

**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF TEXAS**

<p>Brian P. Carr, Rueangrong Carr, and Buakhao Von Kramer Plaintiffs</p> <p style="text-align: center;">versus</p> <p>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 Defendants</p>	<p style="text-align: center;">Civil No. 3-23CV2875 - S</p> <p>Verified¹ FRCP Rule 60 Motion for Relief</p> <p style="text-align: center;">To Strike ECF20-1 and ECF67-13 and</p> <p style="text-align: center;">To Expedite the Decision</p> <p style="text-align: center;">Certificate of Conference - UNOPPOSED</p>
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[FRCP Rule 60](#) Motion To Strike ECF20-2 and ECF67-13

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¹ The Verification of Motion is at the end of this document.

Introduction

This motion seeks to strike two documents, ECF20-1 and ECF67-13, each of which contain unredacted personal identification information (PII) and which had previously been sealed. They were unsealed on 19 May 2026 through a verbal order by Magistrate Rutherford to the Chief Deputy of Operations Colt Fisher to unseal two groups of documents [ROA20pgSealed](#) and [ROA67pgSealed](#). The clerks had sealed [ROA20pgSealed](#) and [ROA67pgSealed](#) without any written authorization from the court.

There were two motions to seal ECF20-1 and ECF67-13, [ROA24pg570](#) and [ROA69pg1567](#), which were resolved with the court with orders [ROA26pg577](#) and [ROA89pg21](#), but the court appears to not have understood that the clerks had sealed two groups of documents (without written authorization) and it was necessary for the court to unseal the groups and seal the specific exhibits with PII violations. The court did not address the actual requests in the motions.

As public access to ECF20-1 and ECF67-13 violates [FRCP Rule 49.1](#) (Required Privacy Protection Redactions) the court is asked to expedite the decision in this matter.²

[FRCP Rule 60](#) Motion for Striking Documents is Timely

[FRCP Rule 60](#) states:

(1) Timing. A motion under Rule 60(b) must be made within a reasonable time - and for reasons (1), (2), and (3) no more than a year after the entry of the judgment or order or the date of the proceeding.

As the final order resolving the previous set of [FRCP Rule 60](#) motions

² The request for expeditious processing is exclusively on my behalf. The defendants stated ‘Defendants will not oppose sealing materials that contain PII’. They did not agree to supporting expediting this matter.

[ROA95pg2491](#)³ was filed on 15 Dec 2025, this motion is within the required time for a [FRCP Rule 60](#) motion of one year.

Court Has Jurisdiction Under [FRAP 10\(e\)](#)

[FRAP 10\(e\)](#) states:

(e) Correction or Modification of the Record.

(1) If any difference arises about whether the record truly discloses what occurred in the district court, the difference must be submitted to and settled by that court and the record conformed accordingly.

(2) If anything material to either party is omitted from or misstated in the record by error or accident, the omission or misstatement may be corrected and a supplemental record may be certified and forwarded:

(A) on stipulation of the parties;

(B) by the district court before or after the record has been forwarded; or

(C) by the court of appeals.

Initial Filings Left Too Many Documents Sealed

ECF20-1 Sealed With All of [ROA20pgSealed](#)

[ROA20pgSealed](#) had an exhibit ECF20-1 which was not properly redacted (my error). On discovering the problem I called the clerk and asked them to seal ECF20-1 as I prepared a motion to formally seal the improperly redacted ECF20-1. The clerk could not temporarily seal a single exhibit and so instead temporarily sealed [ROA24-1pg573](#) and all exhibits so that only the parties could access the document. The clerk also added an annotation that the security change was temporary until the pending motion to seal was processed.

³ Each link to a district court document such as [ROA95pg2491](#) provides access to the relevant document as filed in the district court in ECF as in [document 95](#). There is also the mandated page number in the ROA (e.g. 2491 in the case of 95) which links to the identical excerpted document but with the ROA case number and page number in the footer. Both links should be accurate.

