

No: 22-\_\_\_\_\_

## IN THE

SUPREME COURT OF THE UNITED STATES

PALANI KARUPAIYAN; P.P.; R.P., Petitioners

V.

L.NAGANDA, individually and in his official capacity as Owner of Naga Law Firm; NAGA LAW FIRM; J. RAMYA; P. JAYABALAN; J. RANJEETHKUMAR; ARUL THIRUMURUGU; ATLANTIC REALTY DEVELOPMENT CORP AND MIDDLESEX MANAGEMENT; MIDDLESEX MANAGEMENT INC; OAK TREE VILLAGE; DAVID HALPERN, individually and in his official capacity as CEO, Owner of Atlantic Realty Development Corp, Middlesex Management, Oak Tree Village; D&G TOWING; GLENN STRAUBE, individually and in his official capacity as owner of D&G Towing; COUNTY OF MIDDLESEX; STATE OF NEW JERSEY; TOWNSHIP OF EDISON Respondents

## **APPENDIX FOR PETITION FOR A WRIT OF CERTIORARI**

to the United States Court of Appeals  
for the Third Circuit

Palani Karupaiyan.  
Pro se, Petitioner,  
Email: palanikay@gmail.com  
212-470-2048(m)

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Appendix-A

NOT PRECEDENTIAL

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

1a

No. 21-2560

PALANI KARUPAIYAN; P. P.; R. P.

v.

L. NAGANDA, individually and in his official capacity as Owner of Naga Law Firm; NAGA LAW FIRM; J. RAMYA; P. JAYABALAN; J. RANJEETHKUMAR; ARUL THIRUMURUGU; ATLANTIC REALTY DEVELOPMENT CORP AND MIDDLESEX MANAGEMENT; MIDDLESEX MANAGEMENT INC; OAK TREE VILLAGE; DAVID HALPERN, individually and in his official capacity as CEO, Owner of Atlantic Realty Development Corp, Middlesex Management, Oak Tree Village; D&G TOWING; GLENN STRAUBE, individually and in his official capacity as owner of D&G Towing; COUNTY OF MIDDLESEX; STATE OF NEW JERSEY; TOWNSHIP OF EDISON

PALANI KARUPAIYAN,  
Appellant

On Appeal from the United States District Court  
for the District of New Jersey  
(D.C. Civil Action No. 2:20-cv-12356)  
District Judge: Honorable Susan D. Wigenton

Submitted Pursuant to Third Circuit LAR 34.1(a)  
December 22, 2021  
Before: KRAUSE, BIBAS, and SCIRICA, Circuit Judges

(Opinion filed: February 3, 2022)

OPINION\*

\* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not

## PER CURIAM

Palani Karupaiyan, proceeding pro se, appeals an order of the United States District Court for the District of New Jersey granting a motion to dismiss his amended complaint. For the following reasons, we will affirm.

Karupaiyan filed a 180-page, single-spaced civil complaint against many individuals and corporations, including lawyers, realtors, and state judges, as well as multiple municipal entities. (ECF 1.) The District Court dismissed the majority of the complaint without prejudice for failing to comply with Federal Rule of Civil Procedure 8's mandate that the complaint contain "short and plain" statements of the claims. (ECF 3.) The District Court did, however, dismiss with prejudice claims brought against the judges in their official capacities and claims which sought to overturn the judges' rulings, holding that they were barred by complete judicial immunity and the Rooker-Feldman doctrine, respectively. The District Court provided Karupaiyan with 30 days to file an amended complaint.

Karupaiyan complied with that order, filing a lengthy amended complaint. (ECF 7.) One of the named defendants, the County of Middlesex, filed a motion to dismiss, arguing that the complaint failed to contain a short and plain statement of the claims, see Fed. R. Civ. P. 8(a), and failed to state a claim upon which relief may be granted, see Fed. R. Civ. P. 12(b)(6). (ECF 33.) Karupaiyan opposed that motion (ECF 35), and the

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constitute binding precedent.

