Office of Chief Disciplinary Counsel (CDC)
State Bar of Texas

Brian P. Carr Complainant versus Tami C. Parker Bar Card Number: 24003946 Subject of the Complaint	Complaint Arising From Proceedings In United States District Court Northern District Of Texas (TXND) Civil No. 3-23CV2875 - S

Complaint Against Tami C. Parker, 24003946

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Introduction

Complaint Against Tami C. Parker

This is a complaint against an attorney, Tami C. Parker, who is a member of the Texas Bar Association with bar card number 24003946 and his misconduct in a case before the United States District Court, Northern District Of Texas (TXND), 3:23-cv-02875-S. AUSA Parker made demonstrably false statements in government emails (a federal crime under 18 USC § 1001) as well in court filings violating FRCP Rule 11.

AUSA Parker became the lead counsel for the Department of Justice (DoJ) and all defendants (government agencies) on 13 Jun 2025 in ECF72 replacing AUSA Owen who had replaced Mr. Padis. It appears that in this same time frame she also replaced Mr. Padis as Deputy Civil Chief in the Dallas Office Civil Division. 3:23-cv-02875-S is a suit against 9 government agencies alleging criminal violations of 18 USC § 1001 by four agencies as well as violations of individual constitutional rights through the deprivation of due process.

Other Attorneys Apparently Colluded to Conceal Violations

There are three other attorneys who will receive similar complaints for criminal

false statements under 18 USC § 1001 and who appear to have colluded to cover up the violations of the relevant agencies. They are:

- Mr. George Monroe Padis, Bar Card Number: 24088173
- U.S. Magistrate Rebecca Ann Rutherford, Bar Card Number: 24007968
- District Court Judge Karen Gren Scholer, Bar Card Number: 08441725

Federal Judges Are Not Exempt From Bar Association Ethical Standards

Bar Association Membership Optional for Federal Judges

Choosing Bar Association Membership Entails Acceptance of Ethical Standards

The judges in this matter, Rutherford and Scholer, are sitting judges but they are not subject to The State Commission on Judicial Conduct as they are federal judges and the Commission only has jurisdiction over state judges. As federal judges they are not specifically required to be members of the Texas Bar Association but almost all federal judges choose to maintain membership in the state bar. One of the reasons that state bar membership is expected of federal judges is that it provides a certain level of credibility as to training, knowledge, and ethics.

However, in order for this bar membership to remain meaningful there must be a mechanism to insure that all bar members meet the standards of the association.

All attorneys who are members of the Texas Bar Association should be held to the same standard of truthfulness and plausible claims and, if they do not, there should be some reasonable mechanism to resolve complaints even if the repercussions of violations is only suspension of their membership (which does not directly impact the employment or career for federal judges, but is likely to have sufficient repercussions to suitably discourage such ethical violations).

Complaints Against Federal Judges To Be Sent to 5th Circuit Court

It is expected that versions of the complaints about judges Rutherford and Scholer will be sent to the Clerk of 5th Circuit Court referencing Misconduct Complaints. These complaints will likely be routed to the Chief Judge of the 5th Circuit Court Jennifer Walker Elrod, Texas Bar Card Number 00785169 for initial processing. These complaints will be substantially identical to those filed with the CDC.

Notice of Appeal Expands Judge Elrod's Ability to Address Issues Promptly

Further, the required Notice of Appeal is planned to be filed on about 12 Jan 2026 as required to support later appeals of the criminally false and misleading decisions of Judge Scholer and Magistrate Rutherford. The primary content of the Notice of Appeal will be the two complaints routed to Judge Elrod.

Important Questions Presented to Trial Court, Not Answered by Court

There are numerous important and interesting legal questions in 3:23-cv-02875-S which were properly presented to the court. However, instead of addressing the questions, the court criminally falsified and misled its decisions so that it is unclear if the questions can be resolved by appellate review.

