

**Office of Chief Disciplinary Counsel (TxCDC)
State Bar of Texas**

Brian P. Carr Complainant versus Karen Gren Scholer Bar Card Number: 08441725 Subject of the Complaint	Ethics Violations In United States District Court Northern District Of Texas (TXND) Civil No. 3-23CV2875 - S
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Complaint Against Karen Gren Scholer, 08441725

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Introduction

Complaint Against Karen Gren Scholer

This is a complaint against an attorney and U.S. District Judge, Karen Gren Scholer, who is a member of the Texas Bar Association with bar card number 08441725. This complaint concerns her misconduct in a case which was assigned to her in the United States District Court, Northern District Of Texas (TXND), 3:23-cv-02875-S which 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.

The magistrate assigned to this matter, Magistrate Rutherford had made numerous demonstrably false and misleading statements in her Findings, Conclusions, and Recommendation (FCR) [ECF67](#) and FCR [ECF91](#). Judge Scholer dismissed the matter in Orders [ECF62](#) and [ECF63](#) and reaffirmed the dismissal in Order [ECF95](#) claiming to have reviewed and verified the entirety of the preceding FCRs. It is not possible to verify demonstrably false statements while also claiming to have considered the various challenges which identified the false statements in the two FCRs and so Judge Scholer herself made a false statement. She could not verify as true the easily demonstrable false statements. This a federal crime under [18 USC § 1001](#) as well as a violation of [Texas Disciplinary Rules of Professional Conduct](#),

TDRPC 4.01.

Further all members of the Texas Bar Association are subject to the [Texas Disciplinary Rules of Professional Conduct \(TDRPC\)](#) with the possible exception of Texas state judges who are subject to The State Commission on Judicial Conduct (SCJC).

Entire Record Available on The Internet

There is a web page at:

https://governmentoflaw.info/3_23-cv-02875-S/TimeLine.html

which has descriptions of each document filed in 3:23-cv-02875-S along with a link to the actual document. It also has descriptions and links to the original four general complaints submitted to the Texas Bar Association as well as this document itself ([CDCScV](#)). The previous complaint against Judge Scholer filed with TxCDC is available as [ScholerComplaint](#) which contains broad contextual information and discusses apparent collusion between the Department of Justice (DoJ) and the referenced court (TXND). If additional contextual information is required to understand the specific ethics violations described in this complaint, the previous complaint should have that information.

Previous Submission Classified as Inquiry, No Ethics Violations Identified

Even though the previous complaint contained clear and specific affirmed statements concerning false statements in the Orders of Judge Scholer, the previous complaint was rejected in the TxCDC response ([CDCR1Sc](#)) of 27 Jan 2026¹ where it was claimed that the reviewer was unable to identify any violations of the

¹ This response was sent via U.S. mail with a watermark Confidential cover sheet. The TxCDC is required to keep all of its communications for preliminary matters confidential in accordance with the [Texas Rules of Disciplinary Procedure \(TRDP\)](#). However, it appears that this confidential requirement is not binding on the recipients who can release the information at their discretion as necessary to support their claims.

[TDRPC](#) and so the previous complaint was treated as an inquiry permitting submission of this amended complaint within 20 days. This was an error on the part of TxCDC which will be discussed next.

Standard For Office Review and Investigation Not Applied

In the response for the previous complaint ([CDCR1Sc](#)), TxCDC stated:

When a grievance is received, this office conducts an initial review to determine whether the alleged conduct would be a violation of the ethics rules. If the conduct does not allege a violation, the grievance is classified as an Inquiry and dismissed with a right to appeal the dismissal. If the conduct alleges a violation, the grievance is classified as a Complaint and investigated. **We have determined that the conduct described in your grievance involves actions taken by an individual/attorney in their capacity as a judge.** Therefore, your grievance has been classified as an Inquiry and dismissed pursuant to rule 2.10 of the Texas Rules of Disciplinary Procedure (TRDP). Allegations of judicial misconduct by federal judges need to be directed to the clerk's office of the United States court of appeals for the regional circuit in which the judge serves. If your complaint is against a Texas federal judge, please contact the Fifth Circuit Court of Appeals.²

It appears that the TxCDC office has added a secret and illegal restriction on complaints against federal judges (bolded sentence above) as no part of the TDRP mentions restrictions on complaints against federal judges.

