



OFFICE OF THE ARIZONA ATTORNEY GENERAL
APPEALS AND CONSTITUTIONAL LITIGATION
DIVISION

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CAPITAL LITIGATION SECTION

August 13, 2019

The Honorable Scott S. Harris
United States Supreme Court
Office of the Clerk
1 First Street, N.E.
Washington, D.C. 20543

RE: *Charles Michael Hedlund v. Arizona*, No. 19-5247.

Dear Mr. Harris:

Pursuant to United States Supreme Court Rule 30(4), the State of Arizona respectfully requests a first, 60-day extension of time to file the Brief in Opposition to Petitioner's Petition for Writ of Certiorari in this case. The Brief in Opposition is currently due on August 21, 2019. The State of Arizona requests an extension of time to and including October 21, 2019.

Hedlund's counsel, Sara Chimene-Weiss, does not oppose this request. In addition, Ms. Chimene-Weiss asked undersigned counsel to include in this motion a reminder of Hedlund's unopposed request to hold this case in abeyance pending *McKinney v. Arizona*, No. 18-1109. (See Petition for Writ of Certiorari, at 2-3, 31-32.) The Court has not yet ruled on Hedlund's request to place this case on hold. Should the Court grant Hedlund's request and stay the briefing schedule, the present extension request would become moot.

This extension is requested due to undersigned counsel's involvement in other capital cases. Specifically, counsel is preparing an amended response to a 205-page state post-conviction petition which is due on September 6, 2019. (See *State v. Julius Jarreau Moore*, No. CR 1999-016742, Maricopa County Superior Court.) Counsel must also appear for oral argument in the Arizona Supreme Court on September 10, 2019. (See *State v. Riley*, No. 15-0411-AP.) Counsel further has been occupied with administrative and supervisory duties, including filling three vacant attorney positions in the Capital Litigation Section. Counsel has also assumed many of the cases previously handled by the three departed attorneys, further impeding efforts to meet the Brief in Opposition's current deadline.



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The affidavit of service of this letter is enclosed. Thank you in advance for your attention to this matter and your consideration.

Sincerely,

Lacey Stover Gard
Chief Counsel, Capital Litigation Section
Counsel of Record