



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 7, 2019

Hon. Danny Bickell, Deputy Clerk
United States Supreme Court
Office of the Clerk
1 First St., N.E.
Washington, D.C. 20543

Re: *Steven Anthony Butler v. Lorie Davis*, No. 18-7091

Dear Mr. Bickell:

Respondent seeks a second extension of 31 days in which to file a brief in opposition in the federal habeas appeal. Respondent's brief was due on January 17, 2019, but the Court granted a 29-day extension to February 15th. This extension would delay the filing date to Monday, March 18, 2019.

The undersigned was extensively involved in last minute litigation for the execution of Robert Mitchell Jennings, including serving as lead counsel for one week and attending a hearing in Houston on January 17th. Between January 26th to the 30th, counsel traveled out of town to attend to family matters and while there, severely injured her foot. This caused counsel to miss work and it necessitates further medical attention. Delaying the filing date to March 18th should allow counsel sufficient time to finish drafting a response as well as handle anticipated litigation regarding the upcoming execution of John William King. Finally, the undersigned contacted Petitioner's counsel Richard Burr about the request, and Mr. Burr states that it is unopposed.

Sincerely,

/s/ Katherine D. Hayes
KATHERINE D. HAYES
Assistant Attorney General
(512) 936-1600
katherine.hayes@oag.texas.gov

cc: Richard Burr, dick@burrandwelch.com