County of Middlesex filed a reply. (ECF 36.) Karupaiyan also filed a motion for a permanent injunction, seemingly alleging corruption in New Jersey's judicial appointment system. (ECF 38.) The District Court granted the motion to dismiss, holding that the amended complaint "fails to provide a clear narrative of either the factual or legal basis for [Karupaiyan's] claims." (ECF 44 & 45.) In its order, the District Court stated that further amendment of the complaint would be futile. (ECF 45.) The District Court also denied Karupaiyan's motion for a permanent injunction. Karupaiyan filed a notice of appeal (ECF 46), which he later amended.<sup>1</sup> (ECF 48.)

We have jurisdiction pursuant to 28 U.S.C. §§ 1291 and 1292(a)(1). We review the District Court's dismissal of a complaint for failure to comply with the requirements of Rule 8 for an abuse of discretion. In re Westinghouse Sec. Litig., 90 F.3d 696, 702 (3d

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<sup>1</sup> In addition to seeking review of the order granting the motion to dismiss and denying his request for an injunction, Karupaiyan identified in his notices of appeal orders dismissing his first complaint (ECF 3), denying his motion to seal the docket (ECF 41), denying his motion for appointment of counsel (ECF 42), as well as various case management orders (ECF 19, 23, 30, and 43). With respect to the dismissal of the first complaint, Karupaiyan has not identified any error in the District Court's conclusion that the complaint failed to meet the requirements of Rule 8 and he failed to demonstrate that the District Court erred in determining that absolute judicial immunity barred the claims brought against the state judges. See Capogrosso v. Supreme Court of N.J., 588 F.3d 180, 184 (3d Cir. 2009) (per curiam) (holding that judicial immunity extends to judicial officers, even if their actions were "'in error, w[ere] done maliciously, or w[ere] in excess of [their] authority,'" unless the officers acted in clear absence of all jurisdiction (quoting Azubuko v. Royal, 443 F.3d 302, 303 (3d Cir. 2006))). In addition, we discern no abuse of discretion in the District Court's denial of Karupaiyan's remaining motions. See Parham v. Johnson, 126 F.3d 454, 457 (3d Cir. 1997) (noting that the denial of a motion for appointment of counsel is reviewed for abuse of discretion); In re Cedent Corp., 260 F.3d 183, 197 (3d Cir. 2001) (providing that review of an order denying a motion to seal is for abuse of discretion); Drippe v. Tobelinski, 604 F.3d 778, 783 (3d Cir. 2010) (explaining that "we accord district courts great deference with regard to matters of case management").

Cir. 1996). We also review the denial of a motion for a permanent injunction for abuse of discretion, which “exists where the District Court’s decision rests upon a clearly erroneous finding of fact, an errant conclusion of law, or an improper application of law to fact.” Citizens Fin. Grp., Inc. v. Citizens Nat’l Bank of Evans City, 383 F.3d 110, 126 (3d Cir. 2004) (quoting A.C.L.U. of N.J. v. Black Horse Pike Reg’l Bd. of Educ., 84 F.3d 1471, 1476 (3d Cir. 1996)).

Federal Rule of Civil Procedure 8(a)(2) requires “a short and plain statement of the claim showing that the pleader is entitled to relief.” Fed. R. Civ. P. 8(a)(2). Each averment must be “simple, concise, and direct.” Fed. R. Civ. P. 8(d)(1). “Taken together,” Rules 8(a) and 8(d)(1) “underscore the emphasis placed on clarity and brevity by the federal pleading rules.” In re: Westinghouse Sec. Litig., 90 F.3d 696, 702 (3d Cir. 1996). A complaint must “be presented with clarity sufficient to avoid requiring a district court or opposing party to forever sift through its pages in search of the nature of the plaintiff’s claim[.]” Glover v. FDIC, 698 F.3d 139, 147 (3d Cir. 2012) (quoting Jennings v. Emry, 910 F.2d 1434, 1436 (7th Cir. 1990)).

