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October 7, 2021

Via E-File

Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543

Re: *Andre Lee Thomas v. Bobby Lumpkin, Director, Texas Department of Criminal Justice, Correctional Institutions Division*, No. 21-444

Dear Mr. Harris:

Under Supreme Court Rule 30.4, Respondent Bobby Lumpkin, Director, Texas Department of Criminal Justice, Correctional Institutions Division, respectfully moves for an extension of the time for filing his response to the petition for a writ of certiorari in this matter.

This is a capital case. The response is currently due on October 22, 2021. Respondent requests a 30-day extension, creating a new filing date of November 22, 2021.* My office conferred with counsel for Petitioner on October 7, and Petitioner does not oppose the requested extension.

The extension is needed because the undersigned counsel and other counsel assisting with this matter have numerous briefing obligations, including:

* Thirty days from October 22 is November 21, which is a Sunday. Thus, the operative deadline would be November 22.

- *Ramirez v. Collier, et al.*, No. 21-5592 in the Supreme Court of the United States (response brief on the merits due October 15; oral argument set for November 1);
- *Cook County v. Mayorkas*, No. 21-2561 in the U.S. Court of Appeals for the Seventh Circuit (appellants' brief due November 3);
- *Grassroots Leadership, Inc., et al. v. Masters, et al.*, No. 19-0092 in the Supreme Court of Texas (response brief on the merits due November 1);
- *Wardrip v. Lumpkin*, No. 21-5226 in the Supreme Court of the United States (brief in opposition due October 27);
- *Luna v. Lumpkin*, No. 21-5460 in the Supreme Court of the United States (brief in opposition due October 24);
- *Oklahoma v. Castro-Huerta*, No. 21-429, in the Supreme Court of the United States (amicus brief due October 21);
- *Texas Telephone Association, et al. v. Public Utility Commission of Texas, et al.*, No. 03-21-00294-CV (appellees' brief due October 21);
- *In re McGowan*, No. 12-21-00086-CV in the Texas Court of Appeals for the Twelfth Judicial District (oral argument set for October 19);
- *Whole Woman's Health v. Jackson*, No. 21-50792, in the U.S. Court of Appeals for the Fifth Circuit (appellants' brief due October 13); and
- *Paxton v. Abbott*, No. 21-0733 in the Supreme Court of Texas (petition for review filed October 5).

For the foregoing reasons, Respondent respectfully requests a 30-day extension of the deadline for filing a response to the petition for a writ of certiorari, creating a new deadline of November 22, 2021.

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Sincerely,

/s/ Judd E. Stone II

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cc: Maurie Levin (Counsel for Petitioner)