

Subject: Record on Appeal for 26-10025, unsealing document groups 20 and 67

Date: Fri, 22 May 2026 18:59:55 -0500

From: Brian Carr <carrbp@gmail.com>

To: TXND Dallas Appeals Coordinator <Dallas_Appeals@txnd.uscourts.gov>, Parker, Tami (USATXN) <tami.parker@usdoj.gov>, ...[TXND Court Clerk Karen S. Mitchell email]

CC: ...[TXND Chief Deputy of Operations Colt Fisher email]

Dallas Appeals (Angelina)
Northern District of Texas - Dallas Division
1100 Commerce Street, Room 1452
Dallas, TX 75242
214-753-2633 (ECF Help Desk)
dallas_appeals@txnd.uscourts.gov

AUSA Tami C. Parker

Karen S. Mitchell (214-753-2200)
[...\[TXND Court Clerk Karen S. Mitchell email\]](mailto:TXND Court Clerk Karen S. Mitchell)

CC: [...\[TXND Chief Deputy of Operations Colt Fisher email\]](mailto:TXND Chief Deputy of Operations Colt Fisher)

Good afternoon,

This email has a series of requests, one for each recipient, but a common background.

Attached is an email exhibit from Angelina (Dallas Appeals) which explains:

The judge has instructed the clerk's office to remove the restrictions on document numbers 20 and 67, as no order to seal those documents was ever filed.

As a result, the Record on Appeal will be recreated, and the pagination numbers will change.

I am seeking the retention of seals for exhibits 20-1 and 67-13. I also seek that the Record on Appeal (ROA) be preserved and the unsealed records be added as an additional volume.

I will also be seeking to supplement the ROA with an explanation of the procedure where records are sealed via the courts orders and, ideally, an explanation of how the two groups of documents (a total of 25 documents and 133 pages) were sealed without the courts order when only two exhibits totaling 2 page were requested to be sealed.

Further, I would like to request that TXND revise its procedures for correcting improperly redacted records which violate [FRCP Rule 49.1](#) (Required Privacy Protection Redactions) so that such confusion will be less likely to recur.

To accomplish this I expect to file a [FRCP Rule 60](#) Motion for Relief (which is incredibly broad as to the sorts of relief which can be sought) in accordance with [FRAP 10\(e\)](#) asking the court to unseal [ECF20](#) and [ECF67](#) while also sealing ECF20-1 and ECF67-13

I ask that Dallas Appeals defer the creation of new volumes as the current ROA has been analyzed and prepared by at least one party with its entirety being published on the web for easy access by the public at large, web search engines and AI Chat bots for training purposes. As these web pages have been archived in the various web archives, it is not really possible to replace the older version. It would only confuse matters for ROAp^g[552](#) to access [ECF21](#) or [ECF20](#).

I also ask that TXND Chief Clerk answer the recent queries... as to the current standing and other written orders, rules, and procedures by the court to guide the clerks in sealing documents. If the reply can be made available in the next few days I will include them in the motion itself. If not, I will seek permission to file any such response as an exhibit to the proposed motion.

I ask AUSA Parker consider whether USATXN objects to any portions of the proposed motion (whether the motion will be 'OPPOSED').

Thanks for your attention to this matter and I hope you all have a great weekend.

Brian

On 5/21/2026 11:31 AM, TXNDml_Dallas Appeals wrote:

Good afternoon,

The judge has instructed the clerk's office to remove the restrictions on document numbers 20 and 67, as no order to seal those documents was ever filed.

As a result, the Record on Appeal will be recreated, and the pagination numbers will change.

A notice regarding the recreation of the Record on Appeal will be sent to all parties to advise that the page numbers have changed because these documents will now be included in the public portion of the record.

Thank you,

Angelina

Dallas Appeals

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dallas_appeals@txnd.uscourts.gov

From: TXNDml_Dallas Appeals <dallas_appeals@txnd.uscourts.gov>

Sent: Tuesday, May 5, 2026 9:14 AM

To: Brian Carr <carrbp@gmail.com>

Subject: RE: Query About Sealed Records in Record on Appeal, 3:23-cv-02875-S , 26-10025

Good morning,

It appears that the documents were restricted following a verbal request from the filer, and as a precaution, the Clerk's Office sealed them. Please note that the Court may direct the Clerk's Office to unseal the documents at any time.

The documents in question are part of the sealed portion of the record on appeal. To obtain a copy of these materials, approval from the Fifth Circuit is required. You may file a motion with the court requesting access to the sealed portion of the record.

Once authorization is granted and the order received, the Clerk's Office will be able to provide you with the sealed portion.