The necessary motion to seal ECF20-1 was filed the same day as [ROA24pg570](#) and while the motion was not prepared in a well considered and properly reviewed manner the point of the motion was quite clear with:

move seeking orders from the court:

1. Sealing Doc 20-1 in this matter.

Indeed [ROA24pg570](#) was filed just hours after I discovered the violation of [FRCP Rule 49.1](#) (Required Privacy Protection Redactions). The required Certificate of Conference was filed in [ROA25pg575](#) the next day and the motion to seal was UNOPPOSED.

Of course the motion had a properly redacted replacement [ROA24-1pg573](#).

The motion [ROA24pg570](#) was resolved in the Order [ROA26pg577](#) with:

DENIES as moot... their Motion to Correct Typographical Errors (ECF No. 24).

It appears the court did not understand the relief sought in [ROA24pg570](#) as the court's denial as moot had the effect of leaving [ROA20pgSealed](#) and all its exhibits permanently sealed but without the required supporting court order (the clerks can not permanently seal any documents). It did not seal ECF20-1 as requested.

ECF67-13 Sealed With All of [ROA67pgSealed](#)

Similarly, on the same day that I noticed that ECF67-13 had unredacted personal identification information, I called the clerk and [ROA67pgSealed](#) with all its exhibits (quite numerous) were temporarily sealed allowing access only to parties until the motion to seal ECF67-13 was processed. Of course the clerk did not have any written authorization to seal any documents.

Motion [ROA69pg1567](#) formally requested the sealing of ECF67-13 but was similarly prepared in a rush just hours after I discovered my mistake. However, the motion did clearly state:

I ask the court to direct the clerk to permanently lock ECF 67-13 so that only parties to this matter will be able to access the document

It also provided a correctly redacted [ROA69-1pg1571](#) as a replacement and had an attached Certificate of Conference which stated:

The conference was held via an email discussion with AUSA Owen on 18 Apr 2025 with her response of UNOPPOSED

However, again the court apparently did not understand the nature of the temporary (and unauthorized) sealing of [ROA67pgSealed](#) by the clerk and, in Order [ROA89pg21](#) stated:

ELECTRONIC ORDER granting in part [69] Motion to Amend/Correct... he seeks leave to file redacted documents in place of documents that contain personal identifying information. To the extent Plaintiff seeks leave to file redacted documents for public access, his motion is granted

The court appears to have noticed that [ROA67pgSealed](#) was already sealed but did not recognize that this was a temporary seal and not authorized by the court. The court did not take the required actions of removing the temporary sealing of [ROA67pgSealed](#) and adding a permanent seal on ECF67-13.

Court Required to Seal Unredacted Documents

It is certainly true that the first mistake was my own when I accidentally violated [FRCP Rule 49.1](#) (Required Privacy Protection Redactions). However, the court has an obligation to permit the correction of such mistakes as suggested in [FRCP Rule 49.1](#) Committee Notes on Rules - 2007 with:

(h) If a person files an unredacted identifier by mistake, that person may seek relief from the court.

Of course this comment is largely unnecessary as it is clear that with constitutional due process every person / party must be permitted to correct inadvertent mistakes (which is different from negligence which is sanctionable).

Conclusion

The court is asked to strike two documents, ECF20-1 and ECF67-13 which violate [FRCP Rule 49.1](#) by containing personal identification information. As there are replacement documents [ROA24-1pg573](#) and [ROA69-1pg1571](#) which have been correctly redacted, there is no need for the improperly redacted exhibits to remain in the record.

Further, the court is asked to expedite the adjudication of this issue to minimize the impact of mistakes.

Respectfully submitted,

Verification of Motion

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

1. I have reviewed the above motion 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: 29. May. 2026
Location: Irving, Texas

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Certificate of Conference

This Motion to Strike ECF20-1 and ECF67-13 is UNOPPOSED

The conference was held via an email discussion with AUSA Owen completed on 29 May 2026 with her response:

Defendants will not oppose sealing materials that contain PII.

/s Brian P. Carr

Brian P. Carr
1201 Brady Dr
Irving, TX 75061

CERTIFICATE OF SERVICE

On the recorded date of submission, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system 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
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