U.S. COURT OF APPEALS
RECEIVED
Nov 17, 2026
FIFTH CIRCUIT

In the United States Court Of Appeals, 5th Circuit

Brian P. Carr, Rueangrong Carr, and Buakhao Von Kramer we versus United States, US Department of Justice, USPS, USPS OIG, USPS BoG, US CIGIE, Department of State, Department of State OIG, USCIS, DHS OIG, and SSA Appellees	Case No. **26-10025** **Verified[1] Motion for** • **Judicial Review** • **Non Standard Extension of Time and** • **Leave to File Reply Brief Under Protest** Certificate of Conference – OPPOSED[2]

Motion for Judicial Review and

Non Standard Extension of Time and

Leave to File Reply Brief Under Protest

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Table of Contents: Basic Abbreviations Used

The following abbreviations are utilized throughout this document to ensure concise, clear arguments and explanations:

Abbreviation: Full Name or Phrase

5CCLR: Rules and Internal Operating Procedures of the Fifth Circuit

AUSA: Assistant United States Attorney

CFR: Code of Federal Regulations

CM/ECF or ECF: Case Management/Electronic Case Files system

DoJ: Deparment of Justice

FRAP: Federal Rules of Appellate Procedure

FRCP: Federal Rules of Civil Procedure

LPR: Lawful Permanent Resident

MTR: Motion to Reconsider

NOA: Notice of Appeal

PACER: Public Access to Court Electronic Records

Abbreviation: Full Name or Phrase

PII: Personal Identifying Information

ROA: Electronic Record on Appeal

TXND: United States District Court for the Northern District of Texas

USATXN: U.S. Attorney's Office for the Northern District of Texas

USCA5 or 5CC: United States Court of Appeals for the Fifth Circuit

USC: United States Code

USCS: United States Code Section (e.g., 18 USCS 1001)

USCIS: United States Citizenship and Immigration Services

Table of Contents: Hyperlink Usage

Understanding Hyperlinks Provided With Case / ROA Citations

To enhance readability and provide easy access to the cited material, our citations embed hyperlinks using the following conventions:

ECFdktN	Links to a copy of TXND ECF document for case 3:23-cv-02875-S where dktN represents the document number. Example: ECF10-5 links to a copy of TXND ECF case 3:23-cv-02875-S document 10-5.
5CCdktN	Links to a copy of USCA5 ECF Case No. 26-10025 where dktN represents the document number. Example: 5CC35-5 links to a copy of USCA5 ECF document 35-5, an exhibit attached to motion 5CC35-1.
ROAdktNpgNNN	A dual-link citation for documents from the Record on Appeal for Case No. 26-10025. The first portion (ROAdktN) links to the document from the TXND ECF, while the end page number (NNN) links to the document which starts at the

specific page number from the USCA5 ROA file.

Example: In ROA10-5pg177, ROA10-5 has a link to ECF10-5, the document 10-5 from the TXND ECF. 177 has a different link to the same document extracted from page 177 of the ROA (but none of the preceding or following documents).

Privacy Exceptions: To comply with federal privacy mandates, no hyperlinks are provided for properly sealed documents. Sealed records are referenced using the text format above, but there is no link which prevents public access to the sealed document.

Hyperlinks Included For Existing Records and Exhibits

Exhibits Not Repeated in Every Motion, Hyperlinks Offer Better Access

While it is customary in this court for every motion to have an exhibit for each referenced document, we have chosen not to clutter the court's record with multiple copies of the same exhibits. If an exhibit is already in TXND ECF we instead simple cite ECFxxx to accurately describe the document referred to and provide easy access to a copy of the document, e.g. ECF10-5 has link to an important exhibit which was provided previously.

If an adjudicator, opposing counsel, or a member of the public wishes to inspect a referenced docket entry, they can click the blue hyperlink to open the file and later easily return to the text of our argument.

I. Introduction and Relief Requested

We respectfully request judicial review of this non standard motion for an extention of time to file our Reply Brief until after two critical pending motions are decided. They are:

1. Emergency Petition for Rehearing En Banc 5CC112-1 of 6 Nov 2026 for relief to commence once the case is fully briefed (currently scheduled for 18 Nov 2026). The Petition 5CC112-1 has been deferred indefinitely by the clerk with 'no action taken' on 9 Nov 2026.

