

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

Brian P. Carr, Rueangrong Carr, and Buakhao Von Kramer Plaintiffs  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 Defendants	Civil No. 3-23CV2875 - S  Motion for Sanctions  Certificate of Conference - OPPOSED
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**Motion For Sanctions**

Meritless Pleadings and Other Improper Antics  
Have Resulted in Excessive Delays

Proper service with USATXN was completed on 9 Jan 2024 with an initial response date of 9 Mar 2024. However, due to various delaying tactics by Mr. Padis the required response date has been delayed until May 14, a delay of 66 days.

This Motion for Sanctions is based on [28 USC section 1927](#), [FRCP Rule 11\(c\)\(2\)](#), [FRCP Rule 11\(c\)\(3\)](#), [FRCP Rule 56\(h\)](#), [18 USC section 1621](#), [TXND LR 83.8 \(b\)\(3\)](#) through 'Unethical Behavior', Texas Disciplinary Rules of Professional Conduct (ECF 30-2)<sup>1</sup> Rule 4.01 'Truthfulness in Statements to Others' and [18 USC Section 1001](#) (falsification of government records). These statutes and rules cover

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<sup>1</sup> TDRPCEffective013122.pdf in ECF 30-2 is a copy of the Texas Disciplinary Rules of Professional Conduct retrieved from <https://www.texasbar.com/> but the [link](#) used to retrieve the document was a dual party link with built in redirection which makes the link intrinsically unreliable and not robust. Such links are not archived in the various web archives making the validity uncertain.

pleadings as well as government records and give the court wide latitude in determining sanctions.

This motion will address the Motion to Dismiss (MTD) submitted by USATXN on 08 Mar 2024 as well as an email exchange Mr. Padis initiated prior to submitting the MTD. There are supporting affirmations to support certain common themes which are expected to be referred to in other similar Motions for Sanctions for other pleadings by USATXN.

### **Need For Creative Alternatives in Sanctions**

It will be shown that Mr. Padis (USATXN) has taken several sanctionable actions, but there was no apparent malicious intent, only taking ill-considered shortcuts in struggling with an excessive caseload. However, such actions seem widespread and the court is asked to consider creative sanctions to discourage such behavior in the future.

In particular as 'costs' are particularly ineffective with government agencies and pro se parties, community service and 'early' filing requirements are suggested in such cases as elaborated in Mr. Carr's Affirmation ECF 30-3 attached to this motion (CreativeSanctions.pdf).

### **Mr. Padis Unethical Behavior Seeking Delays**

In an exchange of emails with Mr. Carr, Mr. Padis made false statements which violated [TXND LR 83.8 \(b\)\(3\)](#) through 'Unethical Behavior' and Texas Disciplinary Rules of Professional Conduct (ECF 30-2) Rule 4.01 'Truthfulness in

Statements to Others' and 18 USC Section 1001 (falsification of government records).

It is argued that the underlying purpose of false statements were to delay this proceeding. This is discussed in depth in the attached affirmation of Mr. Carr, ECF 30-4, AttemptedDelayTrick.pdf. Sanctions of 10 hours of community service and 3 days of early filings are recommended though, obviously, the court has total discretion in this regard.

### **Citing 'Not Precedent' Cases De Facto Grounds for Sanctions**

It appears to be moderately common for Mr. Padis and, perhaps, other attorneys to cite cases which explicitly state 'should not be published and is not precedent', e.g. [Starrett v. Lockheed Martin Corp. et al., 735 F. Appx 169, 170 \(5th Cir. 2018\)](#).

Plaintiffs suggest that ignoring the courts clear guidance for precedent is De Facto negligence and shows a lack of due diligence.

Further, it is argued in the attached affirmation of Mr. Carr ECF 30-6 CiteNotPrecedentCase.pdf that the court implement a new precedent (or even additional Local Rule) declaring normal / routine creative sanctions of community service and early filings when cases are cited even though they are clearly identified as 'not precedent' with the result in this matter of 16 hours of community service and 2 days of early filings.

### **Mr. Padis' Motion to Dismiss Totally Without Merit**

In Plaintiffs' Response (ECF 18) to Defendants' Motion to Dismiss (ECF 15), each of Mr. Padis' Arguments is dealt with in detail. Instead of repeating these rather lengthy responses they will be summarized herein citing the relevant sections of each document.