Thank you,

Angelina

Dallas Appeals

Northern District of Texas - Dallas Division

1100 Commerce Street, Room 1452

Dallas, TX 75242

214-753-2633 (ECF Help Desk)

dallas_appeals@txnd.uscourts.gov

From: Brian Carr <carrbp@gmail.com>

Sent: Thursday, April 30, 2026 11:59 AM

To: TXNDml_Dallas Appeals <dallas_appeals@txnd.uscourts.gov>

Cc: Parker, Tami (USATXN) <tami.parker@usdoj.gov>

Subject: Re: Query About Sealed Records in Record on Appeal, 3:23-cv-02875-S , 26-10025

CAUTION - EXTERNAL:

Good Morning,

A couple of days ago I had inquired about the sealing of documents ECF20 and ECF67 in this matter along with all their exhibits (over 20 documents and over 125 pages). Could you confirm that you have received this request and provide the status of this query? I understand that this query could take some time to answer, but could you keep me informed of your progress?

I need for this error be corrected before I can proceed with my appeal as several critical documents were incorrectly sealed and I want to clearly establish that they are part of the Record on Appeal.

Thanks for your help with this.

Brian

On 4/28/2026 10:22 PM, Brian Carr wrote:

Dallas Appeals
Northern District of Texas - Dallas Division
1100 Commerce Street, Room 1452
Dallas, TX 75242
214-753-2633 (ECF Help Desk)
dallas_appeals@txnd.uscourts.gov

Dear Angelina:

Thank you for processing my previous request for a copy of the Record on Appeal (ROA) for Appeal Case 26-10025. I received and accessed the ROA but have concerns about numerous documents which were sealed in the ROA contrary to Fifth Circuit Courts policies / rules concerning sealed documents.

In particular, documents [ECF20](#) and [ECF67](#) were sealed along with all their exhibits (over 20 documents and over 125 pages). From my review of the record there was no authorization for the sealing of those documents.

In [ECF24](#) and [ECF69](#) there were motions to seal ECF20-1 and ECF67-13 which were improperly redacted. There were also replacement documents as exhibits which were properly redacted. There were brief orders mentioning [ECF24](#) and [ECF69](#) in [ECF26](#) and [ECF89](#) but they appear to deny the motions to seal even though they were UNOPPOSED.

Can you review the sealing of [ECF20](#) and [ECF67](#) (and all associated exhibits) in both the TXND record as well as the ROA. Who actually sealed the documents in ECF and the ROA and what did they rely on as the basis for sealing those documents. (I don't actually need to know the name of any clerk, but would like for you to query the basis for sealing if it is not clear in the records).

I expect to make a Motion / Stipulation to correct / amend the ROA but would like to be confident that it was a mistake to seal all the documents associated with [ECF20](#) and [ECF67](#) and provide some explanation of the source of the error.

Thanks for your help with this.

Brian

On Wed, Apr 15, 2026 at 11:37 AM TXNDml_Dallas Appeals
<dallas_appeals@txnd.uscourts.gov> wrote:

Good morning,

Please see the attached Record on Appeal.

Due to the size of the file, the record will be sent in multiple emails. The complete record consists of the following volumes:

- DocketSheet-106607
- Vol-692973_Part 1
- Vol-692973_Part 2
- Vol-692973_Part 3
- Vol-692973_Part 4
- Vol-692974_Part 1
- Vol-692974_Part 2
- Vol-692974_Part 3
- Vol-692975
- Vol-692976_Part 1
- Vol-692976_Part 2
- Vol-692977_Part 1
- Vol-692977_Part 2
- Vol-692978
- Vol-692979

If you have any questions or require additional information, please do not hesitate to reach out.

Thank you,

Angelina
Dallas Appeals
Northern District of Texas - Dallas Division
1100 Commerce Street, Room 1452
Dallas, TX 75242
214-753-2633 (ECF Help Desk)

dallas_appeals@txnd.uscourts.gov

-----Original Message-----

From: Brian Carr <carrbp@gmail.com>
Sent: Monday, April 13, 2026 9:34 PM
To: TXNDml_Dallas Appeals <dallas_appeals@txnd.uscourts.gov>
Subject: Copy of Record on Appeal for 26-10025

CAUTION - EXTERNAL:

Dear Sir / Madam:

I am a pro se party (Brian Carr) in this appeal. I was directed to the web page:

<https://www.txnd.uscourts.gov/filing/appeals> which listed the above email for the appeals coordinator in Dallas.

I believe that I am permitted to retrieve a copy of the Record on Appeal (ROA) in this appeal. Can you provide me with the appropriate tools to retrieve a copy of the ROA?

I was a computer programmer for over 50 years before I retired and so am technically competent with most of the methods for large file transfers (downloading large compressed files and expanding them).

I appreciate your assistance in providing me access to the ROA for appeal 26-10025. Thanks for your help with this.

Brian