State Commission on Judicial Conduct (SCJC) Given Broad Jurisdiction
[Texas Constitution Article V, Section 1-a](#) requires the legislature to create the State Commission on Judicial Conduct (SCJC) which it did in [Texas Government Code, Chapter 33](#). The legislature also created TxCDC in [Texas Government Code, Chapter 81 \(Attorneys\) State Bar](#). By carefully considering the precise

² Bold added by Complainant.

wording of the different statutes one can infer that TxCDC does not have jurisdiction to discipline sitting **Texas** judges who happen to be attorneys (members of the State Bar) as that power seems to be exclusively reserved for the SCJC.

No Jurisdiction Over Federal Judges

However, for obvious reasons none of the above articles or chapters address federal judges so that neither the SCJC or TxCDC have any intrinsic jurisdiction to discipline federal judges. However, if a Texas attorney is a member of the Texas Bar Association and become a federal judge and chooses to continue their membership while they are federal judges,³ TxCDC has a clear and specific mandate to consider all complaints of violations of the [Texas Disciplinary Rules of Professional Conduct](#), without any consideration of their status as a sitting federal judge. Of course, TxCDC is restricted in its ability to sanction sitting federal judges and can, at most, suspend their membership in the bar association which does not directly impact their status as a federal judge.

Judicial Immunity Does Not Apply to Prospective Relief

While it is clear that Texas law does not provide any sort of immunity for federal judges who choose to remain members of the State Bar Association, it could be argued that they have some sort of judicial immunity, but this argument is not based on current law as judicial immunity only applies to equitable relief for retrospective actions (i.e. dissatisfied litigants seeking monetary damages for what they view as a bad decision).

In [Pulliam v. Allen, 466 U.S. 522 \(1984\)](#) the U.S. Supreme Court (SCOTUS)

³ Logically speaking, it is the same if they choose to join Texas Bar Association after they are already a federal judge though this is likely a less common occurrence.

stated:

There never has been a rule of absolute judicial immunity from prospective relief, and there is no evidence that the absence of that immunity has had a chilling effect on judicial independence. Limitations on obtaining equitable relief serve to curtail or prevent harassment of judges through suits against them by disgruntled litigants...

monetary damages indisputably are prohibited by judicial immunity...[but it is clear that it was] Congress' intent that an attorney's fee award be available even when damages would be barred or limited by "immunity doctrines and special defenses, available only to public officials." [H.R.Rep. No. 94-1558, p. 9 \(1976\)](#).

Of course a misconduct complaint against a federal judge for violating the truthfulness requirements of the voluntary state bar association can only provide prospective relief (which is a well supported exception to judicial immunity) in that any suspension only discourages judges from lying in their future decisions and orders. This is good as public trust in the judiciary depends on the integrity of the judges who preside in the courts. There is no chilling effect from honest judges who are truthful in their professional decisions and orders.

TxCDC May Have Violated [TDRPC 4.01](#)

TxCDC Falsely Claimed No Violations Alleged

Even a cursory review of the previous complaint, [ScholerComplaint](#), reveals a clear and specific complaint of a violation of [TDRPC 4.01](#) truthful requirements as well as referencing that specific rule. Further, there are affirmed statements supporting every element of the violation (lying) with intent being the most challenging. The well supported clear and specific violation should be sufficient to warrant classifying the submission as a Complaint and proceeding with the adjudication process with a potential hearing before a District Grievance

Committee.

Of course the reviewer, apparently Daniela Grosz, Texas Bar Number 24044331 in this case, could plausibly claim that it was a mistake and she did not notice the complaint of false statements or violations of [TDRPC 4.01](#) or was unaware that the Texas Constitution and Statutes have no specific jurisdiction or claims of immunity for federal judges. In that case, this submission ([CDCR1Pr](#)) should be viewed as a request for reconsideration (rather than an Amended Complaint) and both this request ([CDCScV](#)) and the original complaint ([ScholerComplaint](#)) should be forwarded to the Respondent (Judge Scholer) for further adjudication.