We construe pro se filings liberally, see Erickson v. Pardus, 551 U.S. 89, 94 (2007), and “are more forgiving of pro se litigants for filing relatively unorganized or somewhat lengthy complaints.” Garrett v. Wexford Health, 938 F.3d 69, 92 (3d Cir. 2019). Nevertheless, we conclude that Karupaiyan’s amended complaint failed to comply with Rule 8. The amended complaint consisted of 337-pages and 1449 separately numbered paragraphs, plus a single-spaced 60-paragraph, eight-page prayer for relief. He identified approximately 30 defendants and cited over 50 laws as bases for relief. The

prolix amended complaint, however, failed to explain how those defendants violated his rights under those laws. Instead, Karupaiyan provided a disjointed factual narrative that included descriptions of, among other things, a stolen bicycle, divorce proceedings, a landlord-tenant dispute, alleged corruption in the New Jersey judicial system, and incidents of domestic violence. That narrative was unconnected to any potential claims or purported grounds for liability. And, notably, the amended complaint was filed after Karupaiyan's original pleading had been dismissed based on Rule 8 deficiencies. Cf. Salahuddin v. Cuomo, 861 F.2d 40, 42 (2d Cir. 1988) (explaining that courts have power to dismiss a "prolix complaint" without leave to amend where such leave "has previously been given and the successive pleadings remain prolix and unintelligible"). Under these circumstances, we conclude that the District Court did not abuse its discretion in dismissing Karupaiyan's amended complaint without leave to amend for failure to comply with Rule 8.<sup>2</sup> See Garrett v. 938 F.3d at 92 (stating that "the question before us is not whether we might have chosen a more lenient course than dismissal ... but rather whether the District Court abused its discretion in ordering the dismissal").

The District Court also did not abuse its discretion in denying Karupaiyan's motion for a permanent injunction, which seemingly sought to prevent the appointment of justices to the New Jersey Supreme Court. Karupaiyan vaguely asserted that "court packing" "discriminate[s] and violate[s] the civil rights, equal employment opportunities,

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<sup>2</sup> We note that Karupaiyan's proposed second amended complaint is 364 pages. (ECF 31); Grayson v. Mayview State Hosp., 293 F.3d 103, 111 (3d Cir. 2002) (stating that a plaintiff is entitled to amend a complaint that fails to state a claim unless amendment would be inequitable or futile).

[and results in] age discrimination ...." (ECF 38, at 2.) These allegations, however, fail to set forth with any specificity how Karupaiyan would be irreparably injured by the denial of injunctive relief or how banning the appointment of state supreme court justices would not result in greater harm to the nonmoving parties. See Shields v. Zuccarini, 254 F.3d 476, 482 (3d Cir. 2001) (discussion factors to consider in deciding whether to grant a permanent injunction).

For the foregoing reasons, we will affirm the judgment of the District Court.<sup>3</sup>

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<sup>3</sup> Karupaiyan's letter motion to strike the appearance of Middlesex County and to expedite the appeal is denied. Middlesex County's motion for permission to file an opposition brief out of time is granted and the Clerk is directed to docket in this case the brief that was filed in C.A. No. 21-1813 on November 23, 2021.

Appendix-B

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

7a

No. 21-2560

PALANI KARUPAIYAN; P. P.; R. P.

v.

L. NAGANDA, individually and in his official capacity as Owner of Naga Law Firm; NAGA LAW FIRM; J. RAMYA; P. JAYABALAN; J. RANJEETHKUMAR; ARUL THIRUMURUGU; ATLANTIC REALTY DEVELOPMENT CORP AND MIDDLESEX MANAGEMENT; MIDDLESEX MANAGEMENT INC; OAK TREE VILLAGE; DAVID HALPERN, individually and in his official capacity as CEO, Owner of Atlantic Realty Development Corp, Middlesex Management, Oak Tree Village; D&G TOWING; GLENN STRAUBE, individually and in his official capacity as owner of D&G Towing; COUNTY OF MIDDLESEX; STATE OF NEW JERSEY; TOWNSHIP OF EDISON

PALANI KARUPAIYAN,  
Appellant

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On Appeal from the United States District Court  
for the District of New Jersey  
(D.C. Civil Action No. 2:20-cv-12356)  
District Judge: Honorable Susan D. Wigenton

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Submitted Pursuant to Third Circuit LAR 34.1(a)  
December 22, 2021  
Before: KRAUSE, BIBAS, and SCIRICA, Circuit Judges

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**JUDGMENT**

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8a

This cause came to be considered on the record from the United States District Court for the District of New Jersey and was submitted pursuant to Third Circuit LAR 34.1(a) on December 22, 2021. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the judgment of the District Court entered August 16, 2021, be and the same is hereby affirmed. Costs taxed against the appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

s/ Patricia S. Dodszuweit  
Clerk

Dated: February 3, 2022

Appendix-C

**NOT FOR PUBLICATION**

9a

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**PALANI KARUPAIYAN, et al.,**

Plaintiffs,

v.

