

In The
**SUPREME COURT OF THE UNITED
STATES**

IN RE: PALANI KARUPAIYAN, Petitioner

**On Petition for Writ of Mandamus,
Prohibition or alternative to
United States Court of Appeals
for the Third Circuit (Dkt 24-1067)**

**APPENDIX -PETITION FOR A WRIT
OF MANDAMUS, PROHIBITION OR
ALTERNATIVE**

Palani Karupaiyan.
Pro se, Petitioner,
1326 W William St,
Philadelphia, PA 19132
212-470-2048(M)

List of Appendix

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**I. APPENDIX – A : ORDER
GRANTING 45 DAYS
EXTENSION TO DEFENDANT
US TO RESPONSE THE
COMPLAINT.**

**U.S. Department of Justice
United States Attorney
District of New Jersey *Civil Division***

**PHILIP R. SELLINGER
UNITED STATES ATTORNEY**

*Angela E. Juneau
Assistant United States Attorney
970 Broad Street, Suite 700
Newark, NJ 07102
direct: (862) 240-2409
angela.juneau@usdoj.gov*

January 2,

2024

Via Electronic Filing
Hon. André M. Espinosa
Martin Luther King Bldg. & U.S. Courthouse
50 Walnut Street , Newark, NJ 07102
Re: Karupaiyan v. United States, et al.,
Civil No. 23-20928-ES-AME

Dear Judge Espinosa:

I am the Assistant United States Attorney assigned to represent the United States in the above-captioned case. I respectfully write to request an

extension of time to respond to the Complaint in this action.

Plaintiff served the U.S. Attorney's Office with the Complaint on October 17, 2023. The United States sought a two-week extension from the Clerk's Office, which gave it until January 2, 2024, to answer, move, or otherwise respond to the Complaint. Because of multiple competing deadlines, however, I will require additional time to respond to Plaintiff's Complaint. Accordingly, I respectfully ask the Court to grant an additional 45 days, or until February 16, 2024, to file its response. *Pro se* Plaintiff has declined his consent to this request.

Thank you in advance for considering this request.

Respectfully submitted,
PHILIP R. SELLINGER
United States Attorney

By: *s/ Angela E. Juneau*

ANGELA E. JUNEAU

Assistant United States Attorney

cc: Palani Karupaiyan, Plaintiff *pro se*
[\(palanikay@gmail.com\)](mailto:palanikay@gmail.com)

The requested extension of time to respond to the Complaint is granted. SO ORDERED.

/s/ André M. Espinosa
ANDRÉ M. ESPINOSA, U.S.M.J. Dated: Jan 2, 2024

II. NOTICE OF APPEAL

Palani Karupaiyan et al , Petitioner(s) v. United States et al, Respondent(s) 1	In the United States Dist Court For NJ Docket 23-cv-20928 - ES-AME
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Notice of Appeal.

Palani Karupaiyan (name all parties taking the Appeal) Appeal to the United States Court of Appeals for the 3rd Circuit from the order

ORDER (ECF-14) that granted extension
(Describe the order) entered on Jan 2, 2024 (state the date the order was entered).

(s) K.Pazhani
Attorney for Pro se, Palani Karupaiyan

Date: Jan 05 2024
Extension ORDER granted for US dated Jan 2
2024 ECF-14 is attached

III. NOTICE OF PETITION FOR MANDAMUS

Palani Karupaiyan et al , Petitioner(s) v. United States et al, Respondent(s) 1	In the United States Dist Court For NJ Docket 23-cv-20928 - ES-AME
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Notice of Petition for Mandamus,
prohibition or alternative.

Palani Karupaiyan (name all parties taking the petition) Petition to the United States Court of Appeals for the 3rd Circuit from the order

ORDER (ECF-14) that extension granted
(Describe the order) entered on Jan 2, 2024 (state the date the order was entered).