Challenges to DoCNR Never Answered By the Court

For example, can Department of State (DoS) Bureau of Consular Affairs (BCA) deny a non immigrant visa to the wife of U.S. citizen[1]:

- without considering the evidence presented as required in INA 214(b) which is 8 USC § 1184,
- without permitting the citizen spouse to attend the interview,
- without permitting the U.S. citizen or applicant representation,
- without permitting the U.S. citizen or applicant access to the other evidence

1 This challenge to DoCNR was suggested in Kleindienst v. Mandel, 408 U.S. 753 (1972) concerning non immigrant visas and was considered more recently in Department of State v. Munoz (S. Ct. 2024) with respect to immigrant visas.

which DoS BCA uses to make a determination,

- providing the tribunal as little as two minutes on average to interview and process each application (which guarantees that the decision won't be based on evidence but instead superficial criteria such as quality of dress and speech which is not part of INA 214(b))[2]
- based on criteria outside the underlying statute, INA 214(b), and
- falsifying the decision records (video and written) with contradictory justifications?

This appears to be a proper question for appeal, but the answer would be the court did not address the question but instead lied and misled in its decisions to conceal the question.

This is an important challenge to the controversial Doctrine of Consular Non Reviewability (DoCNR, a creation of the circuit courts over a hundred years ago with no foundation in the constitution or statutes) but how can the circuit court decide a question which was properly presented to the court but which the court did not properly answer?

Does the Recent 'Fee For Service' Model Support Court Ordered Redo

There are ancillary questions for the court from the above question. If an agency follows the 'fee for service' model and the court determines the agency did not perform the service in a manner required by statute, can a court order the agency to correctly provide the service without additional payment?

If the plaintiffs have already successfully gotten a 'redo' at their expense (as in this case), can the court order a 'credit for future services' in the event that the plaintiffs need the service or another service in the future? None of these questions

2 This failure of DoS was mentioned tangentially in Department of State v. Munoz (S. Ct. 2024) citing DoS OIG investigations and reports.

seem to have been addressed in current case law and suggest a novel legal theory which should be decided by the appellate court. However, the trial court has not answered the question but instead lied and misled to conceal violations by federal agencies.

Can the Appellate Court Decide Questions With Incomplete Record?

Can the appellate court decide based on the incomplete record where the DoJ had not answered? While the record has affirmed statements and numerous verified documents supporting the question there is no evidence or even answer by the government.

Must the appellate court instead remand the issue back to the trial court to consider each such question once the judges have been suitably sanctioned for their criminal violations?

Should the resolution of these issues be delayed with the normal appeal process which can take several years or should the misconduct complaints instead be fast tracked relying on the appellate jurisdiction provided by the Notice of Appeal so that the 5th Circuit Court can simply order the required corrections (recuse, sanction, and immediate remand to new judges).

Additional Complaint Possible For Violations By Chief Judge Elrod

It is surprising that government attorneys and federal judges should collude to conceal criminal behavior by federal agencies, but that appears to be the case. However, this record suggests that the 5th Circuit Court might be tempted to cover up this uncomfortable situation. If Chief Judge Elrod or other judges in the 5th Circuit Court make false or misleading statements (violating 18 USC § 1001) to

cover up these serious problems then it is likely there will be separate complaints to the CDC (or other appropriate bar associations) concerning these additional ethical violations. Any such new complaints to the CDC will, of course, reference these complaints.

Timeline of Attorneys Involved with This Matter

At the end of 2023, Mr. Padis was the Deputy Civil Chief when the underlying civil suit was filed and, surprisingly, was the lead attorney for DoJ. Just as it became apparent that there would be a motion for sanctions against Mr. Padis for lying in a government email, a subordinate AUSA, Emily Harding Owen, Bar Card Number: 24116865, took over as lead attorney for DoJ.

The filings by AUSA Owen strongly advocated the government's position but did not stray into false, misleading, or frivolous claims. It is not anticipated that any complaints will be made against AUSA Owen.

There was a pause of almost a year with several motions pending before the court but no activity until the Findings, Conclusions, and Recommendation (FCR), ECF67, of 27 Feb 2025. We had numerous concerns about the FCR, but oddly enough, AUSA Owen refused to submit any responses supporting the FCR (ECF75-1) with:

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

After about a month of AUSA Owen refusing to file any responses, AUSA Parker took over as lead attorney for DoJ. At that time via returned emails, I learned that Mr. Padis had apparently taken the Department of Government Efficiency (DOGE)

DoJ offer of early resignation and was on extended leave of absence until 30 Sep 2025 and AUSA Owen had left government service.

It also appears that AUSA Parker had taken over as Deputy Civil Chief from the departing Me. Padis, now no longer working for the government. It is plausible that AUSA Parker had fired (or forced to resign) AUSA Owen for refusing to file any responses supporting the FCR and that AUSA Owen had refused to file any responses as supporting such a flawed FCR would violate her oath of office and attorney ethical standards.

