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 Consolidated[1] Verified[2] Replies Supporting FRCP Rule 60 Motions For Sanctions Under FRCP Rule 11(c) in ECF 79 and 83 For: • Bar Association Violations, • Delay in MTD (ECF 15), • Apparent Collusion with Court, • Making False Statement in Response, • LR 7.1 (a) Conference Violations and • Apparent Criminal Collusion Between AUSA Parker and Mr. Padis

Reply Supporting FRCP Rule 60 Motions for Sanctions Under FRCP Rule 11(c) for:

- **Bar Association Violations,**
- **Delay in MTD (ECF 15),**
- **Apparent Collusion with Court,**
- **Making False Statement in Response,**
- **LR 7.1 (a) Conference Violations and**
- **Apparent Criminal Collusion Between AUSA Parker and Mr. Padis**

Table of Contents

Reply Supporting FRCP Rule 60 Motions for Sanctions Under FRCP Rule 11(c) for:.....1
Bar Association Violations,.....1
Delay in MTD (ECF 15),.....1
Apparent Collusion with Court,.....1
Making False Statement in Response,.....1
LR 7.1 (a) Conference Violations and.....1
Apparent Criminal Collusion Between AUSA Parker and Mr. Padis.....1
Table of Contents.....1
Introduction.....3

1 These Replies are a consolidation of Replies supporting six different motions for sanctions, each submitted in accordance with FRCP Rule 11(c)(2) and filed as ECF 79 and ECF 83.

2 The Verification of this Reply is listed in the Table Contents and is toward the end of this document.

Sanctions Are An Essential Element of Our Adversarial Judicial System....3
Sanctions Are Under Utilized According to Supreme Court....3
ECF 86 Submitted Late and Without 'Standing', Unfounded Opposition....4
ECF 87 Response Itself Had False and Misleading Statements, is Sanctionable....6
The Courts Must Prevent False and Improper Filing of Papers....6
Congress Granted Courts' Ability to Manage Documents Filed in Court....6
Supreme Court Introduces FRCP Rule 11(c)(2) Sanctions For Deterrence....8
Courts Must Balance Strong Advocacy With Requirement for Truth....10
ECF 86 Response Opposing ECF 79 Without Merit, Justifies Sanctions....10
ECF 86 Submitted Late and Without 'Standing'....10
Court Did Not Carefully Consider Sanctions Against Mr. Padis....11
Previous Sanctions Motion Brought Under FRCP Rule 11(c)(3)....11
Courts' Summary Finding is Abuse of Discretion....12
Every Claim of Sanctionable Conduct is Clearly Established....13
One Particular False Claim of Frivolous Allegations is Particularly Egregious....13
Padis Argument of Frivolous Allegations is Completely False....13
Starrett Standard of Frivolous Not Met....14
There Are No Allegations in the Complaint As Described By Padis....14
Sanctions Justified By 'Frivolous Allegations' Argument....15
The Court and Mr. Padis Callously Ignore Plight of Mrs. Carr....16
10 Year Green Card and Citizenship Approved, Nothing Provided by USCIS....16
Final Decision, Order of USCIS Approves Both Green Card and Citizenship....16
Mrs. Carr Left as an Apparent Illegal....16
AUSA Padis Knew Mrs. Carr Was in Dire Straits, USCIS Violating Rights....17
FRCP Rule 11(c)(2) Sanctions Target Individual, Mr. Padis Did Not Respond....18
ECF 87 Response Opposing Motion for Sanctions (ECF 83) Is Without Merit....18
ECF 87 Response Has False and Misleading Statements, is Sanctionable....18
Parker Claimed 'Inadvertence' When Clearly She Decided Not to Respond....18
AUSA Parker Did Not Respond to Notice of Current Conference Results....18
Certificate of Conference (ECF 73) Correctly States UNOPPOSED....19
AUSA Parker Falsely Claims Inadvertence....20
AUSA Parker Falsely Misstates My Concerns About Inadvertence....21
Substitution of Counsel Does Not Invalidate Completed Conferences....22
Unresolved Meaning of 'unless otherwise requested/ordered by the Court'....22
AUSA Parker Falsely Summarizes Mr. Padis Email Exchanges....23
False Summarization by AUSA Parker....23
Actual Events Suggest Criminal Violations by AUSA Parker....23
Mr. Padis Falsified Documents And Pretended No Service....23
With Prior FRCP Rule 11(c)(3) Motion, Court Declined to Consider Sanctions....24
FRCP Rule 11(c)(2) Motions Require Proper FRCP Rule 5 Service....24
Preliminary Email to Determine if Electronic Service Possible....24
FRCP Rule 5 Service By Mail on 29 Aug 2025....25
AUSA Parker Threatens to Interfere Service by Mail, Retain Legal Papers....26
AUSA Parker Makes Idle Threats About Punishing Motions to Deter Sanctions....26
AUSA Parker Informed of Importance of Not Retaining U.S. Mail to Another....27
AUSA Parker Falsely Claims Mail Was Addressed to AUSA Parker....27

AUSA Parker Informed Mail Was Addressed to AUSA Padis....28
Personal Mail Can Not be Retained By Another Person....28
Mr. Padis Informed of Criminal Violations To Prevent Service....28
Mr. Padis 'Accepts' Service, Challenges Court Jurisdiction for Sanctions....29
AUSA Alters the Sequences of Events to Conceal Criminal Behavior....29
AUSA Parker Falsifies Address For Mail to Conceal Crime....30
Mr. Padis and AUSA Parker Both Misconstrue Jurisdiction for Sanctions....32
Sanctions Required To Deter Blatant Challenges to Courts' Jurisdiction....32
Community Service Suggested As Alternative Sanction....33
Conclusion....34
Verification of Reply....34
Case, Statute, and Other Alphabetical Index....35
CERTIFICATE OF SERVICE....36

Introduction

Sanctions Are An Essential Element of Our Adversarial Judicial System

Sanctions Are Under Utilized According to Supreme Court

The Responses opposing sanctions (ECF 86 and ECF 87) submitted by AUSA Parker on 20 Oct 2025 and 29 Oct 2025 are without merit. The absence of any Response by Mr. Padis further suggests sanctions are appropriate, indeed essential, to deter future violations of FRCP Rule 11.

A review of the relevant FRCP Rule 11(c)(2) history and purpose makes it clear that these matters requires careful court consideration well beyond the court simply declining to consider sanctions.

