

NO.

IN THE SUPREME COURT OF THE UNITED STATES

RYAN JIVARO WHITAKER - PETITIONER

VS.

ERIC GUERERRO, DIR. TDCJ, - RESPONDENT.

ON PETITION FOR A WRIT OF CERTIORARI TO
APPEALS COURT OF THE UNITED STATES,
FOR THE FIFTH CIRCUIT
IN CIVIL ACT. NO. 25-20493

On Appeal from the United States District Court
for the Southern District of Texas
Houston Division
USDC NO. 4:24-CV-2353

CORRECTED MOTION FOR EXTENSION OF TIME TO FILE PETITION OF WRIT OF CERTIORARI
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RYAN JIVARO WHITAKER
TDCJ #02247285
ELLIS UNIT
HUNTSVILLE, TEXAS

IN THE SUPREME COURT OF THE UNITED STATES

RYAN JIVARO WHITAKER,
PETITIONER,

v.

ERIC GUERERRO, DIR., TDCJ.,
RESPONDENT.

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NO. _____

ON PETITION FOR WRIT OF CERTIORARI
TO THE U.S. COURT OF APPEALS, FOR THE
FIFTH CIRCUIT, AT NEW ORLEANS

PETITIONER'S MOTION FOR AN EXTENSION OF TIME (CORRECTED)
TO FILE PETITION FOR WRIT OF CERTIORARI

TO THE HONORABLE CLERK OF THE COURT:

COMES NOW, RYAN JIVARO WHITAKER, "PETITIONER", by and through Pro-se, respectfully moves this court for an order permitting an extension of time, to file a Petition for Writ of Certiorari, not to exceed (30) days.

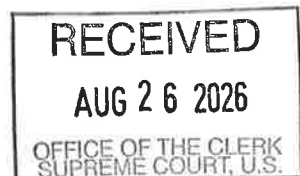
In support of this Motion, Petitioner attests;

I.

The Supreme Court has vested jurisdiction under statute, Art. III of the U.S. Constitution, 28 U.S.C. § 1251, and the ELEVENTH Amendment, of the U.S. Constitution concerning a Writ of Certiorari, as the Honorable Clerk of the Court has jurisdictional authority pursuant to Rule-30.4. in the first instance, to render a ruling on a letter, or motion. see: Rule 30.4

II.

The U.S. District Court for the Southern District of Texas, at the Houston Division, rendered a judgment in civil action number: 4:24-cv-2353, denying Petitioner requested relief on the Federal Habeas Corpus Petition §2254. Petitioner timely appealed and moved to the Fifth Circuit U.S. Court of Appeals in New Orleans, Louisiana. On April 30, 2026, the court issued a judgment, and the mandate in an unpublished order. (Attached) Petitioner was offically informed of the Courts ruling on May 6, 2026.



III.

Pursuant to the Courts' rule, Rule 13, Petitioner has 90 days to file a Petition for Writ of Certiorari, seeking review of the Courts judgment. The 90 days inccurs from the date of entry. The current last day to file this Writ of Certiorari is July 29, 2026. Petitioner had approximately 43 days remaining to file his Writ of Certiorari, during the original Motion seeking an extension of time. Petitioner has made the required corrections and now, resubmitts the Motion seeking an expension of time to file a Writ of Certiorari.

IV.

Petitioner makes the current motion seeking an extension of time in good faith, as good cause is shown. see: Original Petition/Motion seeking a timely extension of time to file a writ of certiorari. (Attached) Petitioner shows anextraordinary circumstance has caused his inability to timely file a writ of certiorari in the time required by Rule.

V.

Petitioner has demonstrated, and shown extraordinary reason and provided compelling reasons why an extension of time is appropriate. Additionally, Pettioner avers, there is compelling reasons to present an important Federal question, to the U.S. Supreme Court that is of imperative importance to the public, and may aid the court in it's Appellate jurisdiction.

WHEREFORE PREMISES CONSIDERED, and for those reasons above as presented herein, Petitioner Ryan Jivaro Whitaker, prays you GRANT this motion for an extention of time of (30) days after receiving this motion, to permit the Petitioner to timely file a writ of certiorari.

SIGNED AND EXECUTED, on this 6 day of August 2026,

Respecftfully submitted,



Ryan J. Whitaker,
Petitioner
TDCJ- #02247285
Huntsville, Texas 77343

INMATE UNSWORN DECLARATION

This is to certify, the folloeing statements made herein, are true and correct as based on my personal knowledge and information and hereby, placed under penalty of perjury, pursuant to 28 U.S.C. § 1746. Wherefore I, Ryan Jivaro Whitaker do attest and certify a true and original copy of the foregoing application, Motion for an Extension of Time to file a Writ of Certiorari (Corrected), is made in compliance to Rule 30.2 and filed in accord to the (10) day prior of the current deadline, as the original filed application provides. This Motion is an extension of the same, as corrections have been made and resubmitted.



Ryan Jivaro Whitaker
TDCJ #02247285
Ellis Unit

CERTIFICATE OF SERVICE

This is to certify, I, Ryan Jivaro Whitaker, has placed a true and correct and original copy of the following foregoing document entitled: Motion for Extension of time to filw Writ of Certiorari (Corrected), in the prison designated U.S.Postal mailbox for outgoing mail, addressed to; Supreme Court of the U.S., attn. Mrs. Rashonda Garner, 1 Fist St. N.E., Washington, D.C. 20543-0001, on this 6 day of August 2026.



Ryan J. Whitaker
TDCJ #02247285
Ellis Unit -
Petitioner

August 6, 2026

To: Supreme Court of the United States
Office of the Clerk
attn: Mrs Rashonda Garner
1 FIRST ST. N.E.
Washington, D.C. 20543-0001

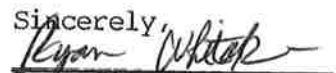
Fr: Mr. Ryan Whitaker
TDCJ- #2247285
Ellis Unit
1697 FM 980
Huntsville, Texas 77343

Re: Find enclosed; Corrected Application

Dear Mrs. Garner,

Hello. Please find enclosed mt corrected Application, as it relates to my original application received on July, 1, 2026 and postmarked June, of 17th, 2026. I am returning the application for an extension of time not to exceed (30) days to permit me to timely file my Writ of Certiorari to the Court. Because a corrected copy of the original application has been made, I have attached the lower courts opinion I received on May 6, 2026 to permit the determination of timeliness of my first original application as it relates to my request for an expansion of time. Thank you for your time, and assistance.

A copy of the corrected application was served on opposing Counsel.

Sincerely,

Ryan Jivaro Whitaker
Petitioner

United States Court of Appeals
for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

April 9, 2026

Lyle W. Cayce
Clerk

No. 25-20493

RYAN JIVARO WHITAKER,

Petitioner—Appellant,

versus

ERIC GUERRERO, *Director, Texas Department of Criminal Justice,
Correctional Institutions Division,*

Respondent—Appellee.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:24-CV-2353

UNPUBLISHED ORDER

Before GRAVES, HO, and DOUGLAS, *Circuit Judges.*

PER CURIAM:

IT IS ORDERED that Appellant's motion for a certificate of
appealability is DENIED.



A True Copy
Certified order issued Apr 30, 2026

Lyle W. Cayce
Clerk, U.S. Court of Appeals, Fifth Circuit