

IN THE  
**Supreme Court of the United States**

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DEB HAALAND, SECRETARY OF THE INTERIOR, *et al.*,  
*Petitioners, Cross-Respondents,*

v.

CHAD EVERET BRACKEEN, *et al.*,  
*Respondents, Cross-Petitioners.*

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CHEROKEE NATION, *et al.*,  
*Petitioners, Cross-Respondents,*

v.

CHAD EVERET BRACKEEN, *et al.*

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THE STATE OF TEXAS,  
*Petitioner, Cross-Respondent,*

v.

DEB HAALAND, SECRETARY OF THE INTERIOR, *et al.*

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CHAD EVERET BRACKEEN, *et al.*,  
*Petitioners, Cross-Respondents,*

v.

DEB HAALAND, SECRETARY OF THE INTERIOR, *et al.*

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On Writs of Certiorari to the  
United States Court of Appeals for the Fifth Circuit

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**UNOPPOSED JOINT APPLICATION TO EXTEND THE  
TIME TO FILE REPLY BRIEFS ON THE MERITS**

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TO THE HONORABLE SAMUEL A. ALITO, JR., ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES AND CIRCUIT JUSTICE FOR THE FIFTH CIRCUIT:

Pursuant to Rule 30.3, Individual Petitioners and the State of Texas respectfully request a 21-day extension of time in which to file their reply briefs on the merits, up to and including October 3, 2022.<sup>1</sup>

1. The Court granted writs of certiorari and consolidated these four cases on February 28, 2022. The Court subsequently granted a motion to extend the time to file the opening briefs on the merits to May 26, 2022, and to extend the time to file the response briefs on the merits to August 5, 2022. The Court also granted a motion to file briefs in excess of the word limits in light of the multiple questions presented and the complexity of the issues.

2. On August 1, 2022, the Office of the Solicitor General moved on behalf of the federal parties for a one-week extension of time in which to file its brief on the merits, and requested the same extension of time for the parties aligned with the federal parties (petitioners in No. 21-377 and respondents in the other three cases). Individual Petitioners and the State of Texas consented to the request. The Clerk of the Court granted the motion on August 3, 2022.

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<sup>1</sup> Individual Petitioners are: Chad Everet Brackeen; Jennifer Kay Brackeen; Danielle Clifford; Jason Clifford; Altagracia Socorro Hernandez; Frank Nicholas Libretti; and Heather Lynn Libretti. They are petitioners in No. 21-380, and respondents in Nos. 21-376, 21-377, and 21-378. The State of Texas is petitioner in No. 21-378, and respondent in Nos. 21-376, 21-377, and 21-380.

3. The federal parties and the other aligned parties filed their briefs on the merits on August 12, 2022. Those briefs contain a combined 44,501 words. Individual Petitioners' and the State of Texas's reply briefs are currently due to be filed on September 12, 2022.

4. The undersigned counsel of record for the State of Texas has other obligations in this period, including: petitioners' briefs on the merits in three cases concerning Executive Order GA-38, Nos. 21-1079, 21-1080, 22-0124 (Tex.), that were filed on August 17, 2022; a brief in opposition in *Canada Hockey, L.L.C. v. Texas A&M University Athletic Department*, No. 21-1603 (U.S.), due to be filed by August 19, 2022; respondent's brief on the merits in *Reed v. Goertz*, No. 21-442 (U.S.), due to be filed by August 23, 2022; and an amicus brief in *New York v. New Jersey*, No. 220156 (U.S.), due to be filed by August 29, 2022.

5. The undersigned counsel of record for Individual Petitioners also has other obligations in this period, including: a reply brief in support of a petition for a writ of certiorari in *Fitisemanu v. United States*, No. 21-1394 (U.S.), due to be filed by September 13, 2022; a brief in *FERC v. Vitol Inc.*, No. 20-cv-40 (E.D. Cal.), due to be filed by September 19, 2022; an amicus brief in *InfraRed Environmental Infrastructure GP Limited v. Kingdom of Spain*, No. 20-cv-817 (D.D.C.), due to be filed by September 23, 2022; and a reply brief in *International Chrome Holdings v. Cevik*, No. 2019-9205-CA-01 (Fla. Cir. Ct.), due to be filed by October 3, 2022.

6. Given these obligations—as well as the number of questions presented, the complexity of the issues in this case, and the 44,501 words to which Individual Petitioners and the State of Texas will reply—an extension of time is warranted.

7. The requested extension of time will not prejudice the Court or the parties, given that oral argument has been set for November 9, 2022.

8. Counsel for all parties have consented to this requested extension.

Respectfully submitted,

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