Indeed it is the court's responsibility to be truthful and accurate in all its decisions, findings and orders. However, when the parties routinely make false and misleading statements the court is reduced to choosing the false arguments from the party which is the most eloquent liar, weaving the most complete web of falsehoods. While our adversarial system of justice depends on strong advocacy, the tendency to over zealous advocacy must be curbed so that the court can rely on

substantial truthfulness in the arguments presented to it. The FRCP Rule 11(c)(2) Motions for Sanctions as well as the general ability of the court to sanction individuals are the primary tools to curb the destructive tendency to over zealous advocacy. The Supreme Court has long advocated increased utilization of sanctions as will be seen in the history of FRCP Rule 11(c)(2) motions. While sanctioning unacceptable behavior requires the time and attention of the court (both of which are in short supply), the return in more efficient and better quality results justifies the effort.

ECF 86 Submitted Late and Without 'Standing', Unfounded Opposition

ECF 86 was filed late according to LR 7.1 without any explanation or request for an exception. There was no response by the attorney named in the motion, Mr. Padis (no longer an AUSA). Further it was filed by AUSA Parker on behalf of all the Defendants without any explanation of how the underlying motion impacts the Defendants sufficiently to justify consideration of their response.

This indicates an apparent lack of understanding of the actual law for FRCP Rule 11(c)(2) Motions for Sanctions which governs sanctions against individuals (attorneys or unrepresented parties) and not the parties being represented by an attorney.

While AUSA Parker claims that all the issues for sanctions were previously litigated and decided by the court, this is false. A review of the actual decision (ECF 59) shows an extensive discussion of jurisdiction with the conclusion that the prior motion was brought solely under FRCP Rule 11(c)(3). FRCP Rule 11(c)(3) is the discretion of the court and the court concluded by simply declining to consider sanctions.

Though theoretically plausible, it was a clear abuse of discretion for the court to simply ignore the very serious violations such as the federal crime of falsifying government documents (18 USC § 1001) and violating local court rules and Texas Bar Association standards for ethical behavior.

While abuse of discretion can be raised on appeal, this motion under FRCP Rule 11(c)(2) was filed to fully brief the court on the justification for sanctions (giving Mr. Padis a formal opportunity to present his defense) and encourage the court to resolve some of the factual issues such as violations of federal criminal statutes, Texas Bar Association standards and local rules.

The decision by Mr. Padis to not submit a response to this FRCP Rule 11(c)(2) Motion for Sanctions indicates an acceptance that his behavior was indefensible and a hope that court will simply ignore his flagrant violation of the courts jurisdiction over individuals who file briefs which violate FRCP Rule 11.

The sanctionable conduct by Mr. Padis is based primarily on:

- the first MTD (ECF 15) which had numerous false and misleading statements for the purpose of delay,
- an email exchange in which Mr. Padis lied in a government email which is a criminal violation of 18 USC § 1001 (falsification of government records), and
- apparent collusion with the court deny a due process hearing on serious matters

While previous briefs cover the key issues, two of the more significant issues will be discussed in detail to demonstrate just how extreme the sanctionable actions

were.

ECF 87 Response Itself Had False and Misleading Statements, is Sanctionable

AUSA Parker falsely misstates my challenge to her 'inadvertently failed to respond' (from ECF 74) to instead be a challenge to 'failure to respond' (ECF 87) omitting the 'inadvertently'. This is significant since the entire challenge was to her false claim of inadvertence as the failure to respond was clearly a decision, not inadvertent.

Further, her description of the email exchange about the preliminary service of the motion of sanctions for Mr. Padis which was finally submitted as ECF 86 has two primary falsifications. She misstates who the mail was addressed to and alters the sequence of events. Both of these falsifications make it appear that there is no basis for the sanctions requested in ECF 87, but actually the falsifications could be themselves sanctionable.

Mr. Padis himself failed to respond to ECF 87 even though he received preliminary service of the motion as required under FRCP Rule 11(c)(2) and was centrally involved in any collusion to hinder service through criminal interference with delivery via U.S. Mail.

The Courts Must Prevent False and Improper Filing of Papers

Congress Granted Courts' Ability to Manage Documents Filed in Court

The Supreme Court restricted 18 USC § 1001 to the executive branch in Hubbard v. United States, 514 U.S. 695 (1995) with:

> A straightforward interpretation of section 1001's text... leads inexorably to the conclusion that... the statute's reach simply does not extend to courts.

Congress then corrected 18 USC § 1001 in the False Statements Accountability Act of 1996 to explicitly include the judiciary in 18 USC § 1001 by extending the statute with:

> in any matter within the jurisdiction of the executive, legislative, or judicial branch

but to avoid hampering the courts' ability to grant some leniency to attorneys and pro se parties for strong advocacy in their papers submitted to the court, Congress included:

> (b) Subsection (a) does not apply to a party to a judicial proceeding, or that party's counsel, for statements, representations, writings or documents submitted by such party or counsel to a judge or magistrate in that proceeding.

The first addition clearly required that all court orders, decisions, findings, and recommendations (such as the FCR in ECF 67) to be truthful and not misleading in accordance with 18 USC § 1001.

However, the addition of section (b) above also allowed the court to manage the conflict between attorneys and pro se parties desire to strongly advocate their position (an essential aspect of our adversarial litigation process) and the courts requirement that the attorneys and pro se parties do not lie to the court or even intentionally mislead the court (which reduces judicial efficiency and creates problems for all parties).

It was now squarely on the courts to sanction inappropriate behavior in order to prevent future violations. This is an area where the courts, according to the Supreme Court, were distinctly lacking.

Supreme Court Introduces FRCP Rule 11(c)(2) Sanctions For Deterrence

Before the Supreme Court and later Congress held the individual courts solely responsible for managing the filings submitted to the court, the Supreme Court had adjusted Motions for Sanctions in 1983 and 1993 and introduced FRCP Rule 11(c)(2) as a codified method for parties to insure the court was properly briefed on sanctions and not dependent on the court's discretion to issue an Order to Show Cause to determine if there was sanctionable behavior which warranted sanctions. The Supreme Court had found that lower courts were woefully inadequate at using sanctions to reign in the excessive false and misleading statements by over zealous advocacy.

The FRCP Rule 11 Notes of the Supreme Court Advisory Committee on Rules - 1983 Amendment states:

> Experience shows that in practice **Rule 11 has not been effective in deterring abuses**... There has been considerable confusion as to
> (1) the circumstances that should trigger striking a pleading or motion or taking disciplinary action,
> (2) the standard of conduct expected of attorneys who sign pleadings and motions, and
> (3) the range of available and appropriate sanctions...
>
> The new language is intended **to reduce the reluctance of courts to impose sanctions**... by emphasizing the responsibilities of the attorney and reenforcing those obligations by the imposition of sanctions.
>
> The text of the amended rule seeks to **dispel apprehensions that efforts to obtain enforcement will be fruitless by insuring that the rule will be applied when properly invoked**. The word "sanctions" in the caption, for example, stresses a deterrent orientation in dealing with improper pleadings, motions or other papers.[3]

In 1990 the Supreme Court set the standard for sanctions in Cooter & Gell v.