2. Expedited Motion 5CC119 for Judicial Review of Clerk Action to permit timely relief sought in Petition 5CC112-1 of 10 Nov 2026

If the required Reply date is not extended until after these two motions are resolved, it is likely that we will be deprived of due process and a fair hearing because of clerk errors and mistakes which prevented us from filing a compliant brief.

It is also likely that the Merits Panel will have to review briefs which are not compliant and risk further appeals and corrections which result when the briefs reviewed are incomplete and do not provide due process.

Additional Alternatives For Consideration

We have also attached a non compliant Reply Brief which can be submitted as a placeholder to allow the case to proceed until the ROA is corrected / usable.

Also, as open ended extensions in time are discouraged (though in this case the

court has the ability to control the duration of the extension), we offer an alternative of a 14 day extension as the court could easily arrange the resolution of all pending motions within 14 days. Opposing counsel is not opposed to the 14 day extension though she is opposed to all other relief we are seeking.

II. Procedural Background and Grounds for Relief

1. Relief Sought by Pending Petition 5CC112-1

Petition 5CC112-1 seeks relief to commence on or before the case is fully briefed of:

a) single correct and accurate ROA

b) the ability for all parties to file compliant briefs with normal preparation time but no time extensions, for Appeal, Response and Reply Briefs. All parties are permitted to file double length briefs as this matter has 5 appellants and 13 appellees for a total of 65 individual briefs which must be combined into a single joint brief. It was found that normal length is insufficient to fully consider all the relevant claims by each of us against all the defendants.

c) corrections to the faulty court processes where numerous cascading clerk errors and mistakes prevented a fair hearing as the judges apparently only based their decisions on the docket text which was substantially inaccurate and false. These corrections are anticipated to prevent future delays and errors and improve judicial efficiency through reduced rework. All parties should benefit from these corrections.

The timing of the decision on Petition 5CC112-1 is particularly important. If the decision is favorable and prompt, all parties will be able to provide compliant briefs with full due process while the matter is waiting to heard in the administrative queue for panel assignment. There will be no delay in the court shcedule and the Merits Panel can review fully compliant briefs and the parties will be provided a fair hearing having been provided with statute mandated preparation times and due process.

If, however, the matter is delayed inordinately, the court schedule will be delayed and / or the Merits Panel will have to consider non compliant briefs and / or the parties will be denied due process and a fair hearing.

2. Critical Nature of Motion 5CC119 for Judicial Review

Expedited Motion 5CC119 for Judicial Review of Clerk Action was submitted to permit the desired outcome with Petition 5CC112-1. However, it appears that it may be delayed as well (the clerks have substantial authority and autonomy over scheduling matters). Once the matter is added to administrative queue, without exceptional timing, there is no clear path to the desired prompt and correct adjudication with full due process.

3. Once This Motion and Expedited Motion 5CC119 Resolved,

Courts Schedule Can Be Maintained and Due Process Provided

If a single judge is assigned both this motion and Expedited Motion 5CC119 they can be decided together and any En Banc Review can be scheduled so that there is no or negligible impact of the court's schedule.

III. Relief Sought

We respectfully ask that the Court grant the following relief:

1. Grant a non standard extension for submission of the Reply Brief until after both Petition 5CC112-1 and Expedited Motion 5CC119.

2. Direct the clerk to file the attached Reply Brief when the extension (if any) is completed to allow the briefing of this matter to be completed and the matter be assigned to the administrative queue for assignment to a Merits Panel for full review.

3. If the non standard extension is not granted, then we seek a 14 day extension due to the extenuating circumstances described in Petition 5CC112-1, Expedited Motion 5CC119

Respectfully Submitted,

Verification of Motion

I, the undersigned appellant, hereby affirm under penalty of perjury in both the United States and Thailand that:

1. I have reviewed the above motion and certifications below and believe all of the statements to be true to the best of my knowledge.
2. I have reviewed the associated documents and exhibits and believe them to be true and accurate copies with the exception of the documents identified as being redacted. The redacted documents have only been altered to remove sensitive personal information according to normal redaction procedures.

