



ATTORNEY GENERAL
LESLIE RUTLEDGE
—
ARKANSASAG.GOV

Vincent Wagner
Deputy Solicitor General

Direct Dial: (501) 682-8090
vincent.wagner@arkansasag.gov

February 3, 2020

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

Re: *Kemp v. Payne*, No. 19-7476 ***CAPITAL CASE***

Dear Mr. Harris:

I write on behalf of the respondent to request a 45-day extension of the February 28, 2020 deadline for filing a response to the petition for a writ of certiorari in this matter. With this requested extension, the response would be due on April 13, 2020.

A 45-day extension is reasonable and necessary because of other professional obligations, which include preparation of the merits brief in *Rutledge v. Pharmaceutical Care Management Ass'n*, No. 18-540 (due February 24), along with primary and supervisory responsibility for briefing in the U.S. Court of Appeals for the Eighth Circuit and the Arkansas Supreme Court. Additionally, the Solicitor General Unit of the Arkansas Attorney General's Office only recently assumed primary responsibility for this matter and will require additional time to become sufficiently familiar with it to prepare a response to the petition for certiorari.

Petitioner's counsel does not oppose the requested extension.

Finally, please note that, as indicated in the petition's list of parties, because Dexter Payne has succeeded Wendy Kelley as the Director, he is automatically substituted as the respondent under this Court's Rule 35.3. Director Payne's office has also been retitled Director of the Arkansas Division of Correction. *See* Ark. Code Ann. 25-43-402(a)(5).

Thank you for your help with this matter.

Sincerely,

A handwritten signature in black ink that reads "Vincent M. Wagner". The signature is written in a cursive style with a long horizontal flourish at the end.

Vincent M. Wagner

cc: Julie Pitt Vandiver, Arkansas Federal Defender Office, 1401 W. Capitol Ave, Ste 490, Little Rock, Arkansas 72201, julie_vandiver@fd.org, *Counsel for Petitioner*