

23-\_\_\_\_

In The  
SUPREME COURT OF THE UNITED  
STATES

PALANI KARUPAIYAN et al

v.

UNITED STATES et al

On Petition for Writ of Certiorari to  
United States Court of Appeals  
for the Third Circuit before judgment is  
entered in that Court (Dkt 24-1044)

APPENDIX FOR PETITION FOR A  
WRIT OF CERTIORARI

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

List of Appendix

I. Appendix – A : Order granting 45 days extension to Defendant US to Response the complaint. ....	1
II. Notice of appeal.....	3
III. Notice of Petition for mandamus .....	4
IV. Appendix-B : Dist Court Docket entries	5
V. Appendix-C : US Court of Appeals docket entries.....	17

**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*

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**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. (ld, ) (Entered: 10/16/2023)

10/17/2023 7

SUPPLEMENTAL exhibits from PALANI KARUPAIYAN. (ld)(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* (ld)(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. (ld, ) (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 (ld)(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 Being Appealed, # 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](http://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. (ld) (Entered: 02/23/2024)

02/26/2024 24

MOTION To Accept Amended Updated Supplemental Response by PALANI KARUPAIYAN. (Attachments: # 1 Amended Updated Supplemental Resposne to NJ 9 Motion to Dismiss)(ld)(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. (ld, ) (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