However, if the reviewer persists in the claim that there are no affirmed statements supporting the violations of the truthfulness requirements of [TDRPC 4.01](#) then there will likely be an additional complaint against the reviewer for violations of [TDRPC 4.01](#) as well as, potentially, [Texas Penal Code Chapter 37 \(Perjury and Other Falsification\)](#).

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 SCJC 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).

Context for Judge Scholer's Orders

Orders [ECF62](#) and [ECF63](#) Dismissed The Matter Without Any Review

Judge Scholer apparently had not been directly involved with the case until after the FCR [ECF61](#). At that time Judge Scholer dismissed the case in Orders [ECF62](#) and [ECF63](#) on 21 Mar 2025 based on the lack of objections to the FCR [ECF61](#).

This led to timely [FRCP Rule 60](#) Motions [ECF67](#), [ECF73](#), and [ECF76](#) which challenged the court's FCR [ECF61](#), orders Orders [ECF62](#) and [ECF63](#), and requested leave to amend the complaint as there were several important changes in circumstances.

FCR [ECF91](#) Affirmed the Dismissal of All Claims With More Falsifications

In FCR [ECF91](#) of 10 Nov 2025, Magistrate Rutherford defended the dismissal of all claims with more false and misleading statements as described in my Objections [ECF92](#) of 24 Nov 2025. The more flagrant false statements from

[ECF61](#) were omitted, but new false and misleading statements were added. As before, only one particularly egregious false statement will be analyzed below with:

Mrs. Carr's and her sister's various attempts to obtain immigration benefits.

FCR [ECF61](#) Mixes Up and Trivializes DoS Claims With False Details

In FCR [ECF61](#) the court attempted to falsify and mislead concerning the actual Department of State (DoS) claim by claiming that USCIS had denied the relevant visa. However, the court did not even casually review the actual claim in [ECF29](#) but apparently just took the false and misleading claims made by Mr. Padis and tweaked them for more impact. The result was a statement that is obviously false.

Specifically in FCR [ECF61](#) in a footnote the court states:

Rueangrong and Buakhao allege that United States Citizenship and Immigration Services (USCIS) violated their due process rights by initially denying their visa applications before approving them.

However, even a cursory review of the Complaint [ECF29](#) and the DoS Counts 3 and 4, on pages 12 to 21 and paragraphs 59 to 123 reveals that it is DoS Bureau of Consular Affairs (BCA) who processes visa applications. Just reviewing the section headers in [ECF29](#) demonstrates that non immigration visas are the purview of DoS. The claim that USCIS denied visas and then approved them is simply false.

While Magistrate Rutherford might claim that this was a simple mistake and not a federal crime under [18 USC § 1001](#) as well as a violation of [TDRPC 4.01](#) (each of which requires intent), this is belied by the fact that when she was given the opportunity to correct this error instead of correcting the error it was just omitted

and another false statement added in [ECF91](#).

Orders [ECF62](#) and [ECF63](#) Did Not Notice / Correct Error

As described above, I did not file timely Objections to the FCR [ECF61](#) but instead filed timely [FRCP Rule 60](#) Motions so that Judge Scholer only needed to review the FCR [ECF61](#) for plain error. While it could be argued that Judge Scholer should have identified some of the obvious plain errors in the FCR [ECF61](#), such arguments are not compelling and certainly don't rise to federal crimes under [18 USC § 1001](#) or a violation of [TDRPC 4.01](#).

Judge Scholer Signed Off On Demonstrably False FCR [ECF91](#)

Judge Scholer Claimed to Have Verified Every Challenged Statement

Judge Scholer's Order [ECF95](#) was notably brief as it disposed of a surprisingly complex case and numerous legal arguments with only:

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. Objections were filed. The Court reviewed de novo those portions of the proposed findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding no error, the Court ACCEPTS the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

Accordingly, Plaintiffs' motions (ECF Nos. 64, 65, 67, 71, 73, 76, 79, 83, 84, and 85) are DENIED.