I hereby reaffirm that the above is true to the best of my knowledge under penalty of perjury in both the United States and Thailand.

/s *Brian P. Carr*

Brian P. Carr
1201 Brady Dr
Irving, TX 75061
Date: 16. November 2026
Location: Irving, TX

Other Signatories

/s *Air Carr*

Rueangrong Carr
1201 Brady Dr
Irving, TX 75061

Date: 19 Aug 2025
Location: Irving, TX

/s *Buakhao Von Kramer*

Buakhao Von Kramer
105 - 3 M 5 T YANGNERNG
SARAPEE, CHIANG MAI 50140
THAILAND
Date: 20 Aug 2025
Location: Bangkok, Thailand

/s *Rujipas Lawichai*

Rujipas Lawichai
Ban Tha Sala 1 Moo 7
Si Mueang Chum, Maesai,
Chiang Rai 57130 Thailand
Date: 20 Apr 2026
Location: Phuket, Thailand

/s *Tanapon Lawichai*

Tanapon Lawichai
Ban Tha Sala 1 Moo 7
Si Mueang Chum, Maesai,
Chiang Rai 57130 Thailand
Date: 21 Apr 2026
Location: Lopburi, Thailand

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Certificate of Counsel / Pro Se Party

The undersigned hereby certifies under penalty of perjury:

1. Certificate Of Interested Persons

The following listed persons and entities as described in 5CCLR 28.2.1 have an interest in the outcome of this case. These representations are made in order that the judges of this court may evaluate possible disqualification or recusal:

1. Brian P. Carr, Appellant
2. Rueangrong Carr, Appellant
3. Buakhao Von Kramer, Appellant
4. Tanapon Lawichai, potential Appellant
5. Rujipas Lawichai, potential Appellant
6. United States of America, et al., App appellees
7. Tami C. Parker, Counsel for Appellees with appealed motion for Sanctions, potential Appellee
8. George Monroe Padis, previous Counsel for Appellees with appealed motion for Sanctions, potential Appellee
9. TXDN Magistrate Rebecca Ann Rutherford with misconduct complaint and

motion to recuse, potential Appellee

10. TXDN Judge Karen Gren Scholer with misconduct complaint and motion to recuse, potential Appellee

2. Certificate of Contact / Conference Compliance

In compliance with 5CCLR 27.4, I contacted AUSA Parker via email concerning this motion and on 14 Nov 2026 AUSA Parker stated:

> Appellees will agree to a 14-day extension of time for Appellants to file their reply brief. We oppose all the other relief requested in your message.

As such, appellees / defendants are considered to be OPPOSED to these motions.

3. FRAP 32(g)(1) Length Compliance

This motion complies with the type-volume limitation of FRAP 27(d)(2)(A) because, excluding the parts of the document exempted by FRAP 32(f), this document contains 828 words (which is less than the nominal 5,200 words for a single motion), as determined by LibreOffice Writer word processing software[3].

4. FRAP 32(a)(5) Typeface Compliance

This document complies with the typeface requirement of FRAP 32(a)(5) and the type-style requirements of FRAP 32(a)(6) because this document has been prepared in a proportionally spaced typeface using LibreOffice Writer using Times New Roman (14-point).

5. Certification Of Electronic Signatures

In accordance with 5CCLR 25.2.10 which states:

> 25.2.10 Signatures… Documents which require more than one party's signature must be filed electronically by... showing the consent of the other parties on the document; or any other manner approved by the court.

I hereby certify that I did indeed receive the consent of the other parties to include their signatures on this document.

3 LibreOffice Writer counted words in the selected section which was everything after the 'Introduction' to the signature block. The certified word count was accurate on 16 Nov 2026 at 6PM..

6. FRAP 25(b) Service

On the recorded date of this document, I electronically submitted the foregoing document with the clerk of 5th Circuit United States Court Of Appeals using the electronic case filing system (ECF) of the court. I also hereby certify that on this same date no copies were served via U.S. mail as all parties in this matter are enrolled in the court's electronic case filing (and service) system.

/s *Brian P. Carr*

_____

Brian P. Carr
1201 Brady Dr
Irving, TX 75061

Date: 16. November 2026
Location: Irving, TX