
In The
SUPREME COURT OF THE UNITED STATES

Alex Ryle

Applicant/Petitioner,

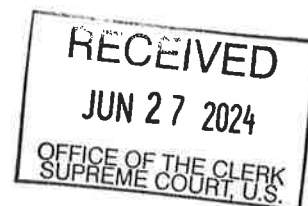
v.

Warden James T Vaughn Correctional Center;

Attorney General Delaware

Respondent.

Application for an Extension of Time Within
Which to File a Petition for a Writ of Certiorari to the
United States Supreme Court



APPLICATION FOR AN EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, Applicant Alex Ryle hereby requests a 60-day extension of time within which to file a petition for a writ of certiorari up to and including Friday, August 23, 2024.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgement for which review is sought is *Ryle v. May*, No. 23-2839 (attached as Exhibit 1). The United States Court of Appeals for the Third Circuit denied Applicant's petition for rehearing on March 25, 2024 (attached as Exhibit 2).

JURISDICTION

This Court will have jurisdiction over any timely filed petition for certiorari in this case pursuant to 28 U.S.C. § 1254(1). Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, a petition for a writ of certiorari was due to be filed on or before June 24, 2024. In accordance with Rule 13.5, this application is being filed more than 10 days in advance of the filing date for the petition for a writ of certiorari.

REASONS JUSTIFYING AN EXTENSION OF TIME

Applicant respectfully requests a 60-day extension of time within which to file a petition for a writ of certiorari seeking review of the decision of the United States Court of Appeals for the Third Circuit in this case, up to and including August 23, 2024.

1. Applicant is an inmate and is pro se. He needs adequate time to research and complete the petition using the prison's law library. This extension of time would allow Applicant the time necessary to complete a cogent and well-researched petition.
2. Applicant is attempting to find a lawyer or law school to help with the petition. Being incarcerated makes this harder to accomplish due to the way to contact these organizations is through the mail. An extension of time will permit the time necessary to receive a response and if representation is found give them the time to file the petition.
3. Applicant has a prior serious injury to his right hand which limits the speed in which he can type. Granting a 60-day extension will give him adequate time to type the petition.

CONCLUSION

For the foregoing reasons, Applicant respectfully requests that this Court grant an extension of 60 days up to and including August 23, 2024, within which to file a petition for a writ of certiorari.

Date: 5/31/2024

Respectfully submitted,



Alex Ryle
SBI #463547
James T. Vaughn Corr. Ctr.
1181 Paddock Road
Smyrna, DE 19977

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT

UNITED STATES COURT OF APPEALS

TELEPHONE

CLERK

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA 19106-1790

215-597-2995

Website: www.ca3.uscourts.gov



February 2, 2024

Elizabeth R. McFarlan
Office of Attorney General of Delaware
Delaware Department of Justice
820 N French Street
Carvel Office Building
Wilmington, DE 19801

Alex Ryle
James T. Vaughn Correctional Center
1181 Paddock Road
Smyrna, DE 19977

RE: Alex Ryle v. Warden James T Vaughn Correctional Center, et al
Case Number: 23-2839
District Court Case Number: 1-20-cv-00910

ENTRY OF JUDGMENT

Today, **February 02, 2024** the Court issued a case dispositive order in the above-captioned matter which serves as this Court's judgment. Fed. R. App. P. 36.

If you wish to seek review of the Court's decision, you may file a petition for rehearing. The procedures for filing a petition for rehearing are set forth in Fed. R. App. P. 35 and 40, 3rd Cir. LAR 35 and 40, and summarized below.

Time for Filing:

14 days after entry of judgment.

45 days after entry of judgment in a civil case if the United States is a party.

Form Limits:

3900 words if produced by a computer, with a certificate of compliance pursuant to Fed. R. App. P. 32(g).

15 pages if hand or type written.

Attachments:

A copy of the panel's opinion and judgment only.

Certificate of service.

Certificate of compliance if petition is produced by a computer.

