP behind closed doors, till someone like “Birnbaum **and others like him**” – throws a monkey wrench into their playpen – by demanding trial by jury, and they go plum ballistic.

It is NOT the “disappearing jury trial” – that is reducing the per cent that go to trial – but the “appearing CRAP” – by the “**thems and others like them**” as came upon me”!

### **Time to undo this crap upon me**

It is way PAST time to undo this CRAP upon me – else me in the courthouse with WHEELBARROW, DIRTY LAWN CHAIRS, GARBAGE CANS, POTLIDS, TOILET PLUNGER, GARDEN HOSE – and the likes – all items that cannot be mistaken as posing a PHYSICAL THREAT – but as a clear sign that I, and hopefully **“others like him”** will no longer put up.

Else my ARREST – and another JURY TRIAL.

### **“The problems that come with being able to think”**

At the time of the BEAVER dam case, I ACCIDENTALLY entrapped this shyster lawyer in his own fraud – with my demand for a **jury trial** – him likely afraid of having to face his mad client – after all his legal fees, and having told him that he would be entitled to recover his legal fees – upon his “very good cause” – that he NEVER HAD A CAUSE to start with. **Good way for a lawyer to get shot by his own client!**

And at the time of the “Law Offices” fraudulent UNPAID OPEN ACCOUNT case against me, I did it one better, filed a civil RICO (civil racketeering) counter-claim against attorney G. David Westfall, his office staff WIFE and office staff DAUGHTER, and of course again a **jury trial**.

### **That MAD hearing for recusal – on a DEAD case!**

And after that unlawful \$62,885 SANCTION against me, a year or so after FINAL JUDGMENT, I put enough pressure on “them” – in the Dallas Appeals Court – for “them” to try to cover their tracks for having done such “sanction judgment” WITHOUT A JURY – and they put all this CRAP down on paper – and upon them in the process of that – TWO years AFTER the case was OVER – and out of desperation, I tricked them into a RECUSAL HEARING to recuse Judge Paul Banner – who of course should not have been doing ANYTHING at that time - BINGO – an additional \$125,770 unconditional unlawful FINE – again **perpetrated without a jury** – unlawful as HELL – again with **“to stop Birnbaum and others like him”**, reads like the ravings of a madman.

**MORE – at my www.OpenJustice.US**  
(good law in audio of court hearings)

More and more paperwork in the 294th, then in the Court at Law – case back-and-forth between the courts because of “out of money” for Court at Law “visiting judges” (the State pays for the 294th) – cause numbers changed and then changed back – problems with the files (e-files in the 294th – NOT so in the Court-at Law) - more and more judges – even tricked First Administrative Judicial Region Judge Mary Murphy – to assign a “local administrative judge” – for ME and me only – then have to undo such, etc. etc. Lots and Lots of wild e-mail exchanges between me, Judge Murphy, Judge Teresa Drum as to why she could NOT be the “local administrative judge” for ME. I even e-mailed one of the SEVEN (7) or so “visiting judges” – into “*choosing not to participate*” as we e-mailed each other directly – there being **no defendant on the other side** – i.e. a case not in “common law”, but “in equity” – me seeking relief from the unlawful sanctions. Details, my website OpenJustice.US.

**THE COUNTY JAIL WOULD BE IDEAL**

Let me make it clear – **I demand that this CRAP upon me CEASE.**

I do not know exactly who “them” is. Or if there really is a “them”. Best I can tell, is that “them” – is like a bunch of FIRE ANTS – sting any and all – because that is what fire ants do.

And if no one else will put a STOP to “them” – then I will – by bringing “whosoever” out into the open – by having fun in the Van Zandt Courthouse from now on – with dirty wheelbarrow, garbage cans, banging pot lids, etc. etc. till hell freezes over. And if “they” choose to arrest me for “criminal trespass” or such, so be it.

I remember a German “Maerchen” (moral fairy tale) – where Saint Peter would not let a real trouble-maker into heaven – and they would not take him in hell either – because of all the hell he would raise – and the poor sinner - finally succeeding in tricking himself across the gate of heaven.

As for me, I am 81 years old, my dog died, no living relatives, have nothing more for “them” to steal, have lots of time. Looking for some fun place to take care of me. **Our Van Zandt County jail would be ideal.**

## **MY MEDICAL REQUIREMENTS**

*“for this turd that would not flush”*

I will need a special bed because of my back, a special pillow because of my neck, an electric blanket because of my circulation, a soft diet because of my teeth, a quiet environment because of my nerves, and special medical attention because of my age. I am entitled to access to a law library, and of course a computer, with a special desk with special lighting and a special chair with proper arm rests and adjustable height. Also a special bathtub with guard rails, also a low stress exercise room. An electric wheel chair might also be required.

I would also be of immense value to the other inmates, in filing documents or lawsuits, the Supreme Court having established their Right to assistance from other inmates. And me having effectively been turned into a PAUPER – even be entitled to **my very own court-appointed and FUNDED lawyer!**

## **MY PRIOR INQUIRY AT OUR JAIL**

I have posted - on my web site – an audio recording I made at the time that Judge John McCraw threatened me with SIX MONTHS in JAIL. (AUDIO and COURT TRANSCRIPT on my web site)

My somewhat in jest inquiry at our jail – was into the possibility of PRE-ADMISSION – and the SERVICES they could provide. Judge McCraw had told me to “bring your toothbrush” – but at the jail they told me, “all you will be allowed to bring – are your GLASSES”. And as for my diet, to be told **“we feed our inmates”**.

*“Oh what tangled webs we weave – when first we practice to deceive”*

