

**In the Supreme Court of the United States**

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ROBERT RADCLIFFE ET AL.,

*Petitioners,*

*v.*

JOSE HERNANDEZ ET AL.,

*Respondents.*

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**On Petition for a Writ of Certiorari to the United  
States Court of Appeals for the Ninth Circuit**

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**AMENDED APPLICATION TO THE  
HONORABLE JUSTICE ELENA KAGAN AS  
CIRCUIT JUSTICE**

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APRIL 24, 2020

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## **AMENDED APPLICATION FOR AN EXTENSION OF TIME**

Pursuant to this Court's Order of March 19, 2020 regarding the ongoing public health concerns relating to COVID-19, Respondents Jose Hernandez, et al. request a one-week extension of time to file their Brief in Opposition to Petitioners' Petition for Certiorari. Petitioners do not oppose the requested extension. In support of their motion, Respondents state as follows:

1. On February 7, 2020, the court of appeals denied the Petition for Rehearing and Rehearing En Banc in the action below.
2. Petitioners filed their Petition for Certiorari on March 16, 2020; and this Court docketed the appeal on March 30, 2020.
3. The current deadline for Respondents to file their Brief in Opposition is April 29, 2020.
4. Due to difficulties associated with COVID-19, despite their diligent efforts, Respondents' counsel have encountered delays in drafting their Brief in Opposition.
5. Because of these difficulties relating to COVID-19, Respondents require an additional week to file their Brief in Opposition to the Petition, which is reasonable under the circumstances.
6. Counsel for Petitioners do not oppose the requested extension.
7. Because the grounds for the extension are difficulties relating to COVID-19, and the length of the extension requested is reasonable, the Clerk should grant this motion as a matter of course.

Accordingly, Respondents request that the deadline for them to file their Opposition to the Petition for Certiorari be extended until May 5, 2020.

Dated: April 24, 2020

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## CERTIFICATE OF SERVICE

Pursuant to Rule 29(5)(b) of the Rules of the Supreme Court of the United States, I hereby certify that I have served a copy of the foregoing Amended Application to the Honorable Justice Elena Kagan as Circuit Justice by Federal Express overnight delivery on this date of April 24, 2020 upon the following counsel of record:

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