3 Bold added by Plaintiffs.

Hartmarx Corp ., 496 U.S. 384 (1990) as:

> if a pleading is signed in violation of the Rule, the court "shall" impose upon the attorney or his client "an appropriate sanction..."

The FRCP Rule 11 Notes of the Supreme Court Advisory Committee on Rules - 1993 Amendment which created the form of FRCP Rule 11(c)(2) motions states:

> The court has available a **variety of possible sanctions** to impose for violations, such as ... requiring participation in seminars or other educational programs; ... **referring the matter to disciplinary authorities** (or, in the case of government attorneys, to the Attorney General, Inspector General, or agency head), etc...
>
> The court has significant discretion in determining what sanctions, if any, should be imposed for a violation, subject to the principle that **the sanctions should not be more severe than reasonably necessary to deter repetition of the conduct** by the offending person or comparable conduct by similarly situated persons...
>
> Since the purpose of Rule 11 sanctions is to deter rather than to compensate, the rule provides that ... If, for example, a wholly unsupportable count were included in a multi-count complaint or counterclaim ... any award of expenses should be limited to those directly caused by inclusion of the improper count, and not those resulting from the filing of the complaint or answer itself...
>
> the standard for appellate review of these decisions will be for abuse of discretion. See Cooter & Gell v. Hartmarx Corp ., 496 U.S. 384 (1990) (noting, however, that an abuse would be established if the court based its ruling on an erroneous view of the law or on a clearly erroneous assessment of the evidence).[4]

Further it is clear that the courts decision must be appropriate to deter future violations as FRCP Rule 11(c)(4) states:

> (4) Nature of a Sanction. A sanction imposed under this rule must be limited to what suffices to deter repetition of the conduct or comparable conduct by others similarly situated.

4 Bold added by Plaintiffs.

Courts Must Balance Strong Advocacy With Requirement for Truth

It is clear that it is the court's responsibility to manage parties strong advocacy of their position (which is required in our adversarial system of justice) versus the court's job of discerning the truth, both findings of fact and legal decisions. The Supreme Court has made it clear that FRCP Rule 11(c)(2) motions for sanctions require the court to reign in the excesses of over zealous advocacy which crosses the boundary of strong advocacy into false and misleading statements as described here.

ECF 86 Response Opposing ECF 79 Without Merit, Justifies Sanctions

ECF 86 Submitted Late and Without 'Standing'

ECF 86 was filed late according to LR 7.1 without any explanation or request for an exception. There was no response by the attorney named in the motion, Mr. Padis (no longer an AUSA). Further it was filed by AUSA Parker on behalf of all the Defendants without any explanation of how the underlying motion impacts the Defendants sufficiently to justify consideration of their response.

This indicates an apparent lack of understanding of the actual law for FRCP Rule 11(c)(2) Motions for Sanctions which governs sanctions against individuals (attorneys or unrepresented parties) and, except in rare circumstances, not the parties being represented by an attorney.

Several questions are raised by this strange situation. Why did AUSA Parker waste the government's scarce resources opposing a motion for sanctions that was not directed against the government but instead a person who is now a private individual, Mr. Padis? Could this relate to the unexplained reason for the prior counsel, AUSA Owen, to refuse to file any Responses 'unless otherwise

requested/ordered by the Court' and her untimely termination of government service? Was there an illegal order which would require her to violate FRCP Rule 11 and was she terminated for her failure to subject herself to sanctions and violate the ethical standards for attorneys?

These questions do not need to be answered before any sanctions are implemented as the court (according to the Supreme Court Advisory Committee in 1993) has the option of:

> referring the matter to disciplinary authorities (or, in the case of government attorneys, to the Attorney General, Inspector General, or agency head)...or...
>
> defer its ruling... until final resolution of the case in order to avoid immediate conflicts of interest and to reduce the disruption created if a disclosure of attorney-client communications is needed to determine whether a violation occurred

Indeed the court could order community service for direct violations and refer the matter for consideration of the more complex issues.

Court Did Not Carefully Consider Sanctions Against Mr. Padis

Previous Sanctions Motion Brought Under FRCP Rule 11(c)(3)

In the Argument section of AUSA Parker's Response (ECF 86) opposing the 1st Motion to Dismiss (ECF 79) she states:

> The United States Magistrate Judge then **carefully considered those arguments** [in ECF 30 concerning sanctions against Mr. Padis], and in an opinion issued on February 26, 2025, rejected them. (Doc. 59.) Plaintiff may disagree with the decision, but he has not and **cannot demonstrate any error**.[5]

This statement has a misleading claim that the court 'carefully considered those arguments' as well as a false statement the we 'cannot demonstrate any error.' Both

5 Bold added by Plaintiffs.

of these claims could warrant sanctions against AUSA Parker.

Courts' Summary Finding is Abuse of Discretion

Apparently the court did not carefully consider any of the arguments in the previous Motion for Sanctions (ECF 30). A review of ECF 59 shows that after some analysis of statutes and jurisdiction for federal crimes and other matters but no discussion of Mr. Padis' conduct, the court stated:

> **The Court does not find Defendants' conduct sanctionable** and **declines to issue sanctions** under its inherent authority. Similarly, the Court declines to issue sanctions under Texas Disciplinary Rule of Professional Conduct 4.01 for false statements or Local Rule 83.3(b)(3) for unethical behavior.[6]

There is no reference to any of the conduct described in ECF 30 making it unclear if the court even read any portion ECF 30 which complained of the MTD (ECF 15) as totally without merit, federal crimes of falsifying government documents (18 USC § 1001), and Texas Disciplinary Rule of Professional Conduct 4.01 (false statements) and Local Rule 83.3(b)(3) for unethical behavior violations.

It is an abuse of discretion to simply declare none of these violations as sanctionable conduct. In fact, every one of these violations are sanctionable and there is only the court declining to issue sanctions for conduct which are serious violations.

The Supreme Court created FRCP Rule 11(c)(2) to dispel 'apprehensions that efforts to obtain enforcement will be fruitless by insuring that the rule will be applied when properly invoked.' This court displayed the same lack of enforcement decried by the Supreme Court and we are relying on FRCP Rule 11(c)(2) sanctions for the relief of insuring that sanctions will be applied as necessary to

6 Bold added by Plaintiffs.

deter future violation as specified by the Supreme Court in FRCP Rule 11 guidance.

Every Claim of Sanctionable Conduct is Clearly Established

One Particular False Claim of Frivolous Allegations is Particularly Egregious

Padis Argument of Frivolous Allegations is Completely False

Every claim of sanctionable conduct is thoroughly justified in the current 1st Motion for Sanction (ECF 79) which AUSA Parker attempts to refute with her unjustified claim that we 'cannot demonstrate any error'. However, rather than repeating all the arguments in ECF 79, I will focus on Padis 5th argument in the MTD (ECF 15, Argument E), Frivolous Allegations.

