

NOTARISED WITH ORIGINAL
IFP

No. _____

IN THE
Supreme Court of the United States

In Re: Rajamani Senthilnathan

On Petition for extraordinary writ of mandamus in aid of the Court's appellate jurisdiction
of the United States District Court for the Northern District of Texas

PETITION FOR EXTRAORDINARY WRIT OF MANDAMUS

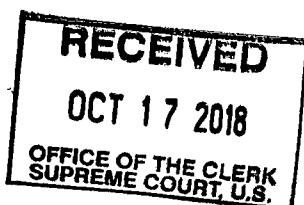
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Pro Se Petitioner



QUESTION PRESENTED

Does the court have the authority to consider an ECF (Electronic Case Filing) pleading as having filed when the filing is not fully committed to, with only the pleading uploaded to the website electronically ?

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IN THE
SUPREME COURT OF THE UNITED STATES

PETITION FOR WRIT OF ~~CERTIORARI~~^{mandamus}

Petitioner respectfully prays that a writ of ~~courtierari~~^{mandamus} issue to review the judgment below.

OPINIONS BELOW

APPENDICES {A, B, C, D}

[] For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

[] For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

[] reported at _____; or,
[] has been designated for publication but is not yet reported; or,
[] is unpublished.

JURISDICTION

APPENDICES {A,B,C,D} ATTACHED

[] For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

[] No petition for rehearing was timely filed in my case.

[] A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. __ A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

[] For cases from **state courts**:

The date on which the highest state court decided my case was _____. A copy of that decision appears at Appendix _____.

[] A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

[] An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. __ A _____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

STATUTORY PROVISIONS

28 U.S.C. § 2072 (a) states that the Supreme Court shall have the power to prescribe general rules of practice and procedure and rules of evidence for cases in the United States district courts.

28 U.S.C. § 1651 (a) states that the Supreme Court may issue the writs necessary or appropriate in aid of its jurisdictions and agreeable to the usages and principles of law.

28 U.S.C. § 1651 (b) states that an alternative writ or rule nisi may be issued by a justice or judge of court which has jurisdiction.

STATEMENT OF THE CASE

I have neither had any gainful employment nor have been able to start a company since April 2013.

I have two graduate degrees, one in Electrical Engineering and another in Business from a top 10 ranked institution in the United States.

I was ranked in the top 1% of candidates in Math, Science and English in tenth grade in the Central Board of Secondary Education in India (nationwide high-school sophomore equivalent).

My professional experience includes working at Texas Instruments Inc., AT&T Inc., (AT&T Services, Inc.,) and at technology startups since 1995. I have continuously been taking professional-development courses, most recently in 2015.

I litigated unsuccessfully against a past employer in various courts from April 2015 until May 2017.

I am a legal permanent resident of the United States since Aug 2003. My family and I left for India in Aug 2017 for health reasons and returned in Aug 2018 to find, from my mortgage servicer, that my house was sold-off.

Since August 2018, we have been staying in hotels in Washington D.C/Virginia region trying to find any employment, even non-technology related.

At the time that I was litigating, I did have the means, savings, to support myself, and pay the filing fees. As Plaintiff Pro Se, I intended only to upload the pleading to test my Electronic Case Filing (ECF) account at <https://ecf.txnd.uscourts.gov> with a preliminary version of pleading on 5/23/2017 at about 6:30 AM. On the next day, I filed an updated pleading in person, which was docketed as 3:17-cv-0381-L at pr about 10:14 AM, after I paid the filing fee. Subsequently, at or about 12:26 PM, the US District Court for the Northern District of Texas generated a new docket number, 3:17-cv-0385-N-BH, based on the incomplete ECF filing a day earlier. The court's action of considering a pleading uploaded to the ECF website as having fully committed to a completed filing, and furthermore, entering notices to pay the filing fees or turn-in In forma Pauperis form is notably prescient.

I write this brief reluctantly as a last resort, after having tried every avenue to go about my life with my family.

ARGUMENT

I have been trying to litigate an ex-employer and filed suits in various courts, unsuccessfully, since April 2015. The question is whether the court has the authority to consider an ECF (Electronic Case Filing) pleading as having filed when the filing is not fully committed to, with only the pleading uploaded to the website electronically.

What is now 3:17-cv-01385-N-BH was entered as a new filing in the United States District Court for the Northern District of Texas' ECF website at <https://ecf.txnd.uscourts.gov> and only the pleading (pdf file for pleading) was uploaded in the ECF system on 05/23/2017 at or about 6:30 AM, without fully completing or committing the docket filing.

On 05/24/2017, the next day, I filed an updated pleading, henceforth referred to by the docket number, 3:17-cv-0381-L, in person, with a filing date stamp of 05/24/2017 10:14 AM.

Subsequently, the court generated a new docket number 3:17-cv-0385-N-BH based on an incomplete filing done a day earlier, and started issuing notices to pay the fee on this filing or file In forma Pauperis forms, presciently.

The United States District Court for the Northern District of Texas did not follow the federal rules of civil procedure in that a pleading that is not fully committed to as a filing cannot be summarily docketed. I had not paid the fees or filed In forma

Pauperis form with the particular pleading. At the time, I had the ability to pay for the filing, proven by the updated filing, 3:17-cv-0381-L.

CONCLUSION

The petition for extraordinary writ of mandamus to the United States District Court for the Northern District of Texas requiring the district court to

- (i) explain why 03:17-cv-0385-NB-H was docketed when it was incomplete
- (ii) compel ex-employers AT&T Inc., at 208 S. Akard Street, Dallas, Texas 75202 and Texas Instruments Inc., at 12500 TI Boulevard, Dallas, Texas 75243 to answer why I could be unemployed for more than five years in either of their respective areas after applying to every potential employer, including Amazon, Apple, Netflix, Google, Facebook, Northrop-Grumann, mid-market companies, startups and non-technology related jobs.

Respectfully submitted,

R. Senthilnathan

Oct 15, 2018

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