

Gennaro Rauso
FCI Allenwood -Low
ID# 48192-066
P. O. Box 1000
White Deer, PA 17887

IN THE UNITED STATES SUPREME COURT

Gennaro Rauso

v.

United States of America

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:
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No.

**MOTION FOR EXTENSION OF TIME BY WHICH TO FILE
PETITION FOR WRIT OF CERTIORARI**

Now comes, Gennaro Rauso, petitioner in the above captioned matter, requesting relief from this Honorable Court, for the issuance of an order granting him an extension of time by which to file his petition for writ of certiorari with regards to the judgment rendered by the United States Court of Appeals for the Third Circuit, hereinafter referred to as "THE THIRD CIRCUIT," in the case USA v. Rauso, (3d Cir. C.A. No. 18-1819), hereinafter referred to as "(THE 18-1819 APPEAL)," which court denied his petition for panel rehearing and or for suggestion for rehearing en banc, hereinafter referred to as "THE REHEARING PETITION," on November 30, 2018, and avers the following in support thereof:

1. On November 30, 2018, THE THIRD CIRCUIT denied THE REHEARING PETITION in (THE 18-1819 APPEAL).

2. Pursuant to Supreme Court Rule 13.1, 13.3 and 28 U.S.C. 2102(c), petitioner has Ninety (90) days from the date THE THIRD CIRCUIT denied THE REHEARING PETITION by which to file a petition for writ of certiorari in this court.

3. Ninety (90) days from November 30, 2018 would be February 28, 2019.

4. Petitioner, who is currently being held at LSCI-Allenwood, a Federal Correctional Institution, serving a One Hundred Sixty (160) month sentence of imprisonment imposed in the case USA v. Rauso, (E.D. Pa. No. 10-cr-406), since June, 2011, is not able to file his petition for writ of certiorari, meaningfully, by February 28, 2019 due to, among other reasons: (a) his access to the library, which is where the electronic law library computers on which he can do his legal research are located at LSCI-Allenwood, has been curtailed due to, among other reasons, (i) inclement weather, (e.g., excessive fog and or snow causing the institution's library to be closed), (ii) the government's latest shut down, (iii) he has been assigned to a work detail, commonly referred to as "Gate Pass," in which he works outside the prison no less than Seven to Eight (7-8) hours a day, Five (5) days a week, and, (iv) prison understaffing.¹

5. Pursuant to Supreme Court Rule 13.5, "for good cause shown," the court "may extend the time to file a petition for a writ of certiorari for a period not exceeding 60 days."

6. As a result of the aforementioned facts and circumstances, petitioner needs additional time by which he needs to not only finish researching the issues, etc. he intends to assert in, but also physically type, his petition for writ of certiorari.

Wherefore, for these reasons, petitioner requests this Honorable Court issues an order granting him an additional Sixty (60) days by which he is required to file his petition for writ of certiorari.

Respectfully Submitted

02-19-19
Date


Gennaro Rauso

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For this court's information, the typewriters are also located in the LSCI-Allenwood's library; and, as such, if petitioner cannot gain access to the library, he also is not able to physically type his petition for writ of certiorari.

DECLARATION

I, Gennaro Rauso, hereby declare under penalty of perjury, pursuant to 28 U.S.C. 1746, that the facts set forth herein are true and correct to the best of my knowledge, information and belief.

02/19/19
Date

Respectfully Submitted



Gennaro Rauso