

APPENDIX A

CLD-067

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 21-2868

GALINA RYTSAR,

Appellant

v.

SUPERINTENDENT CAMBRIDGE SPRINGS SCI

(E.D. Pa. Civ. No. 2:20-cv-06048)

Present: AMBRO, SHWARTZ, and BIBAS, Circuit Judges

Submitted are:

- (1) Appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1);
- (2) Appellant's supplement to her request for a certificate of appealability; and
- (3) Appellant's motion for appointment of counsel

in the above-captioned case.

Respectfully,

Clerk

ORDER

The request for a certificate of appealability is denied because jurists of reason would not debate the District Court's decision to deny Appellant's claims, for substantially the same reasons provided by the Magistrate Judge in her report. See Slack v. McDaniel, 529 U.S. 473, 484 (2000). Notably, Rytsar has failed to present a potentially viable basis for undermining the PCRA court's finding that trial counsel was not directed by Rytsar to file an appeal of her convictions and/or sentence. Cf. 28 U.S.C.

§ 2254(e)(1); Bennett v. Superintendent Graterford SCI, 886 F.3d 268, 282 (3d Cir. 2018). Accordingly, Appellant's request for a certificate of appealability is denied. Appellant's motion for appointment of counsel also is denied.

By the Court,



s/Thomas L. Ambro
Circuit Judge

Dated: February 2, 2022
ARR/cc:
Galina Ryster
Jill M. Graziano, Esq.

A True Copy:

A handwritten signature in cursive script, reading "Patricia S. Dodszeuweit".

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

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT
CLERK



UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
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PHILADELPHIA, PA 19106-1790
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February 2, 2022

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Bucks County Office of District Attorney
Bucks County Justice Center
100 North Main Street
Doylestown, PA 18901

Galina Rytsar
Cambridge Springs SCI
451 Fullerton Avenue
Cambridge Springs, PA 16403

RE: Galina Rytsar v. Superintendent Cambridge
Case Number: 21-2868
District Court Case Number: 2-20-cv-06048

ENTRY OF JUDGMENT

Today, **February 02, 2022** 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. Dodszeit, Clerk

By: s/ Aina, Legal Assistant
Direct Dial: 267-299-4957

APPENDIX B

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GALINA RYTSAR

v.

SUPERINTENDENT; STATE CORRECTIONAL
INSTITUTION AT MUNCY, PENNSYLVANIA

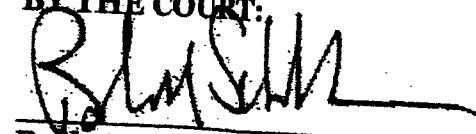
: CIVIL ACTION

: NO. 20-6048

ORDER

AND NOW, this 9th day of September, 2021, Petitioner's application for certificate of appealability (document #35) is hereby **DENIED** as previously ruled in this Court's Order dated August 20, 2021 (document #34). Petitioner is directed to file an appeal with the Third Circuit Court of Appeals if she wishes to continue to pursue relief in this matter.

BY THE COURT:



Berle M. Schiller, J.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GALINA RYTSAR

CIVIL ACTION

v.

SUPT., SCI-MUNCY, *et al.*

NO. 20-6048

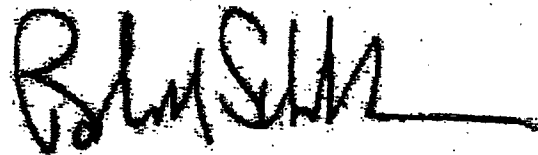
ORDER

AND NOW, this 20th day of August, 2021, upon consideration of the Petition for Writ of Habeas Corpus, the Commonwealth's Answer, Petitioner's Reply, the other documents filed by the parties, and after review of the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, and Objections thereto, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for a Writ of Habeas Corpus is **DISMISSED** and **DENIED**, without an evidentiary hearing; and
3. Petitioner has neither shown denial of a federal constitutional right, nor established that reasonable jurists would disagree with this court's procedural disposition of his claims. Consequently, a certificate of appealability is **DENIED**.

IT IS SO ORDERED.

BY THE COURT:



Berle M. Schiller, J.

APPENDIX C

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 21-2868

GALINA RYTSAR,

Appellant

v.

SUPERINTENDENT CAMBRIDGE SPRINGS SCI

(E.D. Pa. No.: 2-20-cv-06048)

SUR PETITION FOR PANEL REHEARING

Present: AMBRO, SHWARTZ, 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, it is hereby

ORDERED that the petition for rehearing by the panel is denied.

BY THE COURT,

s/ Thomas L. Ambro
Circuit Judge

Dated: March 16, 2022
ARR/cc: GR; JMG

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 21-2868

GALINA RYTSAR,

Appellant

v.

SUPERINTENDENT CAMBRIDGE SPRINGS, SCI

(E.D. Pa. No.: 2-20-cv-06048)

Present: AMBRO, Circuit Judge

Motion by Appellant for Appointment of Counsel.

Respectfully,
Clerk/arr

ORDER

The Motion by Appellant for Appointment of Counsel is denied.

BY THE COURT,

s/ Thomas L. Ambro
Circuit Judge

Dated: March 16, 2022
ARR/cc: GR; JMG

**Additional material
from this filing is
available in the
Clerk's Office.**