**L. NAGANANDA, et al.,**

Defendants.

Civil Action No. 20-12356 (SDW)(LDW)

**ORDER**

October 1, 2020

**THIS MATTER** having come before this Court upon *pro se* Plaintiff Palani Karupaiyan's ("Karupaiyan" or "Plaintiff")<sup>1</sup> Complaint, filed on September 3, 2020 (D.E. 1), and Application to Proceed *in forma pauperis* ("IFP application"), filed on the same day (D.E. 1-2); and

**WHEREAS** Plaintiff did not fully complete the IFP application, leaving the entirety of question 8 blank, except listing expenses related to "Alimony, maintenance, and support paid to others," which appear to make up the totality of Plaintiff's expenses (D.E. 1-2 at 4-5); and

**WHEREAS** *pro se* complaints, "however inartfully pleaded, are . . . [held] to less stringent standards than formal pleadings drafted by lawyers[.]" *Haines v. Kerner*, 404 U.S. 519, 520 (1972). Nonetheless, "even 'a *pro se* complaint must state a plausible claim for relief.'" *Yoder v. Wells Fargo Bank, N.A.*, 566 F. App'x 138, 141 (3d Cir. 2014) (quoting *Walker v. Schult*, 717 F.3d 119, 124 (2d Cir. 2013)); *Martin v. U.S. Dep't of Homeland Sec.*, Civ. No. 17-3129, 2017 WL 3783702, at \*3 (D.N.J. Aug. 30, 2017). Additionally, per Federal Rule of Civil Procedure ("Rule")

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<sup>1</sup> The Complaint also lists Karupaiyan's children, "P.P." and "R.P." as plaintiffs. At times, Plaintiff lists "K Pazhani" as the plaintiff in this matter. "K Pazhani" appears to be a variation of Plaintiff's name. (See D.E. 1 ¶ 4.)

8, an adequate complaint must contain “a short and plain statement of the claim showing that the pleader is entitled to relief,” *see Fed. R. Civ. P. 8(a)(2)*; and

**WHEREAS** Plaintiff’s complaint does not comply with Rule 8. The Complaint, which is 179 pages, single-spaced, with over 1400 paragraphs, is dense and difficult to follow, and comes nowhere near the “short and plain statement” requirement of Rule 8. *See In re Westinghouse Sec. Litig.*, 90 F.3d 696, 703 (3d Cir. 1996) (finding district court did not abuse its discretion when dismissing complaint which was “unnecessarily complex and verbose,” featuring more than “600 paragraphs and 240 pages”); *McDaniel v. N.J. State Parole Bd.*, Civ. No. 08-0978, 2008 WL 824283, at \*2 (D.N.J. Mar. 26, 2008) (dismissing, without prejudice, a “rambling and sometimes illegible” 17-page, single-spaced complaint as not in compliance with Rule 8); *Smith v. Dir.’s Choice, LLP*, Civ. No. 15-81, 2016 WL 7165739, at \*2-3 (D.N.J. July 28, 2016) (dismissing complaint for failing to meet the requirements of Rule 8 and collecting cases);<sup>2</sup> and

**WHEREAS** Plaintiff brings several claims against New Jersey state judges (collectively, “Judges”),<sup>3</sup> apparently for ruling against him in various matters before the state court (*see, e.g.*, D.E. 1 ¶ 228 (alleging the “Supreme Court of NJ chief justice” unlawfully “violated the god gift relationship” between him and his children by “[s]eparating [his] kids from [him] by kidnapping or by Court order”); *id.* ¶¶ 241-306 (listing allegations against the Judges, apparently based on or

