

No. _____

**In The
SUPREME COURT OF THE UNITED STATES**

**ROBERT J. RICE,
*Petitioner,***

v.

**UNITED STATES OF AMERICA,
*Respondent.***

**Application for an Extension of Time to File
a Petition for a Writ of Certiorari to the
United States Court of Appeals for the Third Circuit**

**APPLICATION TO THE HONORABLE
SAMUEL A. ALITO, JR., AS CIRCUIT JUSTICE**

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Counsel for Applicant-Petitioner

January 17, 2024

PARTIES TO THE PROCEEDINGS

The petitioner herein, who was the defendant-appellant below, is Robert Rice.

The respondent herein, which was the appellee below, is the United States of America.

APPLICATION FOR EXTENSION OF TIME

Pursuant to Rule 13.5 of the Rules of this Court, the applicant-petitioner herein requests a 30-day extension of time within which to file a petition for a writ of certiorari, to and including February 17, 2024.

JUDGMENT FOR WHICH REVIEW IS SOUGHT

The judgment for which review is sought is the decision of the U.S. Court of Appeals for the Third Circuit in the related case captioned *United States v. Rice* (No. 23-2221). A copy of the decision is attached as an exhibit to this application.

JURISDICTION

The Third Circuit entered judgment in this case on October 20, 2023. Under Rules 13.1, 13.3, and 30.1 of the Rules of this Court, the current deadline for the filing of a petition for a writ of certiorari in this case is January 18, 2024. This Court will have jurisdiction over any timely filed petition pursuant to 28 U.S.C. § 1254(1).

REASONS JUSTIFYING AN EXTENSION OF TIME

The requested extension is warranted in light of petitioner's current place of incarceration FCI Elkton, Lisbon, Ohio. The undersigned experienced delays in arranging a legal call with petitioner, which did not occur until January 17, 2024. Once that call occurred, it was discovered that there are documents in petitioner's possession that are necessary to support his certiorari application. Given his incarcerated status, additional time is required for those documents to be transmitted and received by counsel. These unforeseen circumstances will delay preparation and completion of a petition for a writ of certiorari. No prior extension has been requested.

To provide undersigned counsel with adequate time to obtain and review the relevant documents from petitioner, further review the record in this case, thoroughly analyze applicable law, and prepare a petition for a writ of certiorari that will assist this Court in resolving this matter, a 30-day extension of the period for filing a petition is appropriate in order to effectively prepare the petition for writ of certiorari on Mr. Rice's behalf.

CONCLUSION

For the foregoing reasons, the applicant-petitioner respectfully requests that this Court grant a 30-day extension, to and including February 17, 2024, in which to file a petition for a writ of certiorari.

Dated: January 17, 2024

Respectfully submitted,

Edward J. Rymsza

/s/ Edward J. Rymsza
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CERTIFICATE OF SERVICE

I, Edward J. Rymsza, do hereby certify that, on this 17th day of January, 2024,

I caused copies of this Application for Extension of Time to be served on the following parties by electronic mail:

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January 17, 2024

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