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), a 'not precedent' decision which warrants sanctions on its own. There is no legal basis for quoting non precedent cases. Such cases are not binding on the court or any other court in the 5th Circuit. On appeal, any court which relied on such a non precedent decision would surely be reversed. It is misleading to use any quote from a non precedent case without clearly explaining that the case is not precedent. Pretending that the quote is relevant when, in fact, it is irrelevant, misleads the court, a sanctionable violation.

The second half of this argument was simply mixing up unimportant allegations (which were included to provide context) with unrelated reliefs. Of course you can make any serious and well stated claim sound 'frivolous' by randomly choosing words and phrases and mixing them until they are suitable nonsense. However, Starrett only concerns allegations which are on their face frivolous and not the

relationship of the allegations and relief. This half of the argument is, therefore, irrelevant. It is also misleading and sanctionable.

The remainder of this entire argument was simply eight words describing allegations which 'infer conspiracy and false documents from administrative delays'. While such allegations might be unfounded and rejected by the court they certainly would not rise to the level of Starrett to be called frivolous.

Starrett Standard of Frivolous Not Met

In Starrett the criteria for frivolous allegations is 'fanciful, fantastic, or delusional' with specific examples as in:

> Starrett's 149-page complaint alleged that defendants conspired to use him for mind experiments, targeted him with "Remote Neural Monitoring," harassed him using "Voice to Skull" technology, and otherwise remotely monitored and controlled his thoughts, movements, sleep, and bodily functions.

It is clear that such fanciful and delusional allegations do not need to considered in depth by the court (even without citing a not precedent decision).

However, allegations which 'infer conspiracy and false documents from administrative delays' do not rise to the level of 'fanciful, fantastic, or delusional'. Were the delays simple administrative delays or were they the result of falsified documents? Were the delays the result of some improper collusion? Such questions of fact need to be considered by the court before it can dismiss a matter as they are not clearly fanciful or delusional.

There Are No Allegations in the Complaint As Described By Padis

The more serious problem is that there are no allegations in the complaint which 'infer conspiracy and false documents from administrative delays' as shown in our

motion (ECF 79).

The Exhibit attached by AUSA Parker (ECF 86-1, a copy of ECF 39 submitted by AUSA Owen) **admits that there were no inference of false documents from administrative delays** but then claims there were inferences of conspiracy from administrative delays. However, analysis of this claim demonstrates that it is false as well. There was a claim of 'whistleblower retaliation' (which is notably different from conspiracy which requires secrecy among multiple conspirators while 'whistleblower retaliation' only requires improper retaliation by a person with power over others). Further, the claimed administrative delays for N-400 interviews is simply false. There are no such allegations in the complaint.

The result is that nothing in the 'Frivolous Allegations' argument applies to anything in the complaint. Mr. Padis requested the dismissal of the entire complaint based on purported allegations which simply do not exist.

Sanctions Justified By 'Frivolous Allegations' Argument

The Supreme Court has made it clear that even if only one count or argument is sanctionable then sanctions are appropriate to deter future violations. Further, while the Supreme Court does allow that simple mistakes are forgivable, it does require such mistakes be corrected as soon as possible. In contrast AUSA Parker has continued the false claim supporting 'Frivolous Allegations' Argument (ECF 86-1) even when it has been thoroughly debunked in our motion for sanctions (ECF 79).

USATXN used these false and misleading arguments to delay and conceal serious transgressions by USCIS. My wife was an apparent 'illegal' terrified of being

deported at any time without cause or notice even though her 10 year green card and citizenship had both been approved (ECF 10-5) while USATXN pretended nothing was amiss.

The Court and Mr. Padis Callously Ignore Plight of Mrs. Carr

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

Final Decision, Order of USCIS Approves Both Green Card and Citizenship

The most egregious omission by AUSA Padis and the court are their ignoring the USCIS final decision and order of 30 Jan 2023 in ECF 10-5 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 the complaint, ECF 29 para 163.

Mrs. Carr Left as an Apparent Illegal

My wife's 10 year green card was approved along with her N-400 citizenship. However, USCIS did not provide my wife with a ten year green card and did not schedule the Oath of Allegiance or provide the Certificate of Naturalization, ECF 29 para 164-209

As a result, my wife had no documentation of her permanent resident status. All previous USCIS documentation had 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 passport stamp, expired 2 Jan 2024

My wife could not work or travel freely and, in light of Texas SB4 (which was in effect for four hours and is still pending) she was terrified of being deported without notice or cause by ICE or National Guardsmen sent into blue counties to deport illegals or even vigilantes (Texas SB4).

Further, while her citizenship was approved over a year before the MTD (ECF 15), she was prevented from voting or helping her sons find better work (Thailand was still suffering from the Covid closures and its economic impact) all of which is in violation of USCIS responsibilities under the INA.

AUSA Padis Knew Mrs. Carr Was in Dire Straits, USCIS Violating Rights

AUSA 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 AUSA Padis lied (falsified a government record) trying to trick us into a delay as explained in ECF 30-4.

USCIS has clearly failed to perform its required duties under the INA and there was a compelling case for relief, but AUSA Padis callously made false (failure to state a claim) and misleading statements (omitting critical details like the N-400 approval cited above in ECF 10-5).

It is clear that AUSA Padis was simply creating meritless delays without regard to the impact on the court or other parties.

FRCP Rule 11(c)(2) Sanctions Target Individual, Mr. Padis Did Not Respond

The decision by Mr. Padis to not submit a response to this FRCP Rule 11(c)(2) Motion for Sanctions indicates an acceptance that his behavior was indefensible

and a hope that court will simply ignore his flagrant violation of the court's obligation to sanction attorneys who file briefs which violate FRCP Rule 11.

ECF 87 Response Opposing Motion for Sanctions (ECF 83) Is Without Merit

ECF 87 Response Has False and Misleading Statements, is Sanctionable

As will be described below, the Response (ECF 87) Opposing the Motion for Sanctions (ECF 83) is without merit. Further the Response itself has false and misleading statements and is itself sanctionable.

Parker Claimed 'Inadvertence' When Clearly She Decided Not to Respond

AUSA Parker Did Not Respond to Notice of Current Conference Results

On 6 May 2025 in an email AUSA Owen stated with respect to the pending motions which were ECF 67, ECF 73, and ECF 76 (see ECF 75-1):

> I am not filing any response unless otherwise requested/ordered by the Court

On 13 Jun 2025 AUSA Parker took over from AUSA Owen (ECF 72) and on the same day I sent an email informing that prior counsel had stated USATXN would not be filing any response to the pending motions which were ECF 67, ECF 73, and ECF 76 (see ECF 75-1) with:

> I hope you have had a good week.
>
> I noticed that you have been added to this matter and may be taking responsibility for the DoJ response in this matter. As you may already be aware there are three FRCP Rule 60 motions pending (as described in ECF 67). On 6 May 2025, Ms. Owen stated 'I am not filing any response' in our discussion of these motions. Are you planning on filing any responses (opposing these motions)?
>
> Thanks for your attention to this matter.
>
> Wishing you all the best, Brian ...