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<sup>2</sup> The Complaint contains many paragraphs that are confusing, have a tenuous relation to Plaintiff’s claims, or otherwise make claims clearly outside of this Court’s jurisdiction or power. (*See, e.g.*, D.E. 1 ¶ 379 (alleging “[t]he kids and family are the nation resource and human capital value. The stupid run the family court have no-know and damaging the national resource and this country unable to compete globally. See the economist saying China is about to cross US GDP”); *id.* ¶ 587 (requesting this Court enter a “declarative order to promote 7 senior most appellate court judges into NJ supreme court”); *id.* ¶ 1347 (appearing to claim Defendant Jayabalan (sometimes “Jayapalan”), Plaintiff’s father-in-law, violated various antidiscrimination and civil rights laws, in addition to the U.S. Constitution and Indian law, for not giving Plaintiff’s children an inheritance).

<sup>3</sup> These are Judges Marcia Silva, Craig Corson, and Jerald Council, of the Middlesex Family Court in New Jersey (D.E. 1 ¶¶ 32-34); Justices Stuart Rabner, Jaynee LaVecchia, Barry T. Albin, Anne M. Patterson, Faustino J. Fernandez-Vina, Lee A. Solomon, and Walter F. Timpone, of the New Jersey Supreme Court (*id.* ¶¶ 36-42); and Judges Glenn A. Grant, Allison E. Accurso, Patrick DeAlmeida, and Joseph Yannotti, of the Appellate Division of the New Jersey courts. (*Id.* ¶¶ 43-46.)

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related to their alleged wrongful rulings on the custody of Plaintiff's children); *id.* ¶ 581 (alleging the Judges failed to remove a final restraining order against Plaintiff); *id.* ¶ 989 (requesting this Court order the Judges to "pay \$50 million dollar[s] to the plaintiff for failure to grant custody of children against the plaintiff" (emphasis in original)));<sup>4</sup> and

**WHEREAS** the Judges are absolutely immune to "civil actions for their judicial acts, even when such acts are in excess of their jurisdiction, and are alleged to have been done maliciously or corruptly,"" *Figueroa v. Blackburn*, 208 F.3d 435, 440 (3d Cir. 2000) (quoting *Stump v. Sparkman*, 435 U.S. 349, 355–56 (1978)), therefore, to the extent Plaintiff's claims against the Judges are for acts carried out in the performance of judicial duties, his claims fail;

**IT IS, on this 1st day of October, 2020,**

**ORDERED** that Plaintiff's IFP application (D.E. 1-1) is **GRANTED** despite Plaintiff's failure to properly answer question 8; it is further

**ORDERED** that the Complaint (D.E. 1) is dismissed without prejudice, except as to Plaintiff's claims (1) against the Judges for acts made in their judicial capacity, and (2) which seek to appeal or overturn the Judges' state court rulings. Such claims are dismissed with prejudice. Plaintiff shall have (30) days to file an Amended Complaint.

**SO ORDERED.**

/s/ Susan D. Wigenton  
**United States District Judge**

Orig: Clerk  
cc: Parties  
Leda D. Wettre, U.S.M.J.

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<sup>4</sup> Plaintiff devotes a large portion of his Complaint to making allegations against the Judges, much of which are lengthy and unclear. To the extent Plaintiff requests this Court to overturn the Judges' rulings, it cannot under the *Rooker-Feldman* doctrine. See *In re Madera*, 586 F.3d 228, 232 (3d Cir. 2009) (noting that "[t]he *Rooker-Feldman* doctrine precludes lower federal courts 'from exercising appellate jurisdiction over final state-court judgments'" (internal citations omitted)).

Appendix- D

12a

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

PALANI KARUPAIYAN, *et al.*,

Plaintiff,

v.

L NAGANDA *et al.*,

Defendants.

