

No. 25A-__

IN THE SUPREME COURT OF THE UNITED STATES

CHARLES SCHIAVO,

Applicant,

v.

TD BANK USA, N.A. and CLOVER NETWORK, LLC,

Respondents.

APPLICATION FOR AN EXTENSION OF TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF DELAWARE. To the Honorable Samuel A. Alito, Jr., Associate Justice of the Supreme Court of the United States and Circuit Justice for the Third Circuit: Pursuant to Supreme Court Rule 13.5, Applicant Charles Schiavo, pro se, respectfully requests a 60-day extension of time to file a petition for a writ of certiorari, to and including November 19, 2026. The Delaware Supreme Court issued its judgment on June 22, 2026. The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a). Therefore, the time to file a petition for a Writ of Certiorari expires on September 20, 2026. This application is filed more than ten days before that date.

Good cause exists for this request: Applicant is proceeding pro se and requires additional time to prepare a clear and concise petition. Applicant has requested the audio recordings and transcripts of the Superior Court Oral Argument and Rule to Show Cause hearing, which have not yet been received and are necessary to complete the petition. The Applicant requires additional time to review the record and conduct legal research. No party will be prejudiced by this extension. Counsel for Respondents has been notified.

WHEREFORE, Applicant respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari by sixty (60) days, to and including November 19, 2026. Respectfully submitted, Charles Schiavo

Charles Schiavo, Applicant Pro Se

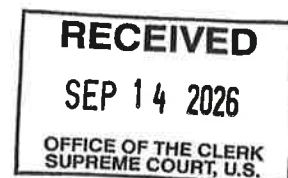
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Dated: September 10, 2026



APPENDIX — Judgment of the Supreme Court of the State of Delaware dated June 22, 2026

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CHARLES SCHIAVO,

Plaintiff Below,
Appellant,

v.

TD BANK USA NATIONAL
ASSOCIATION and CLOVER
NETWORK, LLC,

Defendants Below,
Appellees.

§

§ No. 365, 2025

§

§ Court Below—Superior Court
§ of the State of Delaware

§

§ C.A. No. N24C-07-135

§ C.A. No. N24C-08-107

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Submitted: April 10, 2026

Decided: June 22, 2026

Before **SEITZ**, Chief Justice; **TRAYNOR** and **LEGROW**, Justices.

ORDER

After consideration of the parties’ briefs and the record on appeal, we find it evident that the judgments below should be affirmed on the basis of and for the reasons assigned by the Superior Court in its opinions dated July 28, 2025.¹

¹ *Schiavo v. Clover Network, LLC*, 2025 WL 2121436 (Del. Super. Ct. July 28, 2025); *Schiavo v. TD Bank USA Nat’l Ass’n*, 2025 WL 2124176 (Del. Super. Ct. July 28, 2025). The Court has also considered the appellant’s motion to supplement the record with audio recordings of the proceedings below and for oral argument. *First*, oral argument takes place at the designation of the Court. Del. Supr. Ct. R. 16(a). Here, the Court determined that oral argument was unnecessary because the parties’ briefs set forth the relevant facts and arguments. *Second*, the record on appeal consists of the original papers, including photographs, documentary exhibits, and the prepared transcript. Del. Supr. Ct. R. 9(a), (b). It does not include the audio recordings of the proceedings. To the extent that the appellant believes that the prepared transcripts—which he did not request—contain errors or omissions, the Superior Court retains the sole authority to review them for accuracy. *Parker v. State*, 205 A.2d 531, 533 (Del. 1964) (“It is clear to us that [this Court has] no

NOW, THEREFORE, IT IS ORDERED that the judgments of the Superior Court be AFFIRMED.

BY THE COURT

/s/ Gary F. Traynor
Justice

power to conduct hearings of any kind to determine the fact as to whether or not this transcript is a correct recording of what took place at the trial...."). The appellant's motion to supplement the record and for oral argument is accordingly DENIED.

CERTIFICATE OF SERVICE

I, Charles Schiavo, hereby certify that on September 10, 2026, I served a true and correct copy of the foregoing Application for an Extension of Time to File a Petition for a Writ of Certiorari upon counsel for Respondents via Certified U.S. Mail, Return Receipt Requested, addressed as follows:

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9-10-2026