

**XAVIER BECERRA**  
**Attorney General**

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



600 WEST BROADWAY, SUITE 1800  
SAN DIEGO, CA 92101  
P.O. BOX 85266  
SAN DIEGO, CA 92186-5266

Public: (619) 738-9000  
Telephone: (619) 738-9143  
Facsimile: (619) 645-2191  
E-Mail: Anthony.DaSilva@doj.ca.gov

April 24, 2019

**Via Electronic Filing System and Federal Express**

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

RE: *Cuero v. Diaz*, Case No. 18-8301  
Request for Extension of Time to File Brief in Opposition to  
Petition for Writ of Certiorari

Dear Mr. Harris:

I represent the respondent, Ralph Diaz, Acting Secretary of the California Department of Corrections and Rehabilitation, in the above-entitled case. The petition for writ of certiorari was filed on February 26, 2019. On April 1, 2019, this Court requested a response. The brief in opposition to the petition is currently due on May 1, 2019. I respectfully request that the time for filing that brief be extended thirty-days, to Friday, May 31, 2019. I have not previously requested an extension to file the brief in opposition.

I am requesting additional time because, when this Court ordered a response to the petition on April 1, 2019, I had to direct my attention to completing the respondent's brief in a previously-assigned capital case, *People v. Poore*, California Supreme Court Case No. S104665, which was filed on April 19, 2019. I have turned my attention to the above-entitled case.

Additionally, the filing of the brief in opposition will require an extensive review process in consultation with the Solicitor General of California. This process cannot be completed without the requested extension of time.

Absent unforeseen consequences, I do not anticipate needing any time beyond May 31, 2019, to file the brief in opposition.

On April 22, 2019, our office communicated with petitioner's counsel, who advised us that he does not oppose this request.

Accordingly, I respectfully request that the due date for the brief in opposition to the petition for writ of certiorari be extended to May 31, 2019.

Sincerely,

/s/ Anthony Da Silva  
ANTHONY DA SILVA  
Deputy Attorney General

For     XAVIER BECERRA  
         Attorney General

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