

IN THE SUPREME COURT
FOR THE UNITED STATES OF AMERICA

CURTIS JAMES RUMSEY,
Petitioner,

v.

Cert. #

7th Cir Appeal No 24-2955

CHRIS S. BUESGEN,
Respondent.

MOTION TO EXTEND THE TIME TO
SUBMIT PETITION FOR WRIT OF CERTIORARI

The Petitioner, Curtis James Rumsey, does respectfully move this Court, pursuant to S.Ct. Rule 13(5), to extend the time to petition this Court for a writ of certiorari based on good cause. He is asking for (60) days, the reasons in support are as follows:

1. The Seventh Circuit denied a petition for a panel rehearing and rehearing en banc on June 3rd, 2026. Case No. 24-2955.

2. It found the petition substantial enough to order the Respondent to respond to why rehearing en banc should not be granted.

3. It is in the interest of justice that this Court get the opportunity to enforce its own precedent when lower courts blatantly disregard its holdings — as was the case here.

4. Specifically, a certificate of appealability should be normal course so long as the petition for habeas corpus has "some merit," see Martinez v. Ryan, 566 U.S. 1 (2012), at *14 (holding a "substantial claim" is one that has "some merit"); and because there are no procedural defaults involved in this case, no rational jurist could conclude the claims presented don't have "some merit," and thus, the low threshold for a COA was clearly met, and both the district court, and the Seventh Circuit's refusal to grant one is contemptuous to this Court's decisions in Slack v. McDaniel & Miller-El v. Cockrell

5. To be sure, a quick glance at the Petition for a certificate of appealability in Seventh Circuit Appeal No. 24-2955, WI Western District court (case No 23-c-1252, will confirm. In a case with physical evidence favoring the Defendants innocence, (SANE exam + recording of complainant admitting to making up story), and the complainant's trial testimony radically inconsistent and contradictory, the prosecutor said in closing: "Moving on to some other witnesses, her mother testified about the disclosure... and I submit to you that SHE WAS HONEST. She certainly wasn't proud, but SHE WAS HONEST... SHE TOLD YOU THE TRUTH... Listen to the testimony and hear the evidence, and your job is to search for the truth. THE TRUTH HERE IS THAT THIS DEFENDANT SEXUALLY ABUSED [MR]... And if this would be a lie, which it's not, this would be QUITE CONVOLUTED, COMPLICATED LIE OF THE CENTURY for a 10-year-old to make up because IT'S NOT MADE UP, IT'S THE TRUTH. See Dkt. 8:26 (quoting record)"

Prejudice is therefore manifest - the trial was infected with unfairness & counsel did not object.

6. Accordingly, it's unfathomable as to how the Seventh circuit would decline to grant a CoA when they themselves stated, "The Supreme Court has stated that when a prosecutor improperly vouches for a witness's credibility, and the case is not otherwise a strong one, "prejudice to the cause of the accused is so highly probable that we are not justified in assuming its nonexistence." Jordan v. Hepp, 831 F.3d 837, 848 (7th cir. 2016)

7. The petition for a writ of certiorari clearly ~~will~~ present a valid constitutional claim (due process & IAC failure to object), and this Court is not wasting its time in granting the requested (60) day extension.

8. Rumsey depends fully on the help of another inmate who is familiar with the complexities of the law, and the pleading requirements of this Court, and because prison imposes limitations on how and when inmates can assist each other,...

he will be unable to complete a meaningful petition for a writ of certiorari within the (90) days from the Seventh Circuit's order denying rehearing.

9. Even with "extra" law library time, Rumsey only has access to his legal files to work on ~6 hours a week... this pales in comparison to a 40+ hour work week of a lawyer, with paralegals and infinite online resources — and even these have difficulty in meeting the 90 day deadline.

10. This Court should conclude that Rumsey's dependency upon others to assist him, coupled with only ~6 hours of access to his legal files is good cause to extend the time to file a petition for a writ of certiorari so that it is fully informative for the Court's consideration and compliant with the rules.

Respectfully submitted

on 8/5/26

C. Rumsey

Curtis Rumsey # 431662
Stanley Correctional Institution
100 Corrections Dr.
Stanley, WI 54768

ECF: Wisconsin Assistant Attorney General
(Counsel for Respondent)

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted April 9, 2026
Decided April 20, 2026

Before

AMY J. ST. EVE, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

No. 24-2955

CURTIS JAMES RUMSEY,
Petitioner-Appellant,

v.

CHRIS S. BUESGEN,
Respondent-Appellee.

Appeal from the United States District
Court for the Eastern District of
Wisconsin.

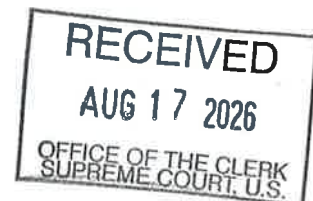
No. 2:23-cv-01252-WCG

William C. Griesbach,
Judge.

ORDER

Curtis Rumsey has filed a notice of appeal from the denial of his petition under 28 U.S.C. § 2254 and an application for a certificate of appealability. This court has reviewed the final order of the district court and the record on appeal. We find no substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2).

Accordingly, the request for a certificate of appealability is DENIED. Rumsey's other motions are DENIED.



United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

June 3, 2026

Before

AMY J. ST. EVE, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

No. 24-2955

CURTIS JAMES RUMSEY,

Petitioner-Appellant,

Appeal from the United States District
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v.

No. 2:23-cv-01252-WCG

CHRIS S. BUESGEN,

Respondent-Appellee.

William C. Griesbach,
Judge.

ORDER

On consideration of appellant's petition for panel rehearing and rehearing en banc, no judge in regular active service has requested a vote on the petition for rehearing en banc and the judges on the original panel have voted to deny the petition for panel rehearing. It is, therefore, **ORDERED** that the petition for panel rehearing and rehearing en banc is **DENIED**.

Declaration of Mailing

I, Curtis Rumsey, declare under the penalty of perjury, and under the laws of the United States of America, that on the below-stated date, I placed an envelope containing the motion to extend time and accompanying orders from the Seventh-circuit, in the prison's mailbox, with firstclass postage prepaid, to be delivered to the Clerk of the U.S. Supreme Court.

Date. 8/5/26

C. Rumsey

Curtis Rumsey #431662
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