CAUSE NO. CV-05297

UDO BIRNBAUM	§	IN THE COUNTY COURT
	§	
v.	§	
	§	
CHRISTINA WESTFALL, ET AL.,	§	AT LAW OF
STEFANI PODVIN, AND	§	
FRANK C. FLEMING	§	
	§	
THREE PIECES OF PAPER	§	VAN ZANDT COUNTY, TEXAS

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PAM PEARMAN
CLERK, VAN ZANDT CO.,
BY DEPUTY

AMENDED ORDER VACATING AND SETTING ASIDE
PREFILING ORDER AND AMENDED PREFILING ORDER

After reviewing the Prefiling Order signed and entered in this case on October 8, 2015, in which Plaintiff Udo Birnbaum was "prohibited from filing pro se any new litigation in the 294th District Court and County Court at Law of Van Zandt County without permission of the Local Administrative Judge of the First Administrative Region," together with the Amended Prefiling Order signed and entered in this case on October 19, 2015, in which Plaintiff Udo Birnbaum was "prohibited from filing pro se any litigation in the 294th District Court and County Court at Law of Van Zandt County without permission of the Local Administrative Judge," the undersigned finds that no motion for an order determining Plaintiff to be a vexatious litigant was filed under Section 11.51 of the Texas Civil Practice & Remedies Code, and no notice and hearing were provided to Plaintiff. Accordingly, the October 8, 2015 prefiling Order and the October 19, 2015 Amended Prefiling Order should be vacated and set aside.

IT IS THEREFORE ORDERED that the October 8, 2015 Prefiling Order and the October 19, 2015 Amended Prefiling Order are hereby vacated and set aside and the District Clerks of Van Zandt County shall provide notice to the Office of Court Administration of the Texas Judicial System in Austin, Texas, by immediately sending a copy of this Order to that office.

SIGNED this 24 day of October, 2015.

RICHARD MAYS,
Senior District Judge,
Sitting by Assignment