No other attachments are permitted without first obtaining leave from the Court.

Unless the petition specifies that the petition seeks only panel rehearing, the petition will be construed as requesting both panel and en banc rehearing. Pursuant to Fed. R. App. P. 35(b)(3), if separate petitions for panel rehearing and rehearing en banc are submitted, they will be treated as a single document and will be subject to the form limits as set forth in Fed. R. App. P. 35(b)(2). If only panel rehearing is sought, the Court's rules do not provide for the subsequent filing of a petition for rehearing en banc in the event that the petition seeking only panel rehearing is denied.

Please consult the Rules of the Supreme Court of the United States regarding the timing and requirements for filing a petition for writ of certiorari.

Very truly yours,

Patricia S. Dodszuweit, Clerk

By: s/Laurie

Case Manager

267-299-4936

cc: Randall C. Lohan

BLD-057

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 23-2839

ALEX RYLE,

Appellant

v.

WARDEN JAMES T VAUGHN CORRECTIONAL CENTER; ATTORNEY
GENERAL OF DELAWARE

(D. Del. No. 1:20-cv-00910)

Present: BIBAS, MATEY, and CHUNG, Circuit Judges

Submitted is Appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1) in the above captioned case.

Respectfully,

Clerk

ORDER

The application for a certificate of appealability is denied because Appellant has not made a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c); Miller-El v. Cockrell, 537 U.S. 322, 338 (2003). Jurists of reason would agree without debate that Appellant was not entitled to relief under 28 U.S.C. § 2254 on his ineffective-assistance-of-appellate-counsel claim, see Strickland v. Washington, 466 U.S. 668, 688, 694 (1984); Estelle v. McGuire, 502 U.S. 62, 67–68 (1991) (noting that “it is not the province of a federal habeas court to reexamine state-court determinations on state-law questions”); Priester v. Vaughn, 382 F.3d 394, 402 (3d Cir. 2004) (applying rule in ineffectiveness context), on his challenge to the constitutionality of Delaware Superior Court Criminal Rule 61(i)(4), see Hassine v. Zimmerman, 160 F.3d 941, 954 (3d Cir. 1998) (explaining that claims raising errors by state courts in the state post-conviction process are not cognizable in federal habeas review; rather, federal habeas relief is available only to remedy constitutional errors at the trial or direct appeal level), or on his claim that his convictions and sentences violate the Double Jeopardy Clause, see Blockburger v. United States, 284 U.S. 299, 304 (1932) (“[W]here the same act or transaction constitutes a violation of two distinct statutory provisions, the test to be applied to determine whether there are two offenses or only one, is whether each provision requires proof of a fact which the other does not.”), because the elements of

Possession of a Firearm by a Person Prohibited (“PFBPP”) and Possession of Ammunition by a Person Prohibited (“PABPP”) are different from the elements of Carrying a Concealed Deadly Weapon (“CCDW”).

By the Court,

s/Stephanos Bibas

Circuit Judge

Dated: February 2, 2024
Lmr/cc: Alex Ryle
All Counsel of Record



A True Copy:

Patricia S. Dodszeit

Patricia S. Dodszeit, Clerk
Certified Order Issued in Lieu of Mandate

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 23-2839

ALEX RYLE,
Appellant

v.

WARDEN JAMES T VAUGHN CORRECTIONAL CENTER;
ATTORNEY GENERAL DELAWARE

(D. Del. No. 1:20-cv-00910)

SUR PETITION FOR REHEARING

Present: CHAGARES, Chief Judge, and JORDAN, HARDIMAN, SHWARTZ,
KRAUSE, RESTREPO, BIBAS, PORTER, MATEY, PHIPPS, FREEMAN,
and CHUNG, Circuit Judges

The petition for rehearing filed by Appellant in the above-captioned 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/Stephanos Bibas
Circuit Judge

Dated: March 25, 2024
Lmr/cc: Alex Ryle
Elizabeth R. McFarlan, Esq.