### **Introduction Has Several False Statements**

#### **Money Back Falsely Claimed to Support Sovereign Immunity**

On Page 1 of ECF 15, Mr. Padis falsely claims 'Plaintiffs seek money back from the United States Postal Service (USPS)'. While there are several places where Plaintiff seek credits for future services this is an example where Mr. Padis invents an imaginary complaint where he can cite 'Sovereign Immunity', but in the actual complaint Plaintiffs seek credits for future services which is clearly supported in [Marbury v. Madison \(1803\)](#) and APA [5 USC section 702](#).

#### **Separate Counts Falsely Mixed Up to Create Nonsense**

#### **Actual Relief is Increased Reporting and Monitoring**

Mr. Padis then goes on to say that Plaintiffs seek a:

court order mandating that various federal agencies including the U.S.

Department of Justice initiate criminal investigations into the circumstances surrounding their various attempts to obtain immigration benefits, including naturalization for Mrs. Carr and a non-immigrant visa for Mrs. Von Kramer.

This is false and another case where Mr. Padis is addressing an imaginary complaint which has nothing to do with the matter at hand.

In Counts 2, 5, 6, 8, and 8' (the second count 8, likely to be renumbered as Count 9 if there is another Amended Complaint to correct typographical and clerical errors and to conform to the evidence) it is sought to have the OIG's and CIGIE report plausible allegations of crimes to the DoJ. They are not required to investigate anything and can refer matters to local management after reporting them to DoJ. Local management can resolve the issues in the normal fashion.

There are no explicit requirements that local management investigate but OIG's and DoJ are required to monitor the results to insure that future crimes are prevented and appropriate redress is made to injured parties. DoJ is given absolute discretion on the decision to prosecute and is encouraged to use the threat of prosecution as a cudgel to prevent future crimes and provide redress to injured properties as appropriate.

In reality, Plaintiffs are expanding on a well established principle that no federal agent is permitted to commit federal crimes or infringe on the constitutionally protected rights of individuals. Further no federal agent can grant immunity preventing consequences for future crimes or future infringement on the rights of others. This is not a new restriction on executive discretion as there never was any such discretion.

Further, the rather lengthy descriptions of required actions carefully and clearly do not infringe on the DoJ discretion to prosecute which is reserved exclusively to DoJ (and for good reason).

To simplify the requested limits on OIG and DoJ discretion with respect to

plausible allegations of federal crimes:

\* OIG must either

- investigate and report as necessary to DoJ **OR**
- report the matter to DoJ and refer the matter (likely to local management) and monitor and report the results

\* DoJ must either

- investigate and resolve the matter **OR**
- refer the matter (to OIG, local management, or another party) and monitor the results to insure future violations are discouraged and redress of victims is encouraged.

DoJ may also use the threat of prosecution as well as actual prosecution to insure appropriate compliance

\* Local management and other referred parties may process the matter in the normal fashion in accordance with the guidance of DoJ (no investigation is mandated though some form of investigation could be required by DoJ at its discretion).

In light of the simplified flow above, Mr. Padis' restatement 'mandating that various federal agencies including the U.S. Department of Justice initiate criminal investigations into ' [a preposterously restricted set of plausible allegations of federal crimes] is false and misleading.

Criminal investigations implies prosecution which is explicitly reserved to the discretion of DoJ. Further no investigations are mandated as there is always the executive discretion to refer the matter (likely to local management) where the

form of resolution is subject only to DoJ monitoring and review. The DoJ may require some level of investigations by local management but that is left to DoJ discretion as long as future violations are prevented and redress is provided as appropriate. The court would not be mandating any criminal investigations.

Given the USPS OIG 2017 audit (see ECF 18-7 DR-AR-18-001) finding 1.9 million falsified delivery times (out of the 25.5 million scans) and the fact that no substantive corrections have been made since the audit report (this problem has persisted for over a decade), substantial corrections are clearly necessary and DoJ guidance is required.

In the case of a plausible allegation of a false statement in a government email, there would be no substantive change at all. Local management could conduct appropriate inquiries but this is really no different than normal administrative procedures and local management could require additional training or something similar as the resolution. The proposed court 'mandate' would only require proper reporting to the appropriate OIG and DoJ (and possibly actual AG office in certain cases) and their monitoring of the results.

The focus of Plaintiffs' relief is clarification of OIG requirements to report plausible allegations of federal crimes (already required by statute) and DoJ to monitor and review resolutions.