Timeline Provided With Court Filings and Exhibits

There is an attached TimeLine.pdf which lists the various court filings and exhibits with dates and ECF document numbers provided for aid in navigating the various filings. If an investigating person would like access to my library of all filings in ECF, please send me an email at carrbp@gmail.com and I can send a temporary link to a google drive directory with all documents filed in ECF in this matter excluding those sealed for lack of proper redaction.

Background With USCIS Violations

The violations of U.S. Citizenship and Immigration Services (USCIS) is central to this matter and will be briefly described here.

Stranded in Thailand

I am a U.S. citizen and married my wife, Rueangrong Carr, a Thai national, in Thailand in 2018. She received an immigration visa and 'conditional' two year green card which expired in 2020 as we had not been married two years when we applied (ECF24-1). We applied for a ten year card as soon as possible (90 days before expiration) but USCIS did not adjudicate the application (waiving interview

if necessary) within 90 days as required in 8 CFR § 216.4(b)(1) and the underlying statute INA 216.4(b) which is 8 USC § 1186b(d)(3).

Instead USCIS issued a 24 month extension letter ECF18-6 which expired in 2022 while my wife was on an emergency trip to Thailand due to the death of her mother and leaving her stranded and unable to return. USCIS claimed they could do nothing to help until my wife returned to the US. I complained to the USCIS Director, DHS OIG, and my congressional representative but no relief was provided so we got my wife a non immigration visa (tourist visa) at our expense to allow her to board flights and return but with considerable additional expense, stress, and inconvenience.

Shortly after we returned USCIS announced the creation of a 48 month extension letter (ECF48-2) which could have prevented my wife from being stranded but it did not help with any of our difficulties (too little and too late). It is also possible that the local USCIS office decided to retaliate for our 'whistleblower' complaints, but this is purely conjecture. However it would explain the later difficulties we encountered.

Citizenship Approved, Instead Left As Apparent Illegal

Early in 2023 and just after we returned, my wife had her joint interview for her I-751 application (for a ten year green card) and N-400 (citizenship). There was some confusion about the results of the interview but the written decision of USCIS ECF10-5 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.

My wife would not receive her ten year green card but would instead become a citizen. We were elated.

However, even though USCIS is required to promptly administer the Oath of Allegiance (8 USC § 1448 and 8 CFR 337.2) generally within a month, my wife was not permitted to take the oath for over six months denying her the privileges of citizenship and instead leaving her as an apparent illegal terrified of being arrested and deported without notice or cause by ICE, national guardsmen from elsewhere or even vigilantes (Texas SB4 was active during this period and is still pending).

After more than six months, USCIS then issued several false documents which culminated in USCIS denying my wife's N-400 citizenship application but still refusing to issue a 10 year green card as the N-400 had been approved making her status as an apparent illegal permanent with no recourse. These were the circumstances which prompted our civil suit for relief.

AUSA Parker Violated FRCP Rule 11 By Lying in Motion Papers

AUSA Parker Lies in Response Supporting FCR ECF61 of 27 Feb 2025

AUSA Parker made numerous false and misleading statements in her response ECF74 on 14 Jul 2025 opposing my FRCP Rule 60 Motion for Sanctions ECF73 of 21 Jun 20 to Recuse and Rescind Order ECF63 of 21 Mar 2025. Many of these false and misleading statements were simply quotes from the FCR ECF61 of 27 Feb 2025. My Reply ECF75 of 28 Jul 2025 as well as the later Motion for Sanctions ECF87 of 29 Oct 2025 describes these violations in detail. However, for the sake of brevity I will focus on only one obviously false statement of particular

importance.

Falsely Claims Inadvertence for No Response and Violating LR 7.1(a)

In ECF74 AUSA Parker states she:

> inadvertently failed to respond to that email

and then goes on imply that I had violated Local Rule LR 7.1(a) and Certificate of Conference requirements by not conferring with her about the specific motion.

However, a review of the emails demonstrate that by not responding to the email AUSA Parker was accepting the completed conferences of her predecessor where AUSA Owen stated in ECF75-1:

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

and it was AUSA Parker who was violating Local Rule LR 7.1(a) by not altering the conference results of her predecessor.