(s) K.Pazhani
Attorney for _Pro se, Palani Karupaiyan

Date: Jan 05 2024
Extension ORDER granted for US dated Jan 2 2024 ECF-14 is attached.

IV. APPENDIX-B : DIST COURT DOCKET ENTRIES

2:23-cv-20928-ES-AME KARUPAIYAN et al v.

UNITED STATES et al

Esther Salas, presiding

Andre M. Espinosa, referral

Date filed: 10/04/2023

Date of last filing: 01/09/2024

Date Filed	#	Docket Text
10/04/2023	<u>1</u>	Complaint Received. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Cover Letter, # <u>3</u> NEF Consent Form 1, # <u>4</u> NEF Consent Form 2) (sms2) (Entered: 10/05/2023)
10/05/2023	<u>2</u>	Notice of Guidelines for Appearing Pro Se (sms2) (Entered: 10/05/2023)
10/05/2023	<u>3</u>	Clerk's Letter: Complaint not accompanied by the filing fee or application to proceed in forma pauperis. (sms2) (Entered: 10/05/2023)
10/06/2023		

Filing fee: \$ 402, receipt number NEW49096.
(sms2) (Entered: 10/06/2023)

10/06/2023

1 COMPLAINT against GANDHI, JOE KULLAR, KULLAR CONSTRUCTION, POLICE DEPT OF WOODBRIDGE, STATE OF NEW JERSEY, AMZA SYED, UNION OF INDIA, UNITED STATES, WOODBRIDGE TOWNSHIP OF NJ with JURY DEMAND, filed by R. P., P. P., PALANI KARUPAIYAN.(sms2) Modified on 10/6/2023 (sms2). (Entered: 10/06/2023)

10/06/2023 4

SUMMONS ISSUED as to GANDHI, JOE KULLAR, KULLAR CONSTRUCTION, POLICE DEPT OF WOODBRIDGE, STATE OF NEW JERSEY, AMZA SYED, UNION OF INDIA, UNITED STATES, WOODBRIDGE TOWNSHIP OF NJ. Attached is the official court Summons, please fill out Defendant and Plaintiffs attorney information and serve. (sms2) (Entered: 10/06/2023)

10/10/2023 5

AFFIDAVIT of Service filed by PALANI KARUPAIYAN. (Attachments: # 1 1 United States 4 summon issued show_temp - Copy (2), # 2 Amzad Syed Syed 4 summon issued show_temp, # 3 Kullar Consultion 4 summon issued show_temp - Copy (3), # 4 Kullar owner 4 summon issued show_temp - Copy, # 5 State of New jersey 4 summon issued show_temp - Copy (3), # 6 Uniion of Indian 4 summon issued show_temp - Copy (5), # 7 woodbridge Officer Gandhi 4 summon issued show_temp - Copy, # 8 Woodbridge 4 summon issued show_temp - Copy (4), # 9 Woodbridge Dept of Police 4 summon issued show_temp - Copy (2))(ld)(Filing received from the ECF Help Desk Email) (Entered: 10/11/2023)

10/14/2023 6

MOTION for Writ of Mandamus, Prohibition or Alternative by PALANI KARUPAIYAN. (ld)(Filng received from the ECF Help Desk Email) (Entered: 10/16/2023)

10/16/2023

Set/Reset Deadlines as to 6 MOTION for Writ of Mandamus, Prohibition or Alternative. Motion set for 11/20/2023 before Judge Esther Salas. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (1d,) (Entered: 10/16/2023)

10/17/2023 7

SUPPLEMENTAL exhibits from PALANI KARUPAIYAN. (1d)(Filing received from the ECF Help Desk Email) (Entered: 10/17/2023)

10/18/2023 8

Application and Proposed Order for Clerk's Order to extend time to answer as to State of New Jersey. Attorney TANNER MATTHEW KINGSTON for STATE OF NEW JERSEY added. (HUNKINS, BRIAN) (Entered: 10/18/2023)