With USPS, the USPS OIG has already demonstrated that there is a substantial problem with falsified records (delivery times) so the increased involvement of the OIG and DoJ are justified. The resolution could be as simple as implementing the

recommendations of the USPS OIG (now with DoJ input and requirements for proper resolution) with no additional criminal investigations. USPS profits could suffer and there could be reduced USPS management bonuses but to the degree that those results are built on falsified records that could be a good thing.

With discovery it is expected that similar widespread violations of due process will be found with DoS visa applications and USCIS I-30, I-751, and N-400 applications (and the intrinsic falsified records from decisions which don't conform to the evidence). In that case there will likely be substantial input from both the OIGs and DoJ, but the result will be mostly about insuring that the revised procedures are correct from a constitutional and statutory requirements perspective.

It is incumbent on the Plaintiffs to demonstrate standing for any relief sought (how they were damaged by the Defendants' failure to perform). However, Mr. Padis falsely claims that the relief sought is directed exclusively to those specific damages when, in fact, the Plaintiffs are seeking broad solutions to widespread problems not the absurd:

initiate criminal investigations into the circumstances surrounding their various attempts to obtain immigration benefits, including naturalization for Mrs. Carr and a non-immigrant visa for Mrs. Von Kramer

The Plaintiffs are deeply concerned about much more serious problems such as the Afghan Fiasco (see Response, ECF 18, pages 36 to 40) but the Plaintiffs have no standing in that specific failure. The broad relief sought does address the wider problems to include the Afghan Fiasco as well as helping to insure that Seal Team



6 will never be used to assassinate federal judges or federal attorneys.

### Sovereign Immunity cited Based on False Categorization

Mr. Padis goes on to claim:

Because Plaintiffs cannot meet their initial burden to identify an applicable waiver of the federal government's sovereign immunity, the Court should dismiss Plaintiffs' entire complaint

which is another example of Mr. Padis making broad claims which are completely false as every relief sought is carefully worded to avoid 'sovereign immunity'. For example Plaintiffs never ask for 'money back' but instead seek credits for future services as described above and which will be elaborated further in great length. There are three fundamental causes of action and Mr. Padis 'denies' the first USPS cause of action by creating the imaginary 'money back' claim.

### **Mr. Padis' 'Background' Misleading**

Picks Out Irrelevant Details and Omits Fundamental Allegations

Ignores Mrs. Carr Visa Denial, No Due Process

In section I, Background on page 2 of ECF 15, Mr. Padis cites irrelevant details concerning Mrs. Carr immigration visa but ignores foundational statements such as Mrs. Carr's non-immigrant visa being denied in 2018 without due process (DoS did not permit Mrs. Carr to present the evidence she had prepared) in the Complaint (ECF 11-1 and 29) paras 65 - 68.

It is misleading for Mr. Padis to cite irrelevant details and omit critical facts. This is particularly important as this visa denial was to the spouse of a U.S. citizen which is one of the well established exceptions to the offensive (to the plaintiffs) Doctrine of Consular Non Reviewability (DoCNR) which denies Due Process to aliens on the false premise that they are not people (? animals ? ) unless they are the spouse of a citizen. Clearly Mr. Padis is just trying to confuse the court with extraneous and misleading claims in order to create delay.

By omitting references to Count 3, Mr. Padis seeks to remove the foundation to the second cause of action against DoS, but just because there is no Count 3 in Mr. Padis' imaginary complaint, the actual complaint demonstrates DoS failure to provide statutory mandated non immigrant visa decisions based on due process to spouses of U.S. citizens.

#### Ignores Lack of Due Process in Mrs. Von Kramer's Visa Denials

Mr. Padis mentions the denial of Mrs. Kramer's non immigrant visa application in 2019 citing only ECF 11.1 and 29 para 90 but ignores that the denial clearly violated Mrs. Von Kramer's right to Due Process as the interviewer claimed the denial was based on 'lack of firm travel plans' even though he did not give Mrs. Von Kramer the opportunity to present any evidence which would have included flight tickets and an invitation from Mr. Carr covering accommodations for the 2 weeks. ECF 11.1 and 29 para 90 - 109.

Indeed Mrs. Von Kramer's three non immigrant visa denials provide an ideal opportunity for the Plaintiffs to challenge the offensive (to the Plaintiffs) DoCNR

while still correcting the underlying lack of Due Process in such visa processing based on Mrs. Carr's denial. It is quite legitimate for Mrs. Von Kramer to challenge DoCNR based on ECF 11-1 para 121 and 167.