I believe that on reading this email AUSA Parker could have answered the email with something like:

> Thanks for the heads up. At this time, USATXN intends to file responses opposing each of these motions. ...

I estimate that AUSA Parker could have sent such a response in less than two minutes which is approximately the time it would take to open and read the preceding email. Further, stating current intentions does not really obligate USATXN as AUSA Parker could revise these intentions at any time. Also, such a timely response would be good time management as it preserves future options without requiring task switching which often takes up more time than the task itself. As USATXN has too much work and not enough staff (as always), efficient time management is required to keep up with the workload.

Certificate of Conference (ECF 73) Correctly States UNOPPOSED

However, AUSA Parker has not ever responded to the email (to date) so that when I filed the next motion (ECF 73) on 21 Jun 2025, the Certificate of Conference stated:

> On 6 May 2025 via email AUSA Owen stated 'I am not filing any response'. However, on 13 Jun 2025 DoJ submitted Notice of Substitution of Counsel (ECF 72) designating AUSA Tami Parker as lead counsel.
>
> Also on 13 Jun 2025 I sent an email to AUSA Parker ... informing her that the current DoJ response was 'not filing any response' which is UNOPPOSED and asking AUSA Parker if DoJ would be 'filing any responses (opposing these motions)?'
>
> AUSA Parker has not sent any response to date.

AUSA Parker Falsely Claims Inadvertence

After ECF 73 was filed, AUSA Parker still did not respond to my email (which had offered she could revise USATXN position at any time). Instead AUSA Parker

filed a Response (ECF 74) on 14 July 2025 opposing the motion claiming:

> The undersigned AUSA entered an appearance in this case on June 13, 2025. (Doc. 72.) Mr. Carr emailed the undersigned that same day inquiring whether she would take the same position of "no response" as the former AUSA. The undersigned inadvertently failed to respond to that email. Plaintiffs filed the instant omnibus motion for reconsideration on ten days later, on June 23, 2025. (Id.) Mr. Carr did not seek to confer on this specific motion but indicated in the certificate of conference that the motion was "unopposed" based on the correspondence with the former AUSA and the nonresponse to the June 13th email. (Id. at 65.)

Of course AUSA Parker's claim of 'inadvertently failed to respond' is clearly false.

As explained in Iannaccone v. Law, 142 F.3d 553 (2d Cir. 1998) no part of the government can infringe on self representation and it is a fact that all humans make mistakes. As such inadvertence is uniformly an exception to virtually all rules, penalties and sanctions.

However, in this case AUSA Parker made countless decisions to not respond to the email at different times. Indeed, before typing / entering the false claim that she "inadvertently failed to respond to that email" she could have instead responded to the email at that time, possibly even apologizing for her delayed response. She could have even have given the court notice of that email and asked that the court not decide the motion without considering her response.

Instead she implies that I did not properly confer on the specific motion with:

> Mr. Carr did not seek to confer on this specific motion

while a review of the earlier email exchange in ECF 75-1 makes it clear that I did in fact confer with AUSA Owen concerning the specific motion as well as others.

Substitution of counsel does not override all previous conferences and I had, in fact, offered AUSA Parker the opportunity to take a different position. Indeed, this is another false statement made by AUSA Parker and, as such, is sanctionable (decisions can be sanctionable while mistakes are generally not sanctionable).

AUSA Parker Falsely Misstates My Concerns About Inadvertence

In AUSA Parker's Response (ECF 87) opposing the motion for sanctions against her (ECF 83) she makes additional false statements apparently trying to conceal that she had decided not to respond to my email of 13 Jun 2025 (in ECF 75-1) by stating that I was complaining of her failure to respond. In fact I was complaining that her claim of 'inadvertently' not responding was false, she had decided not to respond as discussed above.

In ECF 87 AUSA Parker states:

> He further complained about Defense Counsel's failure to respond to his email regarding how oppositions to his motions would be handled. (...[ECF 75] at 16.) Plaintiff essentially asserts that it was unfair for Defendants to start filing written objections without specifically notifying him they would do so.

The actual text in ECF 75 at 16 states:

> AUSA Parker goes on to claim to have 'inadvertently' not responded to my email (ECF 74 Response) even though she has still not responded. In truth, she could have responded at any time and certainly should have responded before submitting the Response, ECF 74, where she claims the failure was inadvertent.

This is significant since the primary challenge was to her false claim of inadvertence as the 'failure to respond' was clearly a decision, not inadvertent.

Substitution of Counsel Does Not Invalidate Completed Conferences

In TXND Local Civil Rules LR 7.1(a) Motion Practice Conference there are

requirements for the representatives of the parties to confer and try to resolve any differences without excessive litigation. AUSA Owen and I followed those procedures with the results listed in the 'Certificate of Conference' in ECF 73. While AUSA Parker was not required to respond to my email which explained the conference results for the motions which were being prepared, her substitution of counsel did not automatically invalidate any completed conferences and she did, in fact, have to respond to my email if she wished to confer further and reach new results.

Unresolved Meaning of 'unless otherwise requested/ordered by the Court'

It is also important to note that the full text concerning future opposing responses by AUSA Owen via email on 6 May 2025 was:

> I am not filing any response unless otherwise requested/ordered by the Court

The cryptic condition for future responses of 'unless otherwise requested/ordered by the Court' remains ambiguous as I can not imagine ordinary circumstances where a court would order USATXN to submit any response. Responses opposing any motion are generally optional and it would be inappropriate judicial bias for the court to request or order any party to file an opposing response (though the cryptic condition could suggest some level of collusion and back channel communications, possibly through the clerks in various offices).

I suggest that the court conduct a hearing to determine what the full meaning of that condition was as well as the circumstances of AUSA Owen's departure; was she terminated for refusing to obey an illegal order. If so, it would be highly relevant for the court to institute sanctions for interference in the orderly resolution of disputes in our adversarial process. The court could refer the matter to disciplinary authorities such as the 'Attorney General, Inspector General, or agency

head' as recommended by the Supreme Court.

AUSA Parker Falsely Summarizes Mr. Padis Email Exchanges

AUSA Parker in ECF 87 attempts to revise the description of the preliminary service for Mr. Padis to make it appear that there was nothing sanctionable but she does this only by making false statements as to what transpired. These falsifications are themselves sanctionable.

