

26-10025

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

Brian Carr,
Plaintiff-Appellant

v.

United States of America; United States Department of Justice; United States Postal Service; United States Postal Service Office of the Inspector General; United States Postal Service Board of Governors; United States Department of State; United States Department of State Inspector General; Council of the Inspectors General on Integrity and Efficiency; United States Citizenship & Immigration Services; Department of Homeland Security; Social Security Administration; United States Department of Homeland Security,

Defendant-Appellee

On Appeal from the United States District Court
for the Northern District of Texas
Dallas Division
District Court No. 3:23-CV-2875-S

**UNOPPOSED MOTION FOR A LEVEL 1 EXTENSION
OF TIME TO FILE APPELLEES' BRIEF**

The undersigned counsel for Appellees hereby requests a thirty-day extension of the deadline to file Appellee's brief in this appeal, from the current

deadline of Wednesday, September 16, 2026, to a proposed new deadline of October 16, 2026. Appellant Brian Carr does not oppose the request.

The principal reason for the requested extension is that notwithstanding the undersigned AUSA's best efforts, she has been unable to complete Appellee's brief and have it reviewed by the relevant agencies. The United States Attorney's Office for the Northern District of Texas has experienced significant attrition of Civil Assistant United States Attorneys over the past 18 months. The USAO for the Northern District of Texas went from 19 AUSAs in March of 2025 to seven in March of 2026, while also experiencing a significantly heavier volume of cases. For that reason, counsel for the Appellees currently carries a case load that would usually be dispersed between 3-4 AUSAs. In the past 30 days the undersigned counsel has filed six answers, several dispositive motions or responses in support thereof, participated in two mediations, sat in multiple interviews to hire new personnel, and worked closely with seven experts to prepare expert reports in a Federal Tort Claims Act case wherein the Plaintiff demands \$250M in damages. In addition to the foregoing, counsel for Appellees is also a supervisor, and thus responsible for performing management duties (training, counseling, review of pleadings, etc.) as a Deputy Civil Chief.

Under these circumstances, it is respectfully submitted that good cause exists for the thirty-day extension requested herein, as the extension will facilitate the preparation of a thorough brief for the Court's consideration without unduly delaying these proceedings. Appellant has indicated that he is not opposed to this motion. Thus, for the reasons set forth herein, a thirty-day extension of the deadline for Appellees' brief, from the current deadline of September 16, 2026, to a proposed new deadline of October 16, 2026, is hereby requested.

Respectfully submitted,

RYAN RAYBOULD
UNITED STATES ATTORNEY

/s/ Tami C. Parker

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Attorneys for Appellees

CERTIFICATE OF SERVICE

I certify that this document has been served on Appellant through the Court's ECF system on this 14th day of September, 2025, and that: (1) any required privacy redactions have been made; (2) the electronic submission is an exact copy of the paper document; and (3) the document has been scanned for viruses with the most recent version of a commercial virus scanning program and is free of viruses.

/s/ Tami C. Parker
Tami C. Parker
Assistant United States Attorney

CERTIFICATE OF COMPLIANCE

This document complies with the type-volume limit of Fed. R. App. P. 27(d)(2) because, excluding exempted portions of the document, this document contains 324 words as calculated by the word count tool in Microsoft Word.

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/s/ Tami C. Parker
Tami C. Parker
Assistant United States Attorney

CERTIFICATE OF CONFERENCE

This is to certify that I have contacted the other party to this case, Appellant, about this motion, and that per Appellant's counsel of record, the motion is unopposed.

/s/ Tami C. Parker
Tami C. Parker
Assistant United States Attorney