

No. _____

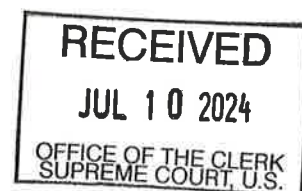
IN THE
SUPREME COURT OF THE UNITED STATES

William Hudson – PETITIONER
VS.
State of Delaware – RESPONDENT

ON MOTION FOR EXTENSION OF TIME TO FILE A PETITION FOR WRIT OF
CERTIORARI TO UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

MOTION FOR EXTENSION OF TIME

William Hudson, SBI#688958
James T. Vaughn Corr. Ctr.
1181 Paddock Road
Smyrna, DE 19977



RELIEF SOUGHT

Comes now, the Petitioner, William Hudson, who respectfully requests this Court to grant an extension of time to file a Petition for a Writ of Certiorari. Petitioner is applying for Certiorari for a denied Certificate of Appealability by the Third Circuit Court of Appeals for his Federal Habeas Corpus motion. An untimely Motion for Rehearing was filed, but Petitioner was granted leave to file said motion out of time. The Motion for Rehearing was denied on *May 8*, 2024. The Petitioner requests an extension of 60 days (extending to *October 7, 2024*).

TIMELINE

- The Certificate of Appealability was denied by the U.S. Court of Appeals for the Third Circuit on March 15, 2024 (EXHIBIT A), but received on April 3, 2024. (EXHIBIT B)
- The Motion for Rehearing/Rehearing en banc was submitted April 11, 2024.
- The Motion for Leave to File Petition for Rehearing Out of Time was submitted for the above rehearing motion on April 22, 2024.
- The Motion for Leave to File Petition for Rehearing Out of Time was granted on April 26, 2024. (EXHIBIT C)
- The Motion for Rehearing/Rehearing en banc was denied on *May 8, 2024*. (EXHIBIT D)

JURISDICTION

A Writ of Certiorari from a case of the Third Circuit Court of Appeals is authorized under 28 U.S.C. § 1254 in which a request for a Certificate of Appealability is denied for a Habeas Corpus Motion filed under 28 U.S.C. § 2254. This petition is timely as it is within the 90 days of the date of denial of an appropriately entertained untimely rehearing motion under Rule 11(1,2) of the Rules of the Supreme Court of the United States. A Motion for Extension of Time is allowed pursuant to Rule 13(5) of the Rules of the Supreme Court of the United States.

GROUNDS FOR MOTION

Good cause is established for this request for the following reasons:

1. The opponent will not be prejudiced if an extension is granted;
2. Petitioner is an inmate at the Vaughn Correctional Centre who has no working knowledge of the law or Federal Rules;
3. Petitioner is limited to time and access to the Prison Law Library and must do extensive research due to the extensive nature of the case.

CONCLUSION

For the above stated reasons, this Petitioner, William Hudson, respectfully requests this Court grant the Motion for Extension of Time.

6-19-24



William Hudson, SBI#688958
James T. Vaughn Corr. Ctr.
1181 Paddock Rd.
Smyrna, DE 19977

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CLD-080

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 23-2811

WILLIAM HUDSON, Appellant

VS.

WARDEN JAMES T VAUGHN CORRECTIONAL CENTER, ET AL.

(D. Del. Civ. No. 1-20-cv-00805)

Present: KRAUSE, FREEMAN, and SCIRICA, 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 foregoing request for a certificate of appealability is denied. We may issue a certificate of appealability "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). Hudson has not made such a showing as his claims lack arguable merit. See Strickland v. Washington, 466 U.S. 668, 687-96 (1984) (describing standard for claims of ineffective assistance of counsel); Brady v. Maryland, 373 U.S. 83, 87 (1967) (holding that due process is violated by the suppression of evidence favorable to a defendant where the evidence is material).

By the Court,

s/Arianna J. Freeman
Circuit Judge

Dated: March 15, 2024
CJG/cc: William Hudson
Carolyn S. Hake, Esq.



A True Copy:

Patricia S. Dodszeit

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

EXHIBIT

A

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 23-2811

WILLIAM HUDSON,
Appellant

v.

WARDEN JAMES T. VAUGHN CORRECTIONAL CENTER;
ATTORNEY GENERAL DELAWARE

(D. Del. No. 1-20-cv-00805)

Present: FREEMAN, Circuit Judge

1. Motion by Appellant for Leave to File Petition for Rehearing Out of Time

Respectfully,
Clerk/CJG

ORDER

The foregoing motion is granted.

By the Court,

s/ Arianna J. Freeman
Circuit Judge

Dated: April 26, 2024

CJG/cc: William Hudson
Carolyn S. Hake, Esq.

EXHIBIT

C

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 23-2811

WILLIAM HUDSON,
Appellant

v.

WARDEN JAMES T. VAUGHN CORRECTIONAL CENTER;
ATTORNEY GENERAL DELAWARE

On Appeal from the United States District Court
for the District of Delaware
(D.C. Civil No. 1-20-cv-00805)

SUR PETITION FOR REHEARING

Present: CHAGARES, *Chief Judge*, JORDAN, HARDIMAN, SHWARTZ, KRAUSE,
RESTREPO, BIBAS, PORTER, MATEY, PHIPPS,
FREEMAN, CHUNG, and *SCIRICA, *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/ Arianna J. Freeman
Circuit Judge

Dated: May 8, 2024

CJG/cc: William Hudson
Carolyn S. Hake, Esq.

*Judge Scirica's vote is limited to panel rehearing.

EXHIBIT

D

OFFICE OF THE CLERK
UNITED STATES COURT OF APPEALS
21400 U.S. COURTHOUSE
501 MARKET STREET
PHILADELPHIA, PA 19106

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

PHILADELPHIA PA 190

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Legal Mail:
Open in inmate's presence

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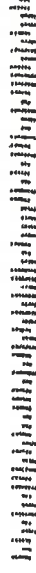
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JTVCC MAILROOM

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19877-347499



EXHIBIT

B

Certificate of Service

I, William Hudson hereby certify that I have served a true and correct cop(ies) of the attached Motion for Extension of Time upon the following parties/persons:

To: Carolyn Hake, Esq.
820 N. French St.
Wilmington, DE 19801

To:

To:

To:

BY PLACING SAME IN A SEALED ENVELOPE, and depositing same in the United States Mail at the James T. Vaughn Correctional Center, Smyrna, DE 19977.

On this 19th day of June, 2024



William Hudson