False Summarization by AUSA Parker

In ECF 87 in the 'Background' AUSA Parker states:

> Plaintiff emailed a copy of his motion to Defendants and former AUSA Padis. Carr also mailed a copy of the pleading to the U.S. Attorney's Office suggesting the counsel for Defendants could "forward it on." (Doc. 83-1.) After back and forth between Plaintiff and former AUSA Padis, **Padis informed Plaintiff that he had received a copy of his motion and would not argue to the contrary. (Doc. 83-1 at PageID 2339.) Counsel for Defendant then explained to Carr that she would take no further action.** *Although the pleading was sent to the United States Attorney Office, in an ongoing case and seeking sanctions in that case, Carr now complains that counsel's failure to forward his pleading to a person no longer at the U.S. Attorney's Office violated federal criminal law with respect to mail.*[7]

There are at least two false statements in the above 'background'

Actual Events Suggest Criminal Violations by AUSA Parker

Mr. Padis Falsified Documents And Pretended No Service

It is important to note that in March of 2024 Mr. Padis (who was then an AUSA) attempted to trick us into giving him a delay of almost 60 days by pretending there were problems in the initial service under FRCP Rule 4 in this matter as described above. While he actually had access to two copies of the summons and complaint he made it appear no such copies had been delivered.

7 Bold and Italics added by Plaintiffs.

I was concerned that Mr. Padis would again try to avoid justice by trickery and making it appear that service of the new motion was not proper.

With Prior FRCP Rule 11(c)(3) Motion, Court Declined to Consider Sanctions

The prior motion was ignored by the court when it simply declined to consider sanctions. FRCP Rule 11(c)(3) motions for sanctions are exclusively at the discretion of the court. However, as the Supreme Court noted with respect to FRCP Rule 11(c)(2) motions:

> The text of the amended rule seeks to dispel apprehensions that efforts to obtain enforcement will be fruitless by insuring that **the rule will be applied when properly invoked**.[8]

It was essential that I properly invoke FRCP Rule 11(c)(2) to insure a response.

FRCP Rule 11(c)(2) Motions Require Proper FRCP Rule 5 Service

As the prior motion for sanctions under FRCP Rule 11(c)(3) had been fruitless (the court simply declined to consider sanctions), I was particularly cautious to make sure the required preliminary service under FRCP Rule 5 for a FRCP Rule 11(c)(2) motion was 100% solid and was concerned Mr. Padis would try to surreptitiously avoid service thereby invalidating the motion itself. This care is in the timeline:

Preliminary Email to Determine if Electronic Service Possible

- On 28 Aug 2025 I emailed an electronic copy of ECF 79 (but not yet filed with the court) to AUSA Parker inquiring about electronic service under FRCP Rule 5. See ECF 83-2, last email. At that time I believed that AUSA Padis was still on an extended leave of absence until 30 Sep 2025.
- As there was not a prompt response from AUSA Parker, I remembered the

8 Bold added by Plaintiffs.

problems I had had with service to AUSA Padis and concluded that it was a waste of time seeking electronic service as under FRCP Rule 5 service by mailing is effective as of the date of mailing. I prepared the document for mailing which was a minimal expense.

FRCP Rule 5 Service By Mail on 29 Aug 2025

- On 29 Aug 2025 I mailed a paper copy to AUSA Padis at his last known address (in accordance with FRCP Rule 5) which was:

  George M Padis (Assistant United States Attorney)
  Texas Bar No. 24088173
  1100 COMMERCE ST FLOOR NUMBER 3
  DALLAS, TX, 75242-1001

  (see Certificate of Service in ECF 79, ECF 79 was filed in ECF on 27 Sep 2025). It is important to note that as the motion was mailed to Mr. Padis at his last known address the effective date of service was 29 Aug 2025.
- Later on the evening of 29 Aug 2025 AUSA Parker informed me that AUSA Padis no longer worked for DoJ and that she would investigate what she could do with the electronic copy of the motion (to be ECF 79). See ECF 83-2.
- Later that evening on 29 Aug 2025 I informed AUSA Parker that it was no longer important as I had already mailed the motion papers to Mr. Padis at the last address on file. I did note that the papers would probably be forwarded to her and that she could forward it on.
- On 1 Sep 2025 I sent another electronic copy to Mr. Padis at his new law firm and copied AUSA Parker. This copy was the same as the copy later filed as ECF 79 with complete service information.

AUSA Parker Threatens to Interfere Service by Mail, Retain Legal Papers

AUSA Parker Makes Idle Threats About Punishing Motions to Deter Sanctions

- On 2 Sep 2025 AUSA Parker stated in an email (ECF 86-2):

  I see by your email dated September 1, 2025, that you have found an email address for former AUSA George Padis and forwarded a copy of your proposed motion for sanctions to him.

  I will take no further action with respect to attempting to forward your proposed motion to Mr. Padis at this time.[9]

  Should you ultimately file the sanctions motion, please take note for purposes of a certificate of ...[conference] that the Defendants are opposed to the motion. The motion lacks merit for the reasons already explained to you by the Court in response to your previous motions for sanctions. Briefly, as Defendants and the Court have explained, your disagreement with a position taken by an opposing side does not render that side's position sanctionable. Or false. Or criminal. Similarly, a party's good faith representation, even should the same turn out to be incorrect, is not sanctionable or criminal.

  Given the previous motions for sanctions and the court's subsequent explanation for why the arguments lacks merit, please also take note that the Defendants will likely, in addition to filing a brief in opposition, file a motion to strike under Fed. R. Civ. P. 12(f) or a Rule 11 motion for filing a legally frivolous pleading.

  Please provide Defendants with your position on any such motions.

  Last, Defendants intend to file a miscellaneous motion seeking to have you barred from filing any further pleadings in this case until the Court has ruled on the motions currently pending before the court. By my loose count, there are at least 10 pending motions filed by Plaintiff since judgment was entered in this case. Each motion is extremely lengthy and repetitive. This course of conduct clutters the docket, results in unnecessary and significant wastes of resources by the Court and Defendants. In Defendants' view, your conduct has risen to the level of vexatious and harassive. Please provide Defendants with your position on this motion.

9 Bold added by Plaintiffs.

- On 2 Sep 2025 the mailed motion papers addressed to AUSA Padis were delivered to USATXN.

AUSA Parker Informed of Importance of Not Retaining U.S. Mail to Another

- On 4 Sep 2025 at 4:13PM I responded to AUSA Parker stating (ECF 90-1):

  On reflection, I am troubled by your statement:

  > I see by your email dated September 1, 2025, that you have found an email address for former AUSA George Padis and forwarded a copy of your proposed motion for sanctions to him. I will take no further action with respect to attempting to forward your proposed motion to Mr. Padis at this time...

