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*Via E-File and First Class Mail*

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

Re: *Shimm v. Ramirez*, No. 20-1009

Dear Mr. Harris:

This letter is to inform the Court of Petitioners' position on Respondents' recent "Motion To Modify Opinion" in the above referenced case. In their June 3, 2022 motion, Respondents Ramirez and Jones asked the Court to modify its May 23, 2022 opinion to delete the following sentence on pages 5-6 of the slip opinion:

**"Respondents do not dispute, and therefore concede, that their habeas petitions fail on the state-court record alone."**

At the time Respondents filed their motion, Petitioners had not yet taken a position on the motion. Petitioners and Respondents have now conferred further, and Petitioners are amenable to Respondents' proposal to the extent that the Court modifies the sentence at issue as follows:

**"We assume without deciding, for purposes of this decision, that their habeas petitions fail on the state-court record alone."**

Respondents are also amendable to the sentence at issue being modified as in this manner.

Sincerely,

Brunn W. Roysden III  
Solicitor General  
*Counsel for Petitioners*

Cc via Email and First Class Mail:

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