10/19/2023

Clerk's Text Order - The document 8 submitted by STATE OF NEW JERSEY has been GRANTED. The answer due date has been set for 11/10/2023. (sm) (Entered: 10/19/2023)

11/09/2023 9

MOTION to Dismiss *in Lieu of Answer* by STATE OF NEW JERSEY. Responses due by 12/4/2023. (Attachments: # 1 Brief in Support of Motion to Dismiss, # 2 Certificate of Service, # 3 Certification of Counsel, # 4 Text of Proposed Order, # 5 Exhibit A - Plaintiff's Complaint)(HUNKINS, BRIAN) (Entered: 11/09/2023)

11/13/2023

Set Deadlines as to 9 MOTION to Dismiss *in Lieu of Answer*. Motion set for 12/4/2023 before Judge Esther Salas. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (sm) (Entered: 11/13/2023)

11/13/2023 10

RESPONSE to Motion filed by Plaintiff PALANI KARUPAIYAN re 9 MOTION to Dismiss *in Lieu of Answer* (ECF Help Desk) (dam) (Entered: 11/13/2023)

11/14/2023 11

AMENDED RESPONSE to Motion filed by
PALANI KARUPAIYAN re 9 MOTION to
Dismiss *in Lieu of Answer* (1d)(Filing received from
the ECF Help Desk Email) (Entered: 11/15/2023)

12/11/2023 12

Application and Proposed Order for Clerk's Order
to extend time to answer Attorney ANGELA
JUNEAU for UNITED STATES added. (JUNEAU,
ANGELA) (Entered: 12/11/2023)

12/11/2023

Clerk's Text Order - The document 12 submitted
by UNITED STATES has been GRANTED. The
answer due date has been set for 1/1/2024. (sm)
(Entered: 12/11/2023)

01/02/2024 13

Letter from the United States seeking an
additional 45 days to respond to the Complaint.
(JUNEAU, ANGELA) (Entered: 01/02/2024)

01/02/2024 14

LETTER ORDER granting the United
States 13 request for an additional 45 days, or until
February 16, 2024, to file its response to the

Complaint.. Signed by Magistrate Judge Andre M. Espinosa on 1/2/2024. (Id,) (Entered: 01/03/2024)

01/02/2024 15

RESPONSE in OPPOSITION re 13 Letter from the United States seeking an additional 45 days to respond to the Complaint. by PALANI KARUPAIYAN (Id)(Filing received from the ECF Help Desk Email). (Entered: 01/04/2024)

01/05/2024 16

NOTICE OF APPEAL as to 14 Order by PALANI KARUPAIYAN. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. (Attachments: # 1 Order BeingAppealed, # 2 Notice of Petition for Mandamus, # 3 Cover Letter)(adc,) (Entered: 01/05/2024)

01/08/2024

CLERK'S QUALITY CONTROL MESSAGE -
Please be advised, the Notice of Appeal 16 filed on 1/5/2024 was filed without a filing fee. PLEASE SUBMIT THE FEE OF \$605 to our Office Immediately. Your check should be made payable to Clerk, U.S. District Court. In the alternative, an application for In Forma Pauperis can be filed. Please refer to the Courts website at www.njd.uscourts.gov for information and forms. (adc) (Entered: 01/08/2024)

01/08/2024 17

USCA Case Number 24-1044 for 16 Notice of Appeal (USCA), filed by PALANI KARUPAIYAN. USCA Case Manager Stephanie (Document Restricted - Court Only) (ca3sb,) Modified on 1/8/2024 (adc). (Entered: 01/08/2024)

01/08/2024 18

MOTION for Leave to Appeal in forma pauperis by PALANI KARUPAIYAN. (Attachments: # 1 Motion for Writ of Mandamus, # 2 Certificate of Service)(adc,) (Entered: 01/09/2024)

01/09/2024

Set Deadlines as to 18 MOTION for Leave to Appeal in forma pauperis. Motion set for 2/5/2024 before Judge Esther Salas. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (adc,) (Entered: 01/09/2024)