  I would prefer that you fulfill your responsibility as lead attorney for a case where Mr. Padis is still listed as an attorney for the government (or was when I checked and when I mailed the copy of the motion). I imagine that if Mr. Padis informs you that he does not need a paper copy, then it is possible you could decide that you do not need to forward the paper copy, but really it is up to you and Mr. Padis and your reading of the relevant law.

  To be clear, I do not approve of your improperly delaying service under any circumstances and request that you take whatever actions are necessary to effectuate proper service under these circumstances.

  If Mr. Padis sends you an email (at a government email address) saying that he has accepted electronic service via my email, then I would expect you are good, but that is your call.

AUSA Parker Falsely Claims Mail Was Addressed to AUSA Parker

- On 4 Sep 2025 at 4:41 PM AUSA Parker stated (ECF 90-1):

  I represent the Defendants in this case. I do not represent Mr. Padis, and he is not a party to this litigation. I have no legal obligation to "serve" Mr. Padis with anything that you forward to me. I considered doing so as a courtesy to you in this instance, but as noted, that is no longer necessary.

AUSA Parker Informed Mail Was Addressed to AUSA Padis

Personal Mail Can Not be Retained By Another Person

- On 5 Sep 202 5at 5:04 PM I responded to AUSA Parker stating (ECF 90-1):

  If the staff in your agency forwarded mail to you that was addressed to Mr. Padis then it is fine for you to read the mail and determine if it is professional mail which you can deal with or personal mail which you can not deal with.

  However, once you determine that you have received U.S. mail which was not addressed to you, you do not have the option of holding / retaining the mail or destroying it. By law you must return it to the USPS noting that it was sent to the wrong address. You have the option of providing the forwarding address (if you know it) or simply noting that Mr. Padis is 'not at this address'.

  If, however, Mr. Padis or I have informed you that is fine for you to just keep the paper, then you really don't have any obligation to do anything with it. However, I have never said that it is OK for you to keep the paper that was sent to Mr. Padis (at the correct address at the time it was mailed according to court and bar association records).

  So, if Mr. Padis has approved your keeping the paper or decides to send you such approval, can you please send the date when he first granted you such approval along with a quote from the email (or your recollection of the phone conversation).

  If Mr. Padis has not granted such approval (and does not do so promptly), can you please return the misdirected mail to USPS with the appropriate annotation and let me know the date when ... you return it.

Mr. Padis Informed of Criminal Violations To Prevent Service

- On 5 Sep 2025 at 6:11 PM I emailed Mr. Padis stating (ECF 83-1):

  I presume you have seen the discussions of proper service and Ms. Parker retaining the mailed document.

  You could end all this discussion by letting me and Ms. Parker know that you accept the electronic copy of the document as served on 29 Aug 2025

> (the date of mailing the paper document which is substantially delayed because of your failure to keep current addresses up to date). You could also let her know that you approve of her retaining the paper copy so that we can put this confusion behind us.

Mr. Padis 'Accepts' Service, Challenges Court Jurisdiction for Sanctions

- On 5 Sep 2025 at 8:01 PM Mr. Padis replied (ECF 83-1):

> I'm not sure I understand fully what you mean. I'm not a party to any proceeding, concerning which I would be "served." Nor am I counsel of record for any government matters anymore.
>
> If you wish to represent that I have received a copy of your improper motion, yes, I have been provided a copy. I will not assert that you have failed to "serve" or send me a copy of the motion.

AUSA Alters the Sequences of Events to Conceal Criminal Behavior

To reiterate the false claim in her response by AUSA Parker in ECF 87:

> Padis informed Plaintiff that he had received a copy of his motion and would not argue to the contrary. (Doc. 83-1 at PageID 2339.) Counsel for Defendant **then** explained to Carr that she would take no further action.[10]

It is clear that the events actually happened in the other order which supports the criminal concerns. Mr. Padis acknowledged service on 5 Sep 2025 at 8:01 PM, the last entry in the excerpts above. AUSA Parker claimed 'I will take no further action' on 2 Sep 2025 (ECF 86-2), two days before.

In fact AUSA Parker prompted my concerns[11] about criminal interference in her email on 2 Sep 2025 (ECF 86-2) with 'I will take no further action'. The exchange which followed clarified that she could not retain U.S. mail which was addressed

10 Bold added by Plaintiffs.

11 FRCP Rule 5 states:
(C) mailing it to the person's last known address - in which event service is complete upon mailing...
(E) sending [it via ECF] ... but is not effective if the filer or sender learns that it did not reach the person …

While the exception for knowledge of 'not reach' applies only to (E), I was concerned that Mr. Padis would once again make false claims about service based on misreading the rule itself.

to Mr. Padis without permission and ended two days later when Mr. Padis provided that permission by acknowledging that he had received a copy of the motion.

It was, in fact, a crime for AUSA Parker to retain the mailed copy without authorization though a two day delay is hardly actionable. However, her claim that the authorization on 5 Sep 2025 preceded her intention to retain U.S. mail addressed to Mr. Padis on 2 Sep 2025 is simply false.

This false statement of the timing / order of these two events is highly material to the motion and the legal basis for sanctions and, as such, is itself sanctionable.

AUSA Parker Falsifies Address For Mail to Conceal Crime

AUSA Parker falsely claimed that 'the pleading was sent to the United States Attorney Office, in an ongoing case and seeking sanctions in that case' when in fact it was mailed to AUSA Padis at his last known address in accordance with FRCP Rule 11(c)(2) and FRCP Rule 5. FRCP Rule 11(c) sanctions only apply to individuals who file papers in a case (attorneys or parties without representation) and service must be provided to the individual. While it is possible for the court to extend the sanctions to law firms or parties in the case, this is rare (from Supreme Court guidance cited above). FRCP Rule 11(c) motions for sanctions are intended to deter future violations (also from Supreme Court guidance cited above) and are based on encouraging the individual attorney to carefully consider the truthful and accurate requirements of FRCP Rule 11 before filing a pleading or motion paper.

The actual case where the paper is filed is only really relevant in establishing jurisdiction (to apply sanctions) to the individual who filed the papers, Mr. Padis. As such, it was addressed to Mr. Padis as an individual, not USATXN as a

department or agency.

U.S. Mail regulations are clear that mail must be routed to the person in the address. Within professional organizations (such as law firms and government agencies) it is acceptable to route the mail to the correct person in the organization who is handling the matter at that time. It is fine for AUSA Parker to open and process mail concerning a case that has been assigned to her.

However, if, as in this case, the person it is addressed to (i.e. the individual proposed for sanctions) is no longer with the organization and concerns what is now a personal matter (e.g. sanctions for a pleading submitted by the individual listed), the organization must return the mail to USPS for correct delivery to the individual listed..

