



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

October 30, 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, TDCJ-CID*, No. 19-5820

Dear Mr. Bickell:

This is to request a second extension of time, up to and including November 27, 2019, in which to file a brief in opposition in the above-styled cause. The undersigned has not been able to complete a brief in this case due to other work commitments. The undersigned is lead counsel in the Ruben Gutierrez case in which the inmate recently received a stay of execution. Prior to the stay, the undersigned was required to devote a significant amount of time to the litigation in that case. *E.g.*, Mot. to Dismiss *Gutierrez v. Saenz, et al.*, No. 1:19-CV-185 (S.D. Tex. Oct. 14, 2019). The undersigned also recently filed a response in the Fifth Circuit to a motion for authorization, *In re Murphy*, No. 19-40741 (5th Cir.) (filed Oct. 6, 2019), and is currently preparing a brief to file in this Court in *Busby v. Davis*, No. 19-5653 (due Nov. 20, 2019). The undersigned also has two responsive pleadings due in the Fifth Circuit in the upcoming weeks. *Gamboa v. Davis*, No. 16-70023 (5th Cir.) (due Nov. 20, 2019); *Renteria v. Davis*, No. 19-70009 (5th Cir.) (due Nov. 22, 2019). The undersigned is also serving as lead counsel in post-conviction DNA-testing proceedings in state court 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 second extension of time requested by the Director in this case.

The undersigned has 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
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cc: Sarah Frazier
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