In particular the use of 'inadvertently' is clearly false as she made countless decisions to not respond even seconds before she typed 'inadvertently failed to respond'. She later explained in ECF87 that she 'forgot about the email' but did not explain:

- why she did not answer immediately,
- when she intended to respond,
- what measures she took to insure made a response, and
- why she did not respond on each occasion when she remembered the email and the need to respond (specifically before typing inadvertently).

Also, as it appears AUSA Parker was AUSA Owen's supervisor, it is expected that she knew very well why AUSA Owen had refused to file any response supporting

the flawed FCR ECF61 of 27 Feb 25. The larger question is whether AUSA Parker had fired AUSA Owen for refusing to defend the FCR and whether she was trying conceal the circumstances of the firing.

This is a superficial analysis of only one false statement in Response ECF74 but a review of ECF75, ECF83, and ECF90 demonstrates numerous such false and misleading statements with the 'inadvertently' the more obvious and significant.

Apparent Scheme to Illegally Hinder the Service of Motion for Sanctions

Falsely Claims Papers Were Improperly 'Forwarded' to Her

In the Motion for Sanctions ECF83 of 8 Oct 2025 against AUSA Parker there is a detailed description of how she made false claims in government emails violating 18 USC § 1001 in an apparent scheme to claim lack of timely preliminary service of Mr. Padis' Motion For Sanctions ECF79 under FRCP Rule 11(c)(2) and FRCP Rule 5. In particular, AUSA Parker stated that she intended to retain the motion papers indefinitely as:

> anything that you forward to me

while in fact the papers were clearly addressed and mailed to Mr. Padis and it was a crime to retain such papers violating 18 USC § 1702 and, potentially, 18 USC § 1709. The scheme itself relied on other likely violations of 18 USC § 1001 by concealing the fact that Mr. Padis had requested that she retain the papers (implicitly accepting service as he already electronic copies of the motion papers) so that the U.S. mail criminal violations were not prosecutable, but relying on AUSA Parker to conceal material facts (another 18 USC § 1001 violation).

Inverting the Order Of Events in Email Thread is Also False

In trying to defend AUSA Parker's conduct in this matter in ECF87 on 29 Oct 2025

summarized the email interchange with:

> 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.[3]

The problem is that AUSA Parker has inverted the order of events with the actual order of events as:

- Counsel for Defendant then explained to Carr that she would take no further action.
- I explained to Mr. Padis and AUSA Parker that it was a crime to retain mail addressed to another person
- Padis informed Plaintiff that he had received a copy of his motion and would not argue to the contrary

The highlighted '**then**' in AUSA Parker's statement is false. The timeline of these email exchanges are quite complex but are described in depth in my Reply ECF90 of 10 Nov 2025.

TDRPC Rule 4.01 Truthfulness Violated

AUSA Parker Lied In Email As Part of Scheme

It is clear that AUSA Parker lied in her email saying I forwarded the mail to her when in fact I mailed the motion papers to Mr. Padis at his last known address which was with USATXN. It is likely that the mail room forwarded the mail to her, but that does not relieve her of her responsibility to return the mail to the United States Postal Service (USPS) when she recognized that mail was not addressed to her or to Mr. Padis in his professional role as an AUSA.

Such lies are not permitted by Texas attorneys as stated in Texas Disciplinary Rules of Professional Conduct, TDRPC 4.01 which states:

3 Bold added by Plaintiffs.

> Rule 4.01. Truthfulness in Statements to Others
> In the course of representing a client a lawyer shall not knowingly:
> (a) make a false statement of material fact or law to a third person;

The false statements made in those government emails are sanctionable in accordance with TDRPC 4.01 as well as being federal crimes under 18 USC § 1001.

Conclusion

The CDC office is asked to consider the violations of AUSA Parker in conjunction with the court and impose sanctions appropriate for the violations of the TDRPC and the damages which resulted. Suspension could be considered for a period similar to the period where my wife was denied citizenship, her sister was denied social security benefits, and her sons were denied the opportunity to seek better employment opportunities through immediate family member immigration.

Of course the sanctions should be primarily focused on deterrence rather than punishment and it is likely that any substantive suspension will have far reaching results with DoJ attorneys in Texas giving some thought and consideration before falsifying documents or motion papers and pleadings.

The CDC Office is also asked to provide such other and further relief as it deems appropriate.

Respectfully submitted,

Verification of Complaint

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

1. I have reviewed the above Complaint 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: 2. Jan. 2026
Location: Irving, Texas

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