



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 26, 2019

By Electronic Filing and Overnight Delivery

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

Re: *Smith v. Davis*, No. 19-6482

Dear Mr. Harris,

A response in this death penalty case is due December 4, 2019. Respondent respectfully requests a thirty-day extension of the present deadline, up to and including January 3, 2020. This is Respondent's first request for an extension in this case. The extension request is not sought for an improper purpose, including harassment or unnecessary delay. Rather, the undersigned requires additional time due to the demands of a capital caseload, primarily litigation related to the then-pending execution of Rodney Reed, *see, e.g.*, Brief in Opposition, *Reed v. State*, No. 19-411 (U.S. Oct. 28, 2019), and briefing in another capital case before this Court, *see* Brief in Opposition, *Gardner v. Davis*, No. 19-6298 (U.S. Nov. 18, 2019). The undersigned conferred with Petitioner's counsel, David Dow, who stated that he was not opposed to this requested extension. A copy of this letter will be sent to Mr. Dow. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Ottoway", written over a horizontal line.

Matthew Ottoway
Assistant Attorney General

CC: David R. Dow
Jeffrey R. Newberry
UNIVERSITY OF HOUSTON LAW CENTER
4604 Calhoun Road
Houston, Texas 77204
ddow@central.uh.edu
jrnewber@central.uh.edu