Civil Action No. 20-12356(SDW)(LDW)

**ORDER**

August 12, 2021

**THIS MATTER** having come before this Court upon the filing of *pro se* Plaintiff Palani Karupaiyan's ("Plaintiff") Motion for a Permanent Injunction (D.E. 38) and First Amended Complaint (D.E. 7), and Defendant County of Middlesex's ("Defendant") Motion to Dismiss the First Amended Complaint pursuant to Federal Rules of Civil Procedure ("Rule") 8 and 12(b)(6) (D.E. 33), and this Court having reviewed the parties' submissions and for the reasons set forth in this Court's Opinion dated August 12, 2021,

**IT IS, on this 12<sup>th</sup> day of August, 2021,**

**ORDERED** that Defendant's Motion to Dismiss the First Amended Complaint (D.E. 33) is **GRANTED** pursuant to Rules 8 and 12(b)(6), and it appearing that any amendment to the Complaint would be futile, the dismissal shall be **with prejudice**; and it is further

**ORDERED** that Plaintiff's Motion for a Permanent Injunction (D.E. 38) is *sua sponte* **DISMISSED**.

**SO ORDERED.**

/s/ Susan D. Wigenton  
United States District Judge

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Orig: Clerk  
cc: Parties  
Leda D. Wettre, U.S.M.J.

Appendix- E

NOT FOR PUBLICATION

14a

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

PALANI KARUPAIYAN, *et al.*,

Plaintiff,

v.

L NAGANDA *et al.*,

Defendants.

Civil Action No. 20-12356(SDW)(LDW)

**OPINION**

August 12, 2021

**THIS MATTER** having come before this Court upon the filing of *pro se* Plaintiff Palani Karupaiyan's ("Plaintiff") Motion for a Permanent Injunction (D.E. 38) and First Amended Complaint (D.E. 7), and Defendant County of Middlesex's ("Defendant") Motion to Dismiss the First Amended Complaint pursuant to Federal Rules of Civil Procedure ("Rule") 8 and 12(b)(6) (D.E. 33); and

**WHEREAS** by Order dated October 1, 2020, this Court granted Plaintiff's application to proceed *in forma pauperis*, dismissed all claims in the initial Complaint against a number of New Jersey state court judges with prejudice on the basis of absolute immunity, dismissed the remaining claims in the initial Complaint without prejudice, and gave Plaintiff 30 days to file an Amended Complaint (D.E. 3); and

**WHEREAS** Plaintiff filed a 347-page First Amended Complaint on October 8, 2020 (D.E. 7), which has yet to be screened due to Plaintiff's serial appeals to the United States Court of Appeals for the Third Circuit. The body of the First Amended Complaint reiterates many of the same allegations against New Jersey state court judges that were previously dismissed with prejudice. (*See id.* ¶¶ 32-49); and

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**WHEREAS** on May 24, 2021, Plaintiff filed a 468-page Second Amended Complaint, (D.E. 31), although his First Amended Complaint had yet to be screened due to a series of appeals that remained pending in the United States Court of Appeals for the Third Circuit; and

**WHEREAS** on June 11, 2021, Defendant County of Middlesex (“Defendant”) filed a Motion to Dismiss the First Amended Complaint, although one of Plaintiff’s appeals remained pending. (D.E. 33.) In that Motion to Dismiss, Defendant argues that Plaintiff’s Complaint fails to articulate a coherent short and plain statement that would entitle Plaintiff to relief, as required by Rule 8, and further fails to state a plausible claim to relief pursuant to Rule 12(b)(6). (*See generally id.*) Plaintiff opposed the Motion to Dismiss on June 18, 2021, (D.E. 35), and Defendant replied on June 29, 2021 (D.E. 36); and

**WHEREAS** on July 13, 2021, Plaintiff filed a Motion for an Extension of Time to File a Third Amended Complaint, (D.E. 39), although his First Amended Complaint had yet to be screened due to his pending appeal. That same day, Plaintiff also filed a Motion for a Permanent Injunction (D.E. 38); and

**WHEREAS** on August 5, 2021, the United States Court of Appeals for the Third Circuit dismissed Plaintiff’s final pending appeal for lack of jurisdiction (D.E. 43); and

**WHEREAS** on August 11, 2021, Magistrate Judge Leda D. Wettre denied Plaintiff’s Motion for an Extension of Time to File a Third Amended Complaint. (*See* D.E. 43.) That same day, Judge Wettre also denied a Motion To Seal the Entire Docket (D.E. 32) and a Motion To Appoint Pro Bono Counsel (D.E. 34), which Plaintiff had also filed during the pendency of his appeal (D.E. 41; D.E. 42); and

