

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

PAUL BROWN,
Petitioner

v

SUPERINTENDENT COAL TOWNSHIP SCI, et. al.
Respondent

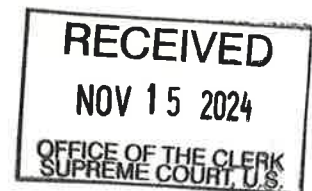
**MOTION FOR EXTENSION OF TIME TO FILE PETITION FOR WRIT
OF CERTIORARI TO THE THIRD CIRCUIT COURT OF APPEALS
No. 23-2376**

**TO THE HONORABLE JUDGES OF THE SUPREME COURT OF
THE UNITED STATES:**

COMES NOW, Paul Brown, Petitioner, pro se, and respectfully moves this Court pursuant to Rule 21 for an order extending the time to file a Petition for Writ of Certiorari, from the current date of November 26, 2024, for a period of 60 days, to January 25, 2025, because of the following reasons:

1. Petitioner received order dated 8/28/24 on 9/4/24 denying Petition for Rehearing in the United States Court of Appeal for the Third Circuit and thus had 90 days or until 11/26/24 to file Petition for Writ of Certiorari.

2. Petitioner immediately request a packet on 9/27/24 from this Court on 9/5/24 and received requested packet on 9/27/24 to assist in guiding and perfecting his petition.



3. Petitioner for no fault of his was instructed by prison staff at SCI-Benner Township to pack up all his property on 10/1/24 and was transferred to SCI-Coal Township on 10/3/24 and received his property of legal paper work on 10/8/24.


4. Petitioner was given one law library session per week at SCI-Coal Township and was only granted another session after pleading and confirming my court deadline.

5. Petitioner has only one chance to file his Petition for Writ of Centioraria and due to his sudden transfer, delays, lost of time suffered, limited law library sessions for research and typing, coupled with Petitioner's inexperience in the law, for no fault of his, he is in need of a 60 days extension in order to perfect his petition.

6. This motion is made in the interest of Justice and not meant to delay the proceedings.

WHEREFORE, base on the above, Paul Brown, urges this Honorable to grant an order extending the time by sixty (60) days to file Petition for Writ of Centiorari.

Respectfully submitted on this 4th day of November, 2024.



Paul Brown Md-1590, Pro Se
SCI-Coal Township
1 Kelley Drive
Coal Township, PA 17866

CERTIFICATE AND PROOF OF SERVICE

I, Paul Brown, pro se, hereby certify that I am this day serving the following document, upon the persons and in the manner indicated below, by U.S. First Class mail. Prison Mailbox Rule applied.

Office of the Clerk
Supreme Court of the United States
1 First St.
Washington, D.C. 20543

Mark S. Matthews. Esq.
Assistant District Attorney
Monroe County Courthouse
610 Monroe Street, Ste 126
Stroudsburg, PA 18360

VERIFICATION

The undersigned hereby executes this certificate under penalty of perjury pursuant to 28 U.S.C. §1746

Date: 11/4/24

Respectfully submitted



Paul Brown Md-1590, Pro Se
SCI-Coal Township
1 Kelley Drive
Coal Township, PA 17866

DLD-073

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 23-2576

PAUL A. BROWN, Appellant

VS.

SUPERINTENDENT BENNER TOWNSHIP SCI, et al.

(M.D. Pa. Civ. No. 3-19-cv-02037)

Present: JORDAN, PORTER, and PHIPPS, Circuit Judges

Submitted are:

- (1) Appellant's Motion for Certificate of Appealability;
- (2) Appellee's Memorandum in Opposition; and
- (3) Appellant's Reply Brief

in the above-captioned case.

Respectfully,

Clerk

ORDER

The request for a certificate of appealability is denied. Jurists of reason could not debate that, for essentially the reasons provided in the Magistrate Judge's report and recommendation and the District Court's memorandum order, the District Court properly dismissed Appellant's 28 U.S.C. § 2254 petition because Appellant failed to meet his burden regarding his ineffective assistance of counsel claims. See Slack v. McDaniel, 529 U.S. 473, 484 (2000).

By the Court,

s/David J. Porter

Circuit Judge

Dated: March 5, 2024
PDB/cc: Paul A. Brown
All Counsel of Record



A True Copy:

Patricia S. Dodszeit

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

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

215-597-2995

PHILADELPHIA, PA 19106-1790

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March 5, 2024

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Stroudsburg, PA 18360

RE: Paul Brown v. Superintendent Benner Township SCI, et al
Case Number: 23-2576
District Court Case Number: 3-19-cv-02037

ENTRY OF JUDGMENT

Today, **March 05, 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.

For the Court,

s/ Patricia S. Dodszuweit
Clerk

s/ pdb Case Manager

cc:

Mr. Peter J. Welsh

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 23-2576

PAUL A. BROWN,
Appellant

v.

SUPERINTENDENT BENNER TOWNSHIP SCI; ATTORNEY GENERAL
PENNSYLVANIA; DISTRICT ATTORNEY MONROE COUNTY

(D.C. Civil No. 3-19-cv-02037)

SUR PETITION FOR REHEARING

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

The petition for rehearing filed by appellant in the above-entitled 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 the Court en banc, is denied.

BY THE COURT,

s/ David J. Porter
Circuit Judge

Date: August 28, 2024
PDB/cc: Paul A. Brown
All Counsel of Record