01/13/2024 19

NOTICE of Petition filed with the Third Circuit by PALANI KARUPAIYAN (Attachments: # 1 Application IFP)(adc,) (Entered: 01/18/2024)

01/25/2024 20

AMENDED COMPLAINT against GANDHI, POLICE DEPT OF WOODBRIDGE, STATE OF NEW JERSEY, UNION OF INDIA, UNITED STATES, WOODBRIDGE TOWNSHIP OF NJ, filed by PALANI KARUPAIYAN. (Attachments: # 1 Affidavit of Service)(ld)(Filing received from the ECF Help Desk Email) (Entered: 01/26/2024)

02/16/2024 21

MOTION to Dismiss by UNITED STATES. Responses due by 3/4/2024. (Attachments: # 1 Brief, # 2 Declaration of Counsel, # 3 Text of Proposed Order, # 4 Certificate of Service)(JUNEAU, ANGELA) (Entered: 02/16/2024)

02/22/2024

Set Deadlines as to 21 MOTION to Dismiss . Motion set for 3/18/2024 before Judge Esther Salas. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (sm) (Entered: 02/22/2024)

02/23/2024 22

RESPONSE to Motion filed by PALANI KARUPAIYAN re 21 MOTION to Dismiss (Attachments: # 1 Exh-A USPS lable FTCA dept of States Dept-of-States---Label, # 2 Exh-A2 USPS delivery status for ftca, # 3 Exh-B1 SF95-07a--PRitam MS, # 4 Exh-B2 SF95-07a--Roshna- MS, # 5 Exh-B3 SF95-07a--Palani Karupaiyan - MS)(ld)(Filing received from the ECF Help Desk Email) (Entered: 02/23/2024)

02/23/2024 23

MOTION for Request to Accept 2nd Amended Complaint by PALANI KARUPAIYAN. (Attachments: # 1 Exh-A USPS lable FTCA dept of States Dept-of-States---Label, # 2 Exh-A2 USPS delivery status for ftca, # 3 Exh-B1 SF95-07a--PRitam MS, # 4 Exh-B2 SF95-07a--Roshna- MS, # 5 Exh-B3 SF95-07a--Palani Karupaiyan - MS, # 6 SECOND Amended Complaint)(ld)(Filing received from the ECF Help Desk Email) (Entered: 02/23/2024)

02/23/2024

Set Deadlines as to 23 MOTION for Request to Accept 2nd Amended Complaint. Motion set for 3/18/2024 before Magistrate Judge Andre M. Espinosa. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (1d) (Entered: 02/23/2024)

02/26/2024 24

MOTION To Accept Amended Updated Supplemental Response by PALANI KARUPAIYAN. (Attachments: # 1 Amended Updated Supplemental Response to NJ 9 Motion to Dismiss)(1d)(Filing received from the ECF Help Desk Email) (Entered: 02/26/2024)

02/26/2024

Set/Reset Deadlines as to 24 MOTION To Accept Amended Updated Supplemental Response. Motion set for 4/1/2024 before Judge Esther Salas. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (Id.) (Entered: 02/26/2024)

03/01/2024 25

REPLY BRIEF to Opposition to Motion filed by UNITED STATES re 21 MOTION to Dismiss (JUNEAU, ANGELA) (Entered: 03/01/2024)

V. APPENDIX-C : US COURT OF APPEALS DOCKET ENTRIES

Court of Appeals Docket Docketed: 01/12/2024

#: 24-1067

In re: Palani Karupaiyan

Appeal From: United States District Court for the District of New Jersey

Fee Status: Due

Case Type Information:

- 1) original proceeding
- 2) Not Paid Mandamus
- 3) DC Civil Case

Originating Court Information:

District: 0312-2 : 2-23-cv-20928

Trial Judge: Esther Salas, U.S. District Judge

01/12/2024

1

42 pg, 3.19 MB

PETITION FOR WRIT OF MANDAMUS
DOCKETED. Notice filed by Petitioner Palani Karupaiyan. (SB) [Entered: 01/12/2024 11:19 AM]