**WHEREAS** this Court now reviews the substance of Plaintiff's First Amended Complaint pursuant to Rule 8(a)(2) and (3) and *Ashcroft v. Iqbal*, 556 U.S. 662, 129 S. Ct. 1937, 173 L.Ed.2d 868 (2009), and considers the arguments raised in Defendant's Motion to Dismiss; and

**WHEREAS** Plaintiff's First Amended Complaint is largely incoherent and partially illegible due to areas that have been crossed out. (D.E. 7.) In it, Plaintiff appears to assert claims under both United States and Indian law related to familial disputes, domestic violence incidents, and some form of housing discrimination. (*See generally* D.E. 7.) Plaintiff names a myriad of Defendants, including, *inter alia*: his ex-wife and her family, law firms, property management companies, landlords, and countless New Jersey state court judges. (*Id.* ¶¶ 11-17, 21-55.) Plaintiff's allegations span the gamut from stolen bicycles (*id.* ¶¶ 60-67), divorce proceedings in New Jersey and India (*id.* ¶¶ 69-72), corruption in the New Jersey state judicial system (*id.* ¶¶ 74-75), family feuds and inheritances (*id.* ¶ 80), domestic violence allegations (*id.* ¶¶ 90-91), child support disputes (*id.* ¶¶ 345, 349), civil rights abuses by police (*id.* ¶¶ 358-360), and beyond. The majority of Plaintiff's claims seem connected to a domestic violence incident where Plaintiff's ex-wife alleged that he "squeezed [her] neck and attempted to murder her ... to get custody of the[s] children to abduct them to India." (*Id.* ¶ 145.) Plaintiff seeks relief in nearly countless forms, including damages for alleged harms including "[h]ealth," "robbery," "kids injury" and "education," "loss of conjugal rights," "false arrest," "false jailing," "tort," "medical malpractice," "intentional failure to excise/do the duty/authority," "[f]ailure to operate the office," "[c]hild [a]buse," "neglect," "parental liberty/parent[al] right[s] violation[s]," "encouraging" and "enjoying" "child abuse," and a "few more . . ." (*Id.* ¶ 1); and

**WHEREAS** *pro se* complaints, although “[held] to less stringent standards than formal pleadings drafted by lawyers,” *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972), must still “state a plausible claim for relief.”” *Yoder v. Wells Fargo Bank, N.A.*, 566 F. App’x. 138, 141 (3d Cir. 2014) (quoting *Walker v. Schult*, 717 F.3d 119, 124 (2d Cir. 2013)); *Martin v. U.S. Dep’t of Homeland Sec.*, No. 17-3129, 2017 WL 3783702, at \*3 (D.N.J. Aug. 30, 2017); and

**WHEREAS** the First Amended Complaint fails to provide a clear narrative of either the factual or legal basis for Plaintiff’s claims. Much of the First Amended Complaint appears to have been copied from a prior pleading, which was also dismissed “for failure to comply” with Rule 8 and upheld on appeal. (See D.E. 33 at 5.) Plaintiff also reiterates allegations against New Jersey state court judges that were dismissed with prejudice. (See D.E. 7 ¶¶ 32-49.) Therefore, the facts alleged in Plaintiff’s First Amended Complaint are insufficient to support a claim entitling Plaintiff to relief. *See* Fed. R. Civ. P. 8(a)(2) (providing that an adequate complaint must contain “a short and plain statement of the claim showing that the pleader is entitled to relief”); *see also Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (stating that although Rule 8 does not require detailed factual allegations, “it demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation”); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (explaining that to survive a Rule 12(b)(6) motion to dismiss, a plaintiff’s “[f]actual allegations must be enough to raise a right to relief above the speculative level”); (D.E. 33.) As a result, this Court will grant Defendant’s Motion to Dismiss; and

