



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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September 21, 2020

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

**RE: *Efrain Diaz, Jr. and Justin Smith v. Kentucky*,
Case Number 19-8873**

Dear Sir:

The Commonwealth of Kentucky, the Respondent in the above-styled case, is represented by the Kentucky Office of the Attorney General via undersigned counsel - Matthew R. Krygiel (as counsel of record). Undersigned counsel requests that the time in which to respond to the petition for a writ of certiorari in the referenced case be extended 45 days from its present due date, to and including November 14, 2020. Counsel for the Petitioner, Hon. Timothy Arnold, has indicated he has no opposition to the extension request.

This request is made primarily due to counsel's obligations in other cases - in particular a brief in the U.S. Court of Appeals for the Sixth Circuit in the death penalty case of Randy Haight, *Haight v. Parker*, 17-6905 (to be filed on November 1, 2020 - on second extension). The *Haight* case is voluminous, involving a certificate of appealability in excess of twenty issues and a appellant brief that is roughly six times the size of the standard word limit. These duties are in addition to other matters that serve as part of undersigned counsel's caseload. Counsel for the Respondent will make every effort to complete the brief in opposition prior to November 14, 2020.

Respectfully Submitted,

/s/ *Matthew R. Krygiel*
MATTHEW R. KRYGIEL
Assistant Attorney General