



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

September 11, 2019

Honorable Danny Bickell, Deputy Clerk  
Supreme Court of the United States  
Office of the Clerk  
1 First Street, N.E.  
Washington, D.C. 20543

Re: *In re Charles D. Raby*, No. 19-5820

Dear Mr. Bickell:

This is to request a thirty-day extension of time, up to and including November 6, 2019,<sup>1</sup> in which to file a brief in opposition in the above-styled cause. The undersigned recently filed a response in the Fifth Circuit to a motion for authorization prior to a scheduled execution in the Mark Soliz case. *In re Soliz*, No. 19-10979 (5th Cir.). The undersigned is also lead counsel in the Ruben Gutierrez case in which an execution date has been scheduled for October 30, 2019. Moreover, the undersigned has other impending briefing deadlines, e.g., *Busby v. Davis*, No. 19-5653 (brief due Sept. 20, 2019) and *In re Julius Murphy*, No. 19-40741 (5th Cir.) (response due October 7, 2019), and is serving as lead counsel in postconviction DNA-testing proceedings in *Irvan v. Texas*, No. 864928 (180th Dist. Ct. Harris Co.), which has several attendant pre-hearing deadlines. Thus, the undersigned requests additional time to file the brief in opposition in the above-styled cause. This is the first extension of time requested by the Director in this case. The undersigned conferred with counsel for petitioner who stated the requested extension is unopposed. Thank you for your consideration of this matter.

Sincerely,

s/ Jefferson Clendenin  
JEFFERSON CLENDENIN  
Assistant Attorney General  
(512) 463-1416

cc: Sarah Frazier  
[sfrazier@bafirm.com](mailto:sfrazier@bafirm.com)

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<sup>1</sup> The petition was docketed on September 5, 2019. Thirty days following September 5, 2019, is Saturday, October 5, 2019. Therefore, the brief in opposition would be due the following Monday, October 7, 2019.