**WHEREAS** Plaintiff’s Motion for a Permanent Injunction is also largely incoherent, but appears to request a “[p]ermanent injunction [sic] against New Jersey that New Jersey should not appoint Justice[s] in [the] New Jersey Supreme Court.” (D.E. 38 at 1.) The Motion seemingly

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alleges wide-ranging corruption in the New Jersey state judicial appointment system and attempts to raise additional allegations related to “court packing,” (*id.* at 3), “civil right[s], age discrimination, [and] equal employment opportunities,” (*id.* at 4); and

**WHEREAS** in seeking a permanent injunction, a plaintiff must demonstrate: ““(1) that it has suffered an irreparable injury; (2) that the remedies available at law, such as monetary damages,’ prove inadequate to compensate for that injury; (3) that the balance of hardships between the plaintiff and defendant favor equitable relief; and (4) ‘that the public interest would not be disserved by a permanent injunction.’” *Chanel, Inc. v. Matos*, 133 F. Supp. 3d 678, 689 (D.N.J. 2015) (internal citations omitted); and

**WHEREAS** this Court will *sua sponte* dismiss Plaintiff’s Motion for a Permanent Injunction, which fails to state a claim that is not factually frivolous. *Trammell v. All Other Collateral Heirs of Est. of Marie Jones Polk*, 446 F. App’x 437, 439 (3d Cir. 2011) (upholding a District Court’s *sua sponte* dismissal where the “factual allegations” were “simply unbelievable”). This Court may dismiss claims that are “legally baseless if [they are] ‘based on an indisputably meritless legal theory,’” or are factually baseless because the “facts alleged rise to the level of the irrational or the wholly incredible.” *Picozzi v. Guy Peiagelee & Sons*, 313 F. Supp. 3d 600, 602 (E.D. Pa. 2018) (internal citations omitted). Plaintiff’s Motion for a Permanent Injunction does not articulate any of the elements required for injunctive relief or provide any non-frivolous basis for this Court to grant its request to enjoin both the State of New Jersey and the New Jersey Governor from “appoint[ing]” Justices to the New Jersey Supreme Court. (D.E. 38 at 4.) As a result, it must be dismissed. An appropriate Order follows.

19a

/s/ Susan D. Wigenton  
**United States District Judge**

Orig: Clerk  
cc: Parties  
Leda D. Wettre, U.S.M.J.

Appendix- F

20a

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

No. 21-2560

PALANI KARUPAIYAN; P. P.; R. P.

v.

L. NAGANDA, individually and in his official capacity as Owner of Naga Law Firm;  
NAGA LAW FIRM; J. RAMYA; P. JAYABALAN; J. RANJEETHKUMAR;  
ARUL THIRUMURUGU; ATLANTIC REALTY DEVELOPMENT CORP  
AND MIDDLESEX MANAGEMENT; MIDDLESEX MANAGEMENT INC;  
OAK TREE VILLAGE; DAVID HALPERN, individually and in his official capacity as  
CEO, Owner of Atlantic Realty Development Corp, Middlesex Management,  
Oatree Village; D&G TOWING; GLENN STRAUBE, individually and in his  
official capacity as owner of D&G Towing; COUNTY OF MIDDLESEX;  
STATE OF NEW JERSEY; TOWNSHIP OF EDISON

PALANI KARUPAIYAN,  
Appellant

On Appeal from the United States District Court  
for the District of New Jersey  
(D.C. Civil Action No. 2-20-cv-12356)  
District Judge: Honorable Susan D. Wigenton

SUR PETITION FOR REHEARING

Present: CHAGARES, *Chief Judge*, McKEE, AMBRO, JORDAN, HARDIMAN,  
GREENAWAY, JR., SHWARTZ, KRAUSE, RESTREPO, BIBAS,  
PORTER, MATEY, PHIPPS, and SCIRICA<sup>1</sup>, *Circuit Judges*

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<sup>1</sup> Judge Scirica's vote is limited to Panel rehearing only.

21a

The petition for rehearing filed by Appellant in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT,

s/ Cheryl Ann Krause  
Circuit Judge

Dated: May 3, 2022  
JK/cc: Palani Karupaiyan  
Michael S. Williams, Esq.

**Additional material  
from this filing is  
available in the  
Clerk's Office.**