

November 22, 2019

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

Re: *Sheila J. Poole, Commissioner of the New York State Office of Children & Family Services v. New York State Citizens' Coalition for Children*, No. 19-574

Dear Mr. Harris:

I am counsel for respondent New York State Citizens' Coalition for Children ("Coalition for Children") and write in response to petitioner's opposition to our request for a first 30-day extension of time within which to file a response to the petition for a writ of certiorari.

Respondent Coalition for Children asks that its requested extension be granted in full. As noted in respondent's request, at least one amicus brief (on behalf of several States) will be filed supporting petitioner. This Court generally grants a first 30-day extension of time as a matter of course in such a circumstance, in part so that respondent has sufficient time to respond to the petition and any amicus briefs.

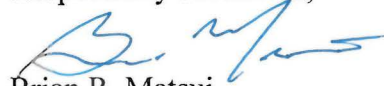
Petitioner, who took 75 days to file her petition, nevertheless seeks to limit the Coalition for Children to a 16-day extension. Petitioner asserts that she seeks to have the petition considered on the Court's January 10, 2020 Conference to preserve the possibility that the Court might grant certiorari in time for the case to be argued this Term. But had petitioner desired that result, she should have filed the petition earlier. Petitioner had full control over the timing of her own petition and should have expected the Coalition for Children would request an extension due to amici—as several States filed an amicus brief below. The Coalition for Children should not suffer for petitioner's delay.

Unlike respondent, petitioner suffers no prejudice if the requested extension is granted in full, even were that to mean that (in the unlikely event the petition were granted) the case were argued and decided next Term. Petitioner is the defendant; although the case was filed in 2010, it remains at the preliminary stages; and petitioner never has moved to expedite any proceedings.

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Given all these circumstances, respondent Coalition for Children requests that its first 30-day extension request be granted in full.

Respectfully submitted,



Brian R. Matsui

cc: Barbara Dale Underwood, Counsel to Petitioner