



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

February 11, 2020

The Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
1 First Street NE
Washington, DC 20543

Re: *Wolf, et al. v. Idaho State Board of Corrections, et al.*, No. 19-6668

Dear Mr. Harris:

Pursuant to the Court's letter of January 21, 2020 requesting a response to the petition for a writ of certiorari in the above-referenced matter, the due date to file a response to the petition is February 20, 2020. This letter requests a thirty (30) day extension of time from the current due date in order to file a response to the petition.

As a threshold matter, this letter provides notice pursuant to Supreme Court Rule 35.3 that Respondent Josh Tewalt, Director of the Idaho Department of Correction (IDOC), is the current IDOC Director and the successor to former IDOC Directors Henry Atencio, Kevin Kempf and Brent Reinke. If a more formal notice must be filed, one will be submitted to the Court. Neither Director Tewalt nor his successors have submitted a prior request for an extension of time to respond to the petition.

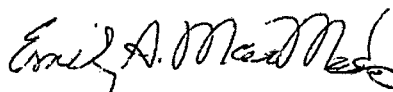
An extension is necessary for several reasons. First, my understanding is that my recent application for admission to the Supreme Court Bar has been approved but that my admission will not be completed before February 24, 2020, which is four days after the current deadline to respond to the petition. Additionally, an extension is needed to ensure sufficient time to review, research and prepare a response to the petition. I have been working diligently to review the extensive record below in this action, research applicable law and begin preparing a response. However, my ability to devote time to these efforts is

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hampered by my concurrent full-time duties as a Deputy Attorney General assigned to IDOC. I am presently counsel of record for IDOC and its employees in several other litigation matters. In this regard, I am preparing for three depositions scheduled to be taken in February 2020, and I am also investigating and preparing a written response in another litigation matter that is due by the end of this month. Also, over the past two weeks, I had to prepare for and conduct two previously scheduled legal training classes required by Idaho's Peace Officers Standards Training (POST) Council for the certification of IDOC Correctional Officers and, additionally, to complete a new POST legal training curriculum for POST certification of IDOC Probation and Parole Officers. Additionally, while preparing a response to the petition, I must also continue to fulfill daily obligations as a legal counselor to IDOC management throughout the State of Idaho. My daily counseling workload has temporarily increased this month because the lead Deputy Attorney General for our office is appearing as IDOC's counsel of record at a two-week evidentiary hearing in another federal action. Finally, I was required to travel this past week to California on a trip that was scheduled six months ago and could not be rescheduled. These conflicting obligations make it necessary to submit this request for a 30-day extension of time.

I am mailing a copy of this letter request to the Petitioners, who are both inmates in IDOC's custody. Thank you for your consideration of this request.

Sincerely,



Emily A. Mac Master
Deputy Attorney General

Cc: Petitioner Andrew J.J. Wolf, *pro se*
Petitioner R. Hans Kruger, *pro se*