The first paragraph basically only describes the required process of review for FCR [ECF91](#) and claims that all contested portions of the FCR were reviewed de novo or anew without any presumption that it was correct. As virtually all of FCR [ECF91](#) was challenged in the Objections [ECF92](#), this means that the entirety of the Complaint [ECF29](#) was reviewed along with the denied motions considering the

challenges in the Objections [ECF92](#).

As such, Judge Scholer is stating that she had confirmed the accuracy of every statement in FCR [ECF61](#) and FCR [ECF91](#) including the ones which are demonstrably false and which were challenged in the Objections [ECF92](#). Judge Scholer could not actually confirm the false statements in FCR [ECF61](#) and FCR [ECF91](#) so the broad claim of confirmation is false.

There are numerous false and misleading statements in FCR [ECF91](#) identified in the Objections [ECF92](#). However, to request sanctions for violating [TDRPC 4.01](#) it is only necessary to refute one false statement. We will analyze the same claim that was refuted in the complaint against Magistrate Rutherford though the full analysis of this and other false statements are included in the Objections [ECF92](#).

No Part of the Complaint [ECF29](#) Sought Immigration Benefits for Buakhao

In FCR [ECF91](#) in Background, Magistrate Rutherford made the obviously false claim:

He also sought an order from the Court mandating that various federal agencies, including the U.S. Department of Justice, initiate criminal investigations into the circumstances surrounding Mrs. Carr's and her sister's various attempts to obtain immigration benefits.

My wife's sister had not ever applied for immigration benefits. She only applied for non immigration visas so that she could visit the United States as required to start receiving her surviving spouse social security benefits.⁴

⁴ The complaint [ECF29](#) in Counts 3 and 4 and Reliefs 8 to 14 describe the problems in getting non immigration visas and corrections sought from DoS, DoS OIG, and even DoJ insuring that the visa application process will comply with due process and all lawful statutes. As my wife and her sister had already received their non immigrant visas the changes were to insure that any renewals or guests we invite to visit us have future visa

This false statement is simply a quote / paraphrase from Mr. Padis' MTD [ECF15](#) which had been demonstrated to be false and misleading in the Motion for Sanctions [ECF79](#). Further Magistrate Rutherford had tweaked the misleading part of the quote by omitting the 'explanation' of 'immigration benefits' as:

including naturalization for Mrs. Carr and a non-immigrant visa for Mrs. Von Kramer

Naturalization and non immigrant visas simply are not immigration benefits and omitting the misleading explanation from Mr. Padis makes the claim simply false.

In this case Magistrate Rutherford chose not to sanction the false statements by Mr. Padis and instead incorporated and relied on his false false statements to help in the court's efforts to make this troubling case go away.

Judge Scholer Required to Confirm Challenged Statements

Before Judge Scholer could confirm FCR [ECF91](#) as correct, each Objection in [ECF92](#) must be compared with the Complaint [ECF29](#) and the FCR. If the Complaint does not support the claim in the FCR, Judge Scholer can not claim to have 'reviewed de novo' and 'Finding no error' and any such claim is itself a false statement and violation of [18 USC § 1001](#) as well as a violation of [TDRPC 4.01](#).

TDRPC Rule 4.01 Truthfulness Violated

Such lies as described from Order [ECF92](#) are not permitted for Texas attorneys as stated in [TDRPC 4.01](#) which states:

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;

application processed in a lawful manner.

The false statement of having confirmed every statement made in the FCR's (including the demonstrably false and contested statements) is sanctionable in accordance with [TDRPC 4.01](#) as well as being a federal crime under [18 USC § 1001](#).

Conclusion

The TxCDC is asked to consider the violations of Judge Scholer 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 federal judges in Texas giving some thought and consideration before lying in decisions, findings of facts, and orders.

The TxCDC 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: 14. Feb. 2026

Location: Irving, Texas

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