Below is a three‐step roadmap, in the order you asked, setting out (1) how and where to strike down the void probate decree; (2) how and where to get a binding declaration about which trust documents survive; and (3) how to “bring home” and enforce your Southern District of Texas injunction in California. I’ve given you the key statutes and cases for each step, and flagged jurisdictional pitfalls.

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1. Collateral-attack the probate judgment void for lack of SMJ

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a. Why you can collateral-attack anywhere.

– A judgment rendered by a Texas court without subject-matter jurisdiction is void ab initio and may be attacked at any time by collateral attack. See In re Estate of Gacesa, 991 S.W.2d 732, 737 (Tex. App.–Fort Worth 1999, no pet.); White v. White, 179 S.W.2d 503, 506 (Tex. 1944). Collateral attack (special-appearance/plea-to-jurisdiction in a different suit) does not require filing in the original probate court.

b. What court and procedure.

– File a separate suit for declaratory relief in a Texas district court (not the county constitutional court that issued the decree). Texas district courts have general chancery and equitable jurisdiction. See Tex. Const. art. V, § 8; Tex. Est. Code § 22.001.

– In your petition:

• Plead that the original probate court (probably a constitutional county court) lacked SMJ to admit the will or appoint a representative. Show no statutory transfer of jurisdiction to district court under Tex. Est. Code § 5(b), (d) (transfer of contested probate matters).

• Ask the Texas district court to declare the probate order void and of no effect “ab initio.”

– Key authorities:

• Crawford v. Williams, 797 S.W.2d 184, 187–88 (Tex. App.–Corpus Christi 1990, writ denied) (district court had no probate jurisdiction when county court statute did not authorize transfer).

• In re Estate of Gacesa, 991 S.W.2d at 737 (void probate decree may be collaterally attacked; SMJ never waives).

c. Timing and strategy.

– Do this first. Unless you have a valid will-admission or administration decree, you cannot safely litigate who controls or who benefits from the trust documents.

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2. File a federal declaratory-judgment action to determine which trust documents are valid

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a. Basis for federal jurisdiction.

– Diversity jurisdiction: you’re a California resident; the trustees/defendants are Texas residents; the amount in controversy (aggregate trust assets) exceeds $75,000. 28 U.S.C. § 1332(a).

– Declaratory-Judgment Act: 28 U.S.C. § 2201(a). Discretionary, but proper here (no parallel state case once you’ve voided the probate decree).

b. Proper forum and personal jurisdiction.

– File in the U.S. District Court for the Northern (or Central) District of California. Venue under 28 U.S.C. § 1391(b) is proper where any defendant resides, and one resides in that District.

– Personal jurisdiction over Texas–resident trustees: purposeful availment where they executed, amended or administer trust documents that affect California (beneficiary) rights. See \*Burger King Corp. v. Rudzewicz\*, 471 U.S. 462, 473–75 (1985); \*Hanson v. Denckla\*, 357 U.S. 235, 253 (1958).

c. Thing to ask the court to decide.

– Which trust instruments were validly executed and remain part of the governing trust.

– Who is the proper current trustee.

– Who are beneficiaries and their shares.

d. Key authorities.

– \*Security Nat’l Ins. Co. v. Salient Landscaping, Inc.\*, 557 F. Supp. 3d 449, 453 (E.D. Mich. 2022) (DJ Act discretion in diversity insurance context).

– 28 U.S.C. § 2201(a); 28 U.S.C. § 1332; 28 U.S.C. § 1391(b).

– \*Purdue Research Found. v. Sanofi-Synthelabo, S.A.\*, 338 F.3d 773, 787–88 (7th Cir. 2003) (plf must make prima facie showing of PJ).

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3. Register and enforce the SDTX injunction in California

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a. Full Faith & Credit to federal injunctions.

– 28 U.S.C. § 1738 (federal “public acts” clause) requires California courts to honor and enforce final federal judgments—including injunctions—just as California would its own. See \*Baker v. General Motors Corp.\*, 522 U.S. 222, 232–35 (1998).

b. How to register.

– California Uniform Enforcement of Foreign Judgments Act (CCP §§ 1710.10–1710.60) covers money judgments. But injunctions/domesticating non-monetary judgments are enforceable by an ordinary petition to register a foreign judgment and a California court order that the injunction be entered on the local docket.

– File in the Superior Court of your county (in California) a “Petition for Recognition and Enforcement of Foreign Judgment” and attach:

1. A certified copy of the SDTX injunctive order (with the Fifth Circuit’s mandate if applicable).

2. A short memo that 28 U.S.C. § 1738 requires enforcement.

– After a brief notice period, the California court must enter the injunction as if originally issued there.

c. What if they violate it here.

– You then move for contempt in California superior court (or federal court, if you want uniform federal supervision) under FRCP 65(d) or Cal. Code Civ. Proc. § 1218.

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Sequencing and strategic summary

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1. Texas district court suit (or California suit) \*now\* to declare the probate decree void for lack of SMJ. Obtain a judgment you didn’t have to appeal—that voids the probate record.

2. Federal DJ in California \*next\*, once the void-probate order is final. Get a binding determination of which trust docs stand and who runs the trust.

3. California enforcement of your SDTX injunction as a “foreign judgment,” then contempt if they defy it.

By following that order, you will (a) clear title to the trust by eliminating the void probate decree; (b) lock in which documents govern the trust; and (c) have a straightforward mechanism for enforcing the SDTX injunction on California soil.

Good luck.