Mr. Padis supports claims of failure to state a claim but that is only true in his imaginary complaint where all the required elements are not well pled. In the actual complaint all the required elements are well pled and Mr. Padis transparent effort to create confusion by ignoring relevant statements indicates that Mr. Padis' primary goal was to delay not to resolve issues.

#### Ignores USCIS Failure to Provide Required 10 Year Green Card

##### Mrs. Carr Stranded in Thailand

A particularly egregious example of this is Mr. Padis' ignoring of Mrs. Carr I-751 application on 04 Aug 2020 to have the conditions on her 2 year green card removed and receive a 10 year green card. Instead of issuing Mrs. Carr a ten year green card within 90 days as required by law, USCIS sent her temporary extension letters which finally left her stranded in Thailand in Nov 2022, unable to return without getting a non immigrant visa. See ECF 11.1 and 29 para 147 - 163.

Just because Mr. Padis doesn't mention critical elements does not mean they don't exist. Here Mr. Padis is trying to eliminate the third cause of action against USCIS by just pretending that the required elements are not in the complaint. However, Mr. Padis omission of critical elements does not demonstrate any fault in the actual complaint, it just demonstrates that Mr. Padis is attempting to confuse and delay, wasting the Plaintiffs and courts time.

## 10 Year Green Card and Citizenship Approved, Nothing Provided by USCIS

The most egregious omission by Mr. Padis is his ignoring the USCIS decision of 30 Jan 2023 which stated:

We have approved your I-751, Petition to Remove Conditions on Residence. Our records also indicate we have approved your Form N-400 Application for Naturalization. Because we also approved your N-400, you will not receive a new Permanent Resident Card (also known as a Green Card). Instead, once you have taken the Oath of Allegiance, you will receive a Certificate of Naturalization, which will be proof of your U.S. citizenship. See ECF 11.1 and 29 para 163, ECF 10-5.

Mrs. Carr's 10 year green card was approved along with her N-400 citizenship. However, USCIS never provided Mrs. Carr with a ten year green card and never scheduled the Oath of Allegiance or provided the Certificate of Naturalization, ECF 11.1 and 29 para 164 - 209

As a result, Mrs. Carr has no documentation of her permanent resident status. All previous USCIS documentation is expired. See:

ECF 24-1 Mrs. Carr Permanent Resident Card, redacted, expired 13 Nov 2020

ECF 18-6 USCIS 24 month extension letter, expired 13 Nov 2022

ECF 20-2 USCIS A-551, expired 2 Jan 2024

Mrs. Carr can not work or travel freely and, in light of Texas SB4 (which was in effect for four hours and is still pending) is afraid of being deported without notice or cause by ICE, National Guardsmen sent into blue counties to deport illegals or

even vigilantes (Texas SB4).

Further, while her citizenship was approved over a year ago, she still can not vote or help her son find better work (Thailand is still suffering from the Covid closures) all of which is in violation of USCIS responsibilities under the INA. Mr. Padis can not claim ignorance of these facts as they were called out in the early email exchange in ECF 28-1 (Redacted Email Thread 1 Mar 24 to 18 Apr 24) where Mr. Padis lied (falsified a government record) trying to trick the Plaintiffs into a delay as explained in ECF 30-4.

USCIS has clearly failed to perform its required duties under the INA and there is a compelling case for relief, but Mr. Padis callously makes false (failure to state a claim) and misleading statements (omitting critical details like the N-400 approval above).

It is clear that Mr. Padis is simply creating meritless delays without regard to the impact on the court and other parties.

### False Claims of Sovereign Immunity

In II A on page 3 of USATXN Motion to Dismiss (ECF 15), Mr. Padis raises the bogus claim of Sovereign Immunity which has no bearing on the actual complaint in this matter (ECF 11.1 and 29) as every relief sought is clearly beyond the scope of Sovereign Immunity and in accordance with [Marbury v. Madison \(1803\)](#) and [APA 5 USC section 702](#).

This is described in great depth in the in Plaintiffs' Response (ECF 18) to Defendants' Motion to Dismiss (ECF 15) pages 1 to 4 which won't be repeated here but can be reviewed by interested parties as necessary.

This specious and spurious claim of Sovereign Immunity is just another example of how Mr. Padis omits important facts and makes false and misleading conclusions all in the interest of confusing the court and justifying further delay.