It was acceptable and completely reasonable for USATXN to route the mail to AUSA Parker as she has been assigned the case where the sanctions originated. However, sanctions motions are separate from the case (and continue even after the case is closed, sometimes being held until the case is resolved so that the sanctions proceedings will not unduly impact the originating case). Once AUSA Parker realized the mail was incorrectly routed to her, she must route it to the correct person, Mr. Padis in this case. She can not retain the mail. Unless authorized to take some other action, she must return the mail to USPS (or route it through the USATXN mail room) with whatever address information is available ('not at this address' as a minimum).

An accurate replacement statement would be 'the pleading was sent to AUSA Padis

as an individual for sanctions which arose from an ongoing case'. The difference is certainly too subtle for the USATXN mail room and also likely too subtle to warrant sanctions against AUSA Parker in this case. However, it does raise the question of why AUSA Parker appears to not understand underlying law for FRCP Rule 11(c)(2) motions for sanctions.

Mr. Padis and AUSA Parker Both Misconstrue Jurisdiction for Sanctions

As noted in the prior section, AUSA Parker appears to completely misunderstand the court's jurisdiction for sanctions and particularly FRCP Rule 11(c) Motions for Sanctions.

Further, Mr. Padis seems to believe that by ignoring the motion he can avoid the courts authority to sanction individuals who file improper papers with the court under their signature. Mr. Padis only response appearing to oppose this motion was via email on 5 Sep 2025 where Mr. Padis replied (ECF 83-1):

> I'm not sure I understand fully what you mean. I'm not a party to any proceeding, concerning which I would be "served." Nor am I counsel of record for any government matters anymore.

Sanctions Required To Deter Blatant Challenges to Courts' Jurisdiction

It has been more than 30 years since the Supreme Court adjusted FRCP Rule 11(c)(2) motions for sanctions (amended 1993) in order to make it more effective at deterring improper filings. The Supreme Court cautioned that all courts must be diligent in sanctioning improper filings or the court will be buried in false and misleading papers. It is apparent that this court has been lax in this responsibility with the expected results of huge backlogs cases which it struggles to manage.

However, these expected results are caused by the court not sanctioning false or

misleading papers. Instead of choosing which party has the most meritorious case, the court must choose between the attorneys who are the best liars presenting the most compelling fictional statement of the case. Truth is no longer the standard but instead plausible fiction.

Community Service Suggested As Alternative Sanction

This sad state of affairs makes it ever more important for the Court to assert its right and responsibility to sanction improper and even false filings submitted to the court. Both Mr. Padis and AUSA Parker have extensive experience appearing before this court and apparently have no fear of sanctions from false or improper filings as they have never experienced of even heard of sanctions for these violations of FRCP Rule 11.

As stated in the original FRCP Rule 11(c) motion, disbarment, incarceration, or even substantial fines seem excessive to deter improper filings by government attorneys (similar to the absurdity of attempting to hold criminal trials and incarcerate an estimated 40,000 postal workers for falsifying government records / delivery records). However, appropriate community service remains an option for the court (a lesser form of incarceration) and as the court has been fully briefed in these matters (no need to manage an Order to Show Cause) the court could simply choose an amount of community service that it finds to be sufficient to discourage Mr. Padis and AUSA Parker from making improper filings in the future.

This would also benefit the court in that it is likely that were the court to declare that this is the standard sanction for similar improper filings, it is likely that all attorneys acting as counsel before the court would review their papers carefully to avoid such sanctions.

Conclusion

Contrary to the claims by AUSA Parker, the court did not consider the actual sanctionable actions by Mr. Padis but instead relied on the courts discretion under FRCP Rule 11(c)(3) to not consider sanctions. However, FRCP Rule 11(c)(2) was created by the Supreme Court to insure that motions for sanctions are not simply ignored by the court but must receive serious consideration. While the court still has discretion to choose appropriate sanctions sufficient to deter future transactions, it appears that this court has neglected sanctions for too long. Government attorneys seem almost unaware that they can be sanctioned for lying to the court or trying to mislead the court.

Fortunately, if limited sanctions such as community service are imposed in this case, it is likely that most attorneys practicing before the court will soon give appropriate consideration to the truthfulness and accuracy of their filings so that the court won't be faced with choosing between the most skillful liars but can instead choose the case with the facts and law to support the relief sought.

Respectfully submitted,

Verification of Reply

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 in accordance with normal redaction procedures to remove sensitive personal information or other sensitive information as identified in the redaction.

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: 10. Nov. 2025
Location: Irving, Texas

Case, Statute, and Other Alphabetical Index

18 USC § 1001 ..... 5 ff., 12
Cooter & Gell v. Hartmarx Corp ., 496 U.S. 384 (1990) ..... 8 f.
ECF 10-5 ..... 16 f.
ECF 15 ..... 1, 5, 12 f.
ECF 18-6 16
ECF 20-2 17
ECF 24-1 16
ECF 28-1 17
ECF 29 16
ECF 30 ..... 11 f.
ECF 30-4 17
ECF 39 15
ECF 59 ..... 4, 11 f.
ECF 67 ..... 7, 18
ECF 72 ..... 18 ff.
ECF 73 ..... 18 ff., 22
ECF 74 ..... 6, 20 f.
ECF 75 ..... 18, 21
ECF 75-1 ..... 18, 21
ECF 76 18
ECF 79 ..... 1, 10 f., 13, 15, 24 ff.
ECF 83 ..... 1, 18, 21
ECF 83-1 ..... 23, 28 f., 32
ECF 83-2 25
ECF 86 ..... 3 f., 6, 10 f.
ECF 86-1 15
ECF 86-2 ..... 26, 29 f.
ECF 87 ..... 3, 6, 18, 21, 23, 29
ECF 90-1 ..... 27 f.

False Statements Accountability Act of 1996.....7
FRCP Rule 11.....1, 3, 5, 8 f., 11, 13, 18, 30, 33
FRCP Rule 11(c).....30, 32 f.
FRCP Rule 11(c)(2).....1, 3 ff., 8 ff., 12, 18, 24, 30, 32, 34
FRCP Rule 11(c)(3).....4, 11, 24, 34
FRCP Rule 4.....24
FRCP Rule 5.....24 f., 29 f.
FRCP Rule 60.....1, 18
Hubbard v. United States, 514 U.S. 695 (1995).....6
Iannaccone v. Law, 142 F.3d 553 (2d Cir. 1998).....20
Local Rule 83.3(b)(3).....12
LR 7.1.....4, 10, 22
Starrett v. Lockheed Martin Corp. et al., 735 F. Appx 169, 170 (5th Cir. 2018).....13 f.
Texas Disciplinary Rule of Professional Conduct 4.01.....12
TXND Local Civil Rules.....22

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
1201 Brady Dr
Irving, TX 75061