01/12/2024

2

2 pg, 68.18 KB

NONCOMPLIANCE Order sent to Petitioner Palani Karupaiyan. It is noted that on January 9,

2024, Petitioner filed the above-captioned petition for writ of mandamus in the existing appeal docketed at No. 24-1044. As a petition for writ of mandamus is an original proceeding, it has been assigned a new case number aThere is a \$600 docketing fee for this petition. Because Petitioner did not submit the fee or a motion for leave to proceed in forma pauperis for the mandamus petition, action on the petition is deferred. Within fourteen (14) days of the date of this order, Petitioner must either remit payment of the \$600.00 filing fee or file a motion for leave to proceed in forma pauperis and affidavit. Petitioner must also provide a copy of the petition for writ of mandamus to the District Court judge. The petition will not be submitted to the Court until the filing fee or motion to proceed in forma pauperis and affidavit and the certificate of service are received. Compliance due 01/26/2024. (SB) [Entered: 01/12/2024 11:33 AM]

01/13/2024 3
6 pg, 151.05 KB

ECF FILER: Motion filed by Petitioner Palani Karupaiyan for leave to proceed In Forma Pauperis. Certificate of Service dated 01/13/2024. Service made by ECF. [24-1067] (PK) [Entered: 01/13/2024 02:14 PM]

01/13/2024 4
1 pg, 188.44 KB

ECF FILER: CERTIFICATE OF SERVICE for motion Proceed In Forma Pauperis, Petition for Writ of Mandamus. Service made on 01/13/2024 by ECF. [24-1067] (PK) [Entered: 01/13/2024 02:33 PM]

02/29/2024 5
1 pg, 9.3 KB

ORDER (Clerk) The Motion by Petitioner for Leave to Proceed In Forma Pauperis is granted: The Court may reconsider in forma pauperis status or request additional information at any time during the course of these proceedings. (SB) [Entered: 02/29/2024 09:31 AM]

03/06/2024 6
2 pg, 21.67 KB

FOLLOW UP LETTER to Attorney Angela Juneau, Esq. for Respondent USA requesting the following document(s): Appearance Form on or before 03/20/2024. (SB) [Entered: 03/06/2024 10:48 AM]

03/06/2024 7
2 pg, 21.64 KB

FOLLOW UP LETTER to Attorney Tanner M. Kingston, Esq. for Respondent State of New Jersey requesting the following document(s): Appearance Form on or before 03/20/2024. (SB) [Entered: 03/06/2024 10:53 AM]

03/08/2024 8
1 pg, 59.93 KB

ECF FILER: ENTRY OF APPEARANCE from Angela M. Cifelli, Deputy Attorney General on behalf of Appellee(s) State of New Jersey. [24-1044, 24-1067] (AC) [Entered: 03/08/2024 04:42 PM]

03/11/2024 9
1 pg, 59.89 KB

ECF FILER: LETTER MOTION from Party Palani Karupaiyan in 24-1044 Motion to request for allowing the Plaintiff/Appellant to file Amended

Brief after dist court final order. Certificate of Service dated 03/11/2024. Service made by ECF. [24-1044, 24-1067]--[Edited 03/14/2024 by SB] (PK) [Entered: 03/11/2024 03:28 PM]

03/13/2024 10
2 pg, 109.7 KB

ECF FILER: ENTRY OF APPEARANCE from Angela E. Juneau, AUSA on behalf of Appellee(s) United States of America. [24-1044, 24-1067] (AJ) [Entered: 03/13/2024 03:31 PM]

03/13/2024 11
2 pg, 113.56 KB

ECF FILER: ENTRY OF APPEARANCE from J. Andrew Ruymann, AUSA on behalf of Appellee(s) United States of America. [24-1044, 24-1067] (JAR) [Entered: 03/13/2024 03:48 PM]