

XAVIER BECERRA
Attorney General

State of California
DEPARTMENT OF JUSTICE



300 SOUTH SPRING STREET, SUITE 1702
LOS ANGELES, CA 90013

Telephone: (213) 269-6134
Facsimile: (213) 576-1300
E-Mail: Esther.Kim@doj.ca.gov

April 2, 2019

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

VIA FEDEX

RE: *Jae Yung Kim v. Debbie Asuncion, Warden*
Supreme Court of the United States, Case No. 18-7747
Revised Request for an Extension of Time

Dear Mr. Harris:

Pursuant to Rules 15.3 and 30.4, I respectfully request a thirty-day extension of time, to May 5, 2019, to file respondent's brief in opposition to the petition for writ of certiorari in the above-referenced matter. This request respondent's second request and is made for the following reasons.

On January 31, 2019, Petitioner filed a writ of certiorari in this Court. On February 4, 2019, the matter was placed on the docket. A response was due on March 6, 2019. Respondent requested a thirty-day extension of time to April 5, 2019.

In the last thirty days, I drafted the respondent's brief on a capital matter in the California Supreme Court. I was also recently assigned to a capital federal habeas evidentiary hearing in the United States District Court, which required my immediate attention. I began reviewing the instant petition for writ of certiorari but have been unable to complete the response due to the two matters above. I intend to spend the next two weeks completing the brief in opposition to the petition for writ of certiorari in the instant case. I anticipate several rounds of editing and review by my supervisors, including a Deputy Solicitor General in the California Solicitor General's Office. After approval, I anticipate needing sufficient time for our legal support staff to prepare the brief for filing.

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Therefore, I respectfully request a thirty-day extension of time to file the brief in opposition. On March 28, 2019, I contacted Jelani Lindsey, Deputy Federal Public Defender and counsel for Petitioner to determine whether he has an objection to this extension request. He has indicated that he has no objections to our request.

Sincerely,

A handwritten signature in black ink, appearing to read "ESTHER P. KIM", with a long horizontal flourish extending to the right.

ESTHER P. KIM
Deputy Attorney General
State Bar No. 225418

For Xavier Becerra
Attorney General

No. 18-7747

In the Supreme Court of the United States

JAE YUNG KIM, *Petitioner*

v.

DEBBIE ASUNCION, RESPONDENT

CERTIFICATE OF SERVICE BY MAIL

I, Esther P. Kim, Deputy Attorney General, a member of the Bar of this Court hereby certify that on April 2, 2019, original and one copy of the EXTENSION OF TIME in the above-entitled case were mailed, first class postage prepaid to:

JELANI J. LINDSEY
FEDERAL PUBLIC DEFENDER'S OFFICE – LOS ANGELES
DEPUTY FEDERAL PUBLIC DEFENDER
321 E. 2ND STREET
LOS ANGELES, CA 90012

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

/s/Esther P. Kim

ESTHER P. KIM, Deputy Attorney General
Office of the Attorney General
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
Telephone: (213) 269-6134
Counsel for Respondent

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