

*A void judgment may be attacked at any time by a person whose rights are affected. See El-Kareh v. Texas Alcoholic Beverage Comm'n, [874 S.W.2d 192, 194](#) (Tex.App. — Houston [14th Dist.] 1994, no writ); see also Evans v. C. Woods, Inc., No. 12-99-00153-CV, [1999 WL 787399, at *1](#) (Tex.App. — Tyler Aug. 30, 1999, no pet. h.)*

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12 Tex.Jur., Criminal Law, Sec. 111, page 385*

A void judgment may be attacked either directly or collaterally. PNS Stores, 379 S.W.3d at 271.

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The general rule is that the rights of persons can be determined only in some proceeding to which they are parties. Stated another way, a judgment is not binding upon those who were not parties thereto or who are not in privity thereto. Kirby Lumber Corp. v. Southern Lumber Co., 145 Tex. 151, 196 S.W.2d 387 (1946); Lobit v. Crouch, 293 S.W.2d 110 (Tex.Civ.App.-Austin, 1956, wr. ref'd. n.r.e.). Dean v. First Nat. Bank of Athens, 494 S.W.2d 222, 226 (Tex. Civ. App. 1973)

"The invalidity of a void order may be asserted by any person whose rights are affected at any time and at any place." Qwest Microwave,

Inc. v. Bedard, [756 S.W.2d 426, 439](#) (Tex.App. — Dallas 1988, orig. proceeding)