

DLD-170

April 5, 2018

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **17-3662**

BOBBY KENNETH WILLIAMSON, Appellant

VS.

DISTRICT ATTORNEY PHILADELPHIA, et al.

(E.D. Pa. Civ. No. 2-14-cv-05964)

Present: JORDAN, SHWARTZ, and KRAUSE, Circuit Judges

Submitted are:

- (1) Appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1); and
- (2) Appellant's "Motion for Expansion of Pages"

in the above-captioned case.

Respectfully,

Clerk

ORDER

The foregoing application for a certificate of appealability is denied. For substantially the reasons given by the Magistrate Judge and the District Court, jurists of reason would not find it debatable that the District Court was correct in its procedural ruling, see Slack v. McDaniel, 529 U.S. 473, 484 (2000), that appellant's habeas corpus petition was untimely filed, see 28 U.S.C. § 2244(d)(1), that appellant failed to demonstrate a basis for any further equitable tolling, see Holland v. Florida, 560 U.S. 631, 652-53 (2010), and that appellant failed to demonstrate that the equitable exception to the limitation period set forth in McQuiggin v. Perkins, 569 U.S. 383, 399 (2013), applies to his case. Appellant's application for a certificate of appealability offers no

persuasive argument as to how the dismissal of his petition as untimely filed could be considered debatable or wrong. Appellant's motion to exceed the page limit is granted.

By the Court,

s/Patty Shwartz
Circuit Judge

Dated: April 10, 2018
SLC/cc: Bobby Kenneth Williamson
John W. Goldsborough, Esq.



A True Copy:

Patricia A. Dodszeit

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

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 17-3662

BOBBY KENNETH WILLIAMSON,
Appellant

v.

DISTRICT ATTORNEY PHILADELPHIA;
ATTORNEY GENERAL PENNSYLVANIA;
SUPERINTENDENT SMITHFIELD SCI

(E.D. Pa. No. 2-14-cv-05964)

SUR PETITION FOR REHEARING

Present: SMITH, Chief Judge, McKEE, AMBRO, CHAGARES, JORDAN,
HARDIMAN, GREENAWAY, JR., VANASKIE, SHWARTZ, KRAUSE, RESTREPO,
and BIBAS, 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 panel and the Court en banc, is denied.

BY THE COURT,

s/Patty Shwartz
Circuit Judge

Dated: June 12, 2018

kr/cc: Bobby Kenneth Williamson
John W. Goldsborough, Esq.