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**DEPARTMENT OF JUSTICE**



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December 28, 2018

THE HONORABLE SCOTT S. HARRIS  
Clerk of the Court  
Supreme Court of the United States  
1 First Street, N.E.  
Washington, D.C. 20543

RE *Floyd Daniel Smith v. The State of California*  
Supreme Court of the United States, Case No. 18-7094

Dear Mr. Harris:

Pursuant to Rule 30.4, I respectfully request a thirty-day extension of time, to February 18, 2019, in which to file the Respondent's Brief in Opposition to the Petition for Writ of Certiorari in the above referenced matter. This request is made for the following reason.

I am going to be out of the office from December 31, 2018 to January 15, 2019. An additional thirty days are necessary to allow adequate time for review by our Solicitor General's Office, as well as editing and finalizing of the brief for filing.

Petitioner's counsel of record, Elias Batchelder, has advised me that he has no opposition to this request.

Very respectfully,

ALLISON V. ACOSTA  
Deputy Attorney General  
State Bar No. 297099

*For* XAVIER BECERRA  
Attorney General