Docket #0138 Date Filed: 9/5/2023

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:	§	
	§	
TEHUM CARE SERVICES, INC.	§	CASE NO. 4:23-BK-90086 (CML)
	§	
Debtor.	§	CHAPTER 11
	§	
ANANT KUMAR TRIPATI	§	
	§	Adversary No. 23-03072
Plaintiff,	§	
	§	
Vs.	§	
	§	
SARAH TIRSCHWELL, et al.	§	
	§	
	§	

JOINDER OF DEFENDANT WEBER GALLAGHER SIMPSON STAPLETON FIRES & NEWBY LLP IN SUPPORT OF STATE OF ARIZONA DEFENDANTS' MOTION TO SCREEN PLAINTIFF'S PRO SE INMATE ADVERSARY COMPLAINT AND REQUEST FOR AN EXTENSION OF TIME TO FILE A RESPONSIVE PLEADING

Comes Now, Weber Gallagher Simpson Stapleton Fires & Newby LLP ("Weber Gallagher" or "Defendant"), by and through its counsel, hereby files this Joinder in Support of State of Arizona Defendants' Motion to Screen Plaintiff's Pro Se Inmate Adversary Complaint and Request for an Extension of Time to File a Responsive Pleading, and respectfully states as follows:

BACKGROUND

1. Plaintiff is a pro se inmate currently serving in an Arizona state prison. *See State v. Tripati, Maricopa,* County Superior Court Nos CR 1992-008576-A, CR 1992-00960.

2. On May 1, 2023, Plaintiff Anant Kumar Tripati ("Plaintiff") filed his Verified Adversary Complaint by Anant Kumar Tripati [Doc. 1] ("Complaint") in the Bankruptcy Court

for the Southern District of Texas, thereby commencing the above referenced adversary proceeding.

3. In the Complaint, Plaintiff alleges that Defendant "obstruct[ed] justice" and "interfer[ed] in the administration" of justice through concealing evidence and submitting false statements. Complaint, ¶ 13. Further, Plaintiff alleges Defendant has participated in a scheme to commit fraud in violation of Arizona's civil racketeering statute ("Plaintiff's Allegations"). Complaint, ¶¶ 431-458.

4. Plaintiff's Allegations were previously dismissed in The United States District Court for the District of Pennsylvania due to lack of personal jurisdiction and Plaintiff's inability to properly state a claim for relief. *Tripati v. Wexford Health Sources, Inc.*, No. 2:20-CV-00427, 2022 WL 1516780 (W.D. Pa. Feb 14, 2022).

5. Plaintiff's vexatious nature has been recognized by various courts including the United States District Court for the District of Arizona, The United States Court of Appeals for the Ninth Circuit, and the United States Supreme Court. *Tripati v. Wexford Health Sources Inc.*, No. 22-1861, 2022 WL 17690156, at *1 n.2 (3d Cir. Dec. 15, 2022).

6. On June 5, 2023, Defendants Struck Love Bojanowski and Acedo, PL, Daniel P. Struck, Michael Gottfried, Betty Ulibarri, and Diane Bohuszewicz ("State of Arizona Defendants") filed their Motion to Screen Plaintiff's Pro Se Inmate Adversary Complaint and Request for an Extension of Time to File a Responsive Pleading [Dkt # 25] (the "Motion").

7. Defendant wishes to join the Motion filed by the State of Arizona Defendants.

ARGUMENT

8. Defendant hereby incorporates and joins in the arguments made in the Motion, and all papers filed in support thereof.

WHEREFORE, Defendant respectfully requests the Court 1) screen Plaintiff Anant Kumar Tripati's pro se inmate Complaint pursuant to 28 U.S.C. § 1915A, 2) extend the time for Defendant to answer or otherwise respond to the Complaint until 30 days after the Court issues a screening order, and 3) for and any further relief that the Court deems appropriate.

Dated: September 5, 2023

Respectfully submitted,

JACKSON LEWIS P.C.

/s/ Stephen E. Hart

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CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2023 I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas. I also served a copy on Plaintiff via mail at the following address:

Anant Kumar Tripati
102081
P.O. Box 8909
Yuma, AZ 85349
Pro Se Plaintiff

/s/ Stephen E. Hart
Stephen E. Hart