### False Claims Lack of Pleading Standard

In II B on page 4 of USATXN Motion to Dismiss (ECF 15) Mr. Padis relies on his intentionally misleading summary of the over 250 allegations in the Complaint to conclude that there are no allegations to support the requested relief. However, it is clear that Mr. Padis knew that Mrs. Carr had been stranded in Thailand as a result of USCIS unlawful delay in adjudicating her I-751 (mandated to be within 90 days in INA) for over two years.

Further Mr. Padis knew that Mrs. Carr now had no documentation of her permanent resident status at this time and could no longer work or travel freely and risked being deported at any time in these troubled times. He also knew that USCIS had approved her N-400 application for citizenship and was unlawfully denying her fundamental rights as a citizen to vote and assist her son in seeking better employment.

His intentional omission of these critical facts from his summary does not indicate that they weren't there, it just shows that Mr. Padis was simply trying to delay with

meritless pleadings that have no bearing on the matter at hand.

#### A. Absurd Claim of Sovereign Immunity

In III A on page 5 of USATXN Motion to Dismiss (ECF 15) Mr. Padis makes the absurd claim Sovereign Immunity protects DoJ and OIG from their statutory duties to investigate, refer, report, and monitor plausible allegations of federal crimes.

The absurdity of this claim is discussed at length In Plaintiffs' Response (ECF 18) pages 4 - 6, but Mr. Padis would have us believe that DoJ and OIG can allow other government agencies to commit crimes with impunity and there is nothing the courts can do to reign in this 'executive discretion' gone wild. To be clear, the Plaintiff's believe that it is never acceptable for any government agent to order Seal Team 6 to assassinate federal judges or federal attorneys and no other agency (OIG or DoJ) can permit such crimes to made with impunity.

Falsifying government records are clearly less serious crimes, but lesser options of referring the matter to local management to resolve the problem is an acceptable alternative as long as it is reported to and monitored by the applicable OIG and DoJ.

#### B. Challenge to USPS Jurisdiction False and Misleading

In III B on page 5 (ECF 18) challenges USPS jurisdiction but misconstrues the facts and law in the matter. It is totally without merit as is discussed in length in pages Plaintiffs' Response (ECF 18) pages 6 - 8 which explains how a falsified

delivery time and broken business processes damaged Mr. Carr and entitles him to seek credit for future services. Mr. Padis is simply making specious and spurious arguments in the hopes of delaying and confusing. Given Mr. Padis' demonstrated desire to delay this should be recognized as another candidate for sanctions.

### C. Exhaustion of Remedies Misapplied

Mr. Padis states the Exhaustion of Remedies Doctrine as if it were an absolute authority but in fact it is one of many factor for the court to consider. In this case it is inapplicable as the Plaintiffs already sought relief from the USCIS N-400 denial from the court under the INA within 120 days so it unclear why the request would not fall under 8 USC 1421(c) (part of the INA). Of course the court could also simply address USCIS prior approval of the N-400 application on 31 Jan 2023 and require the USCIS to fulfill its obligations on approving the I-751 and N-400. However, to clarify the amended complaint (ECF 29) explicitly cites 8 USC 1421(c) rather than just the INA.

### D. Visa Denials Not Discretionary

Mr. Padis goes on to challenge the DoS visa denial claims as if they were discretionary citing [Aguilera v. Holder, 354 F. App'x 882, 884 \(5th Cir. 2009\)](#). However, non-immigrant visas are governed by clear statutes and the denial cited a particular statute as the justification for the denial. Mr. Padis' claims are completely baseless as is described in depth in Plaintiffs' Response (ECF 18) pages 12 - 13. It should be noted that [Aguilera](#) includes the statement that it is not precedent and there is no explanation for its use. As such it should incur minimal



additional sanctions as described in ECF 30-6, CiteNotPrecedentCase.pdf, for citing a decision which was not precedent.

#### D. Doctrine of Consular Non Reviewability (DoCNR)

The Complaint had two claims against DoS for failure to provide Due Process in their 4 visa denials to Mrs. Carr (2018) Mrs. Von Kramer (2019). Count 3 exclusively dealt with DoS lack of due process in denying Mrs. Carr's visa (ECF 11-1 para 59 - 83), but Mr. Padis completely ignored that Count, perhaps because exceptions to DoCNR are well established for spouses of U.S. citizens.

