

**ROB BONTA**  
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**State of California**  
**DEPARTMENT OF JUSTICE**



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July 28, 2021

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

RE: *Cal. State Lands Comm'n v. Davis*, No. 21-109

Dear Mr. Harris:

Under Rule 12.6, the State of California is a respondent in this case because it was a party in the court of appeals. This letter is to inform the Court that the State does not intend to file or join any petition for a writ of certiorari in this case, and does not intend to file any response to the California State Lands Commission's petition unless the Court requests that the State do so.<sup>1</sup> If the Court were to grant certiorari, the State would intend to participate as a respondent in support of petitioner and would intend to file merits briefs in accordance with the timing described in Rule 25.1.

Sincerely,

/s/ Joshua Patashnik

JOSHUA PATASHNIK  
Deputy Solicitor General

For ROB BONTA  
Attorney General

CC (by email): Steven S. Rosenthal and Marc S. Cohen, counsel for petitioner  
Warren W. Harris, Mark E. Dendinger, Jason B. Hutt, and Brittany M.  
Pemberton, counsel for respondent Eugene Davis

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<sup>1</sup> As authorized by California law, the Lands Commission is represented by private counsel. See Cal. Gov. Code §§ 11040(c)(1), (d); 11041(a); 11042. The State was separately named as a party in this litigation, see Pet. App. 7a, and is represented by the Attorney General.