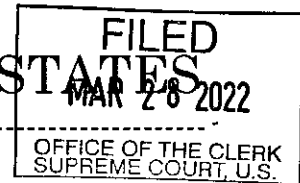


original

21-7532
No. 22-

ORIGINAL

IN THE
SUPREME COURT OF THE UNITED STATES



Palani Karupaiyan, *Petitioner*,

Vs.

INTERNATIONAL SOS;
ACCESS STAFFING, LLC;
KAPITAL DATA CORP;

DESSI NIKOLOVA, Individually and in her official capacity

as director, product engineering of the international SOS;

GREGORY HARRIS, Individually and in his official capacity as
team leader, mobile applications of the international SOS;

KUMAR MANGALA, Individually and in their official
capacity as founder and CEO of the Kapital Data Corp;

MIKE WEINSTEIN, Individually and in his official capacity as
principal product engineering of the Access Staffing LLC,

Respondents.

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)

I. QUESTIONS PRESENTED

- a) In Civil rights complaint, when the Plaintiff alleged that Joint-employers did not pay to the plaintiff is enough for FCP Rule 8(a)'s short and plain statement requirement?

Conley v. Gibson, 355 US 41 - Supreme Court 1957 @ 48 "Following the simple guide of Rule 8 (f) that "all pleadings shall be so construed as to do substantial justice"

Sullivan v. Little Hunting Park, Inc , 396 US 229 - Supreme Court 1969 @ 239-240

W]here federally protected rights have been invaded, it has been the rule from the beginning that courts will be alert to adjust their remedies so as to grant the necessary relief. And it is also well settled that where legal rights have been invaded, and a federal statute provides for a general right to sue for such invasion, federal courts may use any available remedy to make good the wrong done." Id., at 684.

- b) When the complaint survived for motion under FCP Rule 12(b)(6), Dist Court dismissed the complaint under Rule 8(a) and USCA 3rd circuit affirmed under Rule 8(a) is error?

Davis v. Ruby Foods, Inc., 269 F. 3d 818 - Court of Appeals, 7th Cir 2001 @ 821

"If the [trial] Court understood the allegations sufficiently to determine that they could state a claim for relief, the complaint has satisfied Rule 8." Kittay v. Kornstein, 230 F. 3d 531 - Court of Appeals, 2nd Circuit 2000 at 541

- c) When the plaintiff Independent Software engineer is not paid by the joint-employers for his Computer Software work to them. Should the Dist Court & USCA 3rd deny the copyright ownership to the plaintiff independent software engineer?

The Copyright Act of 1976 (Act 1976

17 U. S. C. §§ 201(a),

17 U.S.C. § 102(a).

U.S. Const. art. I, § 8, cl. 8

Community for Creative Non-Violence v. Reid, 490 US 730 –Supr. Ct 1989

d) United States Court of Appeals' one judge alone deliver the opinion for a unanimous Court?

I (a) PARTIES TO THE PROCEEDING

All parties appear in the caption of the case on the cover page

I (b) No related case(s)

II. Table of Contents

Contents

I. QUESTIONS PRESENTED	1
a) In Civil rights complaint, when the Plaintiff alleged that Joint-employers did not pay to the plaintiff is enough for FCP Rule 8(a)'s short and plain statement requirement?.....	1
b) When the complaint survived for motion under FCP Rule 12(b)(6), Dist Court dismissed the complaint under Rule 8(a) and USCA 3 rd circuit affirmed under Rule 8(a) is error?.....	1
c) When the plaintiff Independent Software engineer is not paid by the joint-employers for his Computer Software work to them. Should the Dist Court & USCA 3 rd deny the copyright ownership to the plaintiff independent software engineer?.....	1
d) United States Court of Appeals' one judge alone deliver the opinion for a unanimous Court?	2
I (a) PARTIES TO THE PROCEEDING	2
I (b) No related case(s).....	2
II. Table of Contents	3
Index to Appendices	4
III. Table of Authorities.....	5
IV. Petition for Writ Of Certiorari.....	7
V. Opinions Below.....	7
VI. Jurisdiction.....	7
VII.CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	8
Title –VII.....	8
Copyright	8
VIII. Statement of the Case.....	9
Dist Court Proceeding	9
USCA 3 rd Circuit proceeding.....	12
6 challenges in Petition for Panel and En Banc rehearing	13
a) The Plaintiff's SAC/Reconsideration should be reviewed under Rule 20 along with Rule 8 when the defendants were Joint employers.....	13

b) District Court ruling that the SAC does not specify which of the defendants each of the counts is directed toward is error when defendants were joint-employer	19
c) District Court denying the request to appoint attorney prejudiced the plaintiff.	22
d) When the complaint survived for motion under FCP Rule 12(b)(6), dismissing the complaint under Rule 8 is error.....	22
e) Appellant pray this Court to Reconsider the opinion that Pltf SAC is untimely.....	23
f) District Court denied of Plaintiff summary Judgment and motion for 50% copy-right of the software is error and this Court should reconsider it the affirmation on this matter.	23
IX. REASONS FOR GRANTING THE WRIT.....	25
a) In Civil rights complaint, when the Plaintiff alleged that Joint-employers did not pay to the plaintiff is enough for FCP Rule 8(a)'s short and plain statement requirement?.....	25
b) When the complaint survived for motion under FCP Rule 12(b)(6), Dist Court dismissed the complaint under Rule 8(a) and USCA 3rd circuit affirmed under Rule 8(a) is error?	28
c) When the plaintiff Independent Software engineer is not paid by the joint-employers for his Computer Software programming work to them. Should the Dist Court & USCA 3rd deny the copyright ownership to the plaintiff independent software engineer?.....	29
d) United States Court of Appeals' one judge alone deliver the opinion for a unanimous Court?	31
X. CONCLUSION.....	32
XI. Certificate of Compliance for Word Count and Font.....	32

Index to Appendices

1) Appendix A, Court of Appeals Opinion Dec 22, 2021.....	1a
2) Appendix B, Court of Appeals – Judgment	5a
3) Appendix C, District Court Order-dismiss the complaint on Apr 22 2021 ...	7a
4) Appendix D, Dist.Court Order ¹ - deny the reconsideration on Jun 25 2021.	16a
5) Appendix E, USCA Order Denying Rehearing.....	18a
6) Appendix E, USCA Order Denying Rehearing.....	18a

¹ USCA 3rd circuit ruled as Reconsideration motion.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.