

XAVIER BECERRA
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State of California
DEPARTMENT OF JUSTICE



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July 3, 2018

The Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
1 First Street, N.E.
Washington, DC 20543

RE: *Rowland v. Chappell*
United States Supreme Court Case No. 18-5039

Dear Mr. Harris:

I am counsel of record for the respondent, Kevin Chappell, in this capital case. A response to the petition for writ of certiorari is due on July 30, 2018. Pursuant to rule 30.4 of the Rules of the Supreme Court of the United States, respondent respectfully requests a 30-day extension of time, to and including Wednesday, August 29, 2018, to file an opposition.

This is respondent's first request for an extension of time to file a response. This matter was placed on the docket on June 29, 2018. I am presently completing a supplemental brief in a capital case in the Ninth Circuit Court of Appeals which is due on August 2, 2018. Further, Donald DeNicola, the Deputy Solicitor General who is also assigned to this case is out of the office until July 19, 2018.

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On July 3, 2018, counsel for petitioner, Michael R. Levine, informed me that he does not oppose a request for an extension of time in this case.

Sincerely,

/s/ Alice B. Lustre

ALICE B. LUSTRE
Deputy Attorney General
Counsel of Record

For XAVIER BECERRA
Attorney General

AL:

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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *Guy Kevin Rowland v. Kevin Chappell, Warden*

Case No.: **18-5039**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004.

On July 3, 2018, I served the attached **LETTER RE REQUEST FOR EXTENSION OF TIME TO FILE OPPOSITION** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at San Francisco, California, addressed as follows:

Joel Levine
Attorney at Law
A Professional Corporation
695 Town Center Drive, Suite 875
Costa Mesa, CA 92626

Michael R. Levine
Attorney at Law
Levine & McHenry LLC
1001 SW Fifth Avenue, Suite 1414
Portland, OR 97204

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 3, 2018, at San Francisco, California.

M. Mendiola

Declarant

/s/ M. Mendiola

Signature