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**State of California**  
**DEPARTMENT OF JUSTICE**



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August 6, 2018

**Via Electronic Filing System and Federal Express**

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

RE: *Ricky Lee Earp v. Ron Davis, Warden*  
No. 18-5252  
Request for Extension of Time to File Brief in Opposition to Petition for Writ of  
Certiorari

Dear Mr. Harris:

I represent the respondent, Ron Davis, in the above-entitled case. The petition for a writ of certiorari was filed on July 13, 2018, after this Court granted petitioner's unopposed request for an extension of time to file the petition. The brief in opposition to the petition is currently due on August 16, 2018. Pursuant to Rule 30.4, I request that the time for filing that brief be extended by thirty-two days, to Monday, September 17, 2018.

I am requesting additional time because I was out of the office on a family vacation from July 18-20, 2018, and I will be away from the office attending a conference from August 7-10, 2018. In addition, my supervisory responsibilities have absorbed the bulk of my time since the petition was filed; as capital case coordinator for the Los Angeles Office of the California Attorney General, I have supervisory responsibility over more than 250 capital cases. I have begun working on the brief in opposition, and it is my intention to file it within the period contemplated by this request.

Robert Gerstein, counsel of record for petitioner, has no objection to the Court granting this request.

Accordingly, I request that the due date for the brief in opposition to the petition for a writ of certiorari be extended to September 17, 2018.

Respectfully submitted,

JAMES WILLIAM BILDERBACK II  
Supervising Deputy Attorney General

For XAVIER BECERRA  
Attorney General

No. 18-5252

In the Supreme Court of the United States

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RICKY LEE EARP, *Petitioner*,

v.

RONALD DAVIS, WARDEN, *Respondent*.

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CERTIFICATE OF SERVICE BY MAIL

I, James William Bilderback II, Supervising Deputy Attorney General, a member of the Bar of this Court hereby certify that on August 6, 2018, a copy of the Request for Extension of Time to file Brief in Opposition to Petition for a Writ of Certiorari in the above-entitled case were mailed, first class postage prepaid to:

Robert S. Gerstein  
Attorney at Law  
171 Pier Avenue, #322  
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(310) 820-1939

Statia Peakheart  
Deputy Federal Public Defender  
P.O. Box 531967  
Los Angeles, CA 90053  
(310) 692-5500

Hilary Potashner  
Federal Public Defender's Office  
321 East Second Street  
Los Angeles, CA 90012-4202

I further certify that all parties required to be served have been served.

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