



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

JUDD E. STONE II
Solicitor General

(512) 936-1700
Judd.Stone@oag.texas.gov

August 12, 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: Faryion Edward Wardrip v. Bobby Lumpkin, Director, Texas Department of Criminal Justice, Correctional Institutions Division, No. 21-5226

Dear Mr. Harris:

In accordance with 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 writ of certiorari in this matter.

This is a capital case. The response is currently due on August 26, 2021. Respondent requests a 30-day extension, creating a new filing date of September 27, 2021.* My office conferred with counsel for Petitioner on August 12, 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 and argument obligations, including:

* Thirty days from August 26 is September 25, which is a Saturday. Thus, the operative deadline would be September 27.

- *The Ector County Alliance of Businesses v. Abbott*, No. 11-20-00206-CV in the Texas Court of Appeals for the Eleventh Judicial District (oral argument August 19);
- *Texas Department of Public Safety v. K.T.*, Nos. 20-0977 & 21-0075 in the Supreme Court of Texas (petitioner's brief due August 18);
- *Texas v. Brooks-LaSure*, No. 6:21-cv-00191 in the U.S. District Court for the Eastern District of Texas (preliminary injunction filed July 16; reply brief filed August 3; supplemental brief and motion for temporary restraining order filed August 11; hearing on August 17);
- *In re Abbott*, No. 05-21-00687-CV in the Texas Court of Appeals for the Fifth Judicial District (mandamus petition filed August 11);
- *In re Abbott*, No. 21-0667 in the Supreme Court of Texas (mandamus petition filed August 9);
- *Will v. Lumpkin*, No. 20-1669 in the Supreme Court of the United States (brief in opposition to petition for a writ of certiorari filed August 2);
- *Dobbs v. Jackson Women's Health Org.*, No. 19-1392 in the Supreme Court of the United States (amicus brief filed July 29).

For the foregoing reasons, Respondent respectfully requests an extension of the deadline for filing a response to the petition for writ of certiorari, creating a new deadline of September 27, 2021.

Sincerely,

/s/ Judd E. Stone II

JUDD E. STONE II

Solicitor General

Counsel of Record

OFFICE OF THE ATTORNEY GENERAL

P.O. Box 12548 (MC 059)

Austin, Texas 78711-2548

Tel.: (512) 936-1700

Fax: (512) 474-2697

Judd.Stone@oag.texas.gov

Scott S. Harris
August 12, 2021
Page 3

cc: Bruce Anton (Counsel for Petitioner)