Further, in ECF 11-1 para 121 and 167 refer to unconstitutional restrictions made on foreign nationals (as in DoCNR) which the Plaintiffs intend to challenge. This is elaborated at great length in Plaintiffs' Response (ECF 18) pages 13 - 22 where the Plaintiffs elaborate on the challenges to DoCNR they intend to bring but the foundation of those novel and untested challenges were already laid out in the complaint (ECF 11-1) para 121 and 167.

It was not proper for Mr. Padis to include DoCNR in the MTD as novel and untested challenges are permitted at this stage of litigation and the foundations of that challenge were already present in the Plaintiffs citing historical prejudice against aliens (such as the 1882 Chinese Exclusion Act) and the offspring of such offensive (to the Plaintiffs) policies in the form of DoCNR.

#### E. Frivolous Allegations

This is the most egregious of Mr. Padis arguments. He describes all the allegations as Frivolous based solely on allegations which 'infer conspiracy and false documents from administrative delays'. The first half of the argument is just quotes from [Starrett v. Lockheed Martin Corp. et al., 735 F. Appx 169, 170 \(5th Cir. 2018\)](#), another not precedent decision which warrants sanctions on its own.

The problem is there are no allegations in the complaint which 'infer conspiracy and false documents from administrative delays' as shown in Plaintiffs' Response (ECF 18) pages 41 - 50.

Mr. Padis has informally offered to withdraw Argument E and the description of frivolous allegations but it was more than 21 days after notice and he has not actually withdrawn it under FRCP Rule 216(c) (which would have been an UNOPPOSED motion).

However, that does nothing to alleviate the delay created by the meritless Motion to Dismiss or the time wasted by Mr. Carr and the court in refuting and reviewing the MTD.

### **Nature and Amount of Sanctions Requested**

It took Mr. Carr roughly 140 hours preparing the Response to Mr. Padis meritless Motion to Dismiss (MTD) and associated papers which adjusts to 35 hours of community service for Mr. Padis. Of course if the court finds that some portions of the MTD had some merit, the court can adjust hours as it deems appropriate.

In addition the total delay from the MTD to the next response from USATXN is now 66 days so that figure is used as the number of days early filing for USATXN in this matter. Sadly that will likely be Ms. Owen but the Defendants have had the benefit of additional time to prepare in this matter and it will be incumbent on them to prioritize this matter.

In this case Community Service for Mr. Padis is particularly appropriate as he has callously ignored Mrs. Carr's plight of not being able to work and travel freely as she has no documentation of her permanent resident status. This is particularly difficult in times of the still pending Texas SB4 law to deport 'illegals' with unknown due process. Mrs. Carr is also wrongfully being denied her rights as a citizen to vote and, of importance to her, help her son seek better employment opportunities. These also justified early filings for the Defendants until some relief is provided to Mrs. Carr.

In addition to the above, it took Mr. Carr about 32 hours to prepare this Motion for Sanctions which results in an adjusted 8 hours of Community Service.

It should be noted that there will likely be additional Motions for Sanctions for later filings by Mr. Padis but that will only result in additional Community Service hours as the cumulative early filing days is already covered in this motion.

As such sanctions are requested as follows:

CS | EF | Relevant Pleadings / Interaction

10 | 3 | Email Interactions Prior to Initial Motion to Dismiss

16 | 2 | Citing Two Decisions which are 'Not Precedent'

35 | 60 | Delay from meritless Motion to Dismiss and time spent defending  
8 | NA | Time preparing first Motion for Sanctions

CS Community Service Hours Required

EF Number of days for Early Filing Required

Respectfully submitted,

### Verification of Motion

The Plaintiff hereby affirms under penalty of perjury in both the United States and Thailand that as an individual:

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

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Brian P. Carr  
1201 Brady Dr

Irving, TX 75061

Date: 8 May 2024

Location: Irving, Texas

### **Certificate of Conference**

This Motion for Sanctions is OPPOSED

The conference was held via an email discussion which is included as ECF 30-1, emailThread20240417to20240426.pdf, an email thread between USATXN and Mr. Carr from 17 Arr 2024 to 26 Apr 2024. It was concluded that this and all future Motions for Sanctions will be OPPOSED.

/s Brian P. Carr

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Brian P. Carr  
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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 were enrolled in the court's electronic case filing (and service) system.

/s Brian P. Carr

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