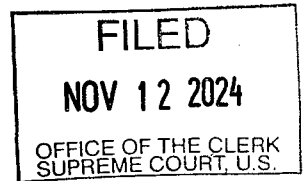


No. 24-6648



IN THE
SUPREME COURT OF THE UNITED STATES

James A. Wolfe — PETITIONER
(Your Name)

vs.

John Rivello et al — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

United States Court of Appeals Third Circuit
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

James A. Wolfe # EP9297
(Your Name)

1100 Pike Street SCI Huntingdon
(Address)

Huntingdon Pa 16654
(City, State, Zip Code)

N/A
(Phone Number)

QUESTION(S) PRESENTED

1. Is the United States District Court for the Middle District of Pennsylvania on its date/time in error.
2. Did the United States district court for the Middle District of Pennsylvania abuse its discretion in not granting default judgment under Federal Rule of Civil Procedure
3. Did the United States District court for the Middle District of Pennsylvania abuse its discretion by Clerk of Court not granting default judgment that is automatic under federal Rules of Civil Procedure regarding 60 day rule on Service of Answer to Complaint under Rule 4(d) of federal rules of civil procedure.
4. Did the District Judge abuse his discretion in denying Petition without an evidentiary hearing to determine extent of Petitioner's injuries
5. Did the District Judge abuse his discretion in dismissing Prisoner/Petitioner's claims with prejudice as prisoner is still in custody of Defendant/Respondents

LIST OF PARTIES

[] All parties appear in the caption of the case on the cover page.

[X] All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

John Rivello Barbara Hollibaugh Mark Grimme
Megan Yost Jessica Cousins

RELATED CASES

24-5039 United States Supreme Court
James A. Wolfe v. John Rivello et al

24-1915 United States Court of Appeals for
the Third Circuit

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Federal Rule of civil Procedure 4

OTHER

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☒ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix A to the petition and is 2020 Pa Commw Unpub LEXIS 314, 229 A.3d 55
☒ reported at Pa Cmwlth Ct 624 M.D. 2019; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix B to the petition and is ~~2020 Pa Commw Unpub LEXIS 314~~
☐ reported at ~~Pa Cmwlth unpub LEXIS 314~~; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was ~~November 5, 2024~~. November 5 2024

☐ No petition for rehearing was timely filed in my case.

☒ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: November 5, 2024, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☐ For cases from **state courts**:

The date on which the highest state court decided my case was _____.
A copy of that decision appears at Appendix _____.

☐ A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

due process of law

STATEMENT OF THE CASE

Petitioner was denied due process of law by date / time of the U.S. District court that is significant in interest of a fair administration of Justice.

Petitioner was denied due process of law by being denied an evidentiary hearing significant to the truth determining process and judicial decision making

REASONS FOR GRANTING THE PETITION

The issues in question presented to this Honorable Court call of the integrity of the Judicial reasoning in its decision making by the United States District Court

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

James A. Wasefe

Date: December 26, 2024