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September 9, 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: *Joe Michael Luna v. Bobby Lumpkin, Director, Texas Department of Criminal Justice, Correctional Institutions Division*, No. 21-5460

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 a writ of certiorari in this matter.

This is a capital case. The response is currently due on September 23, 2021. Respondent requests a 30-day extension, creating a new filing date of October 25, 2021.\* My office conferred with counsel for Petitioner on September 9, 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:

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\* Thirty days from September 23 is October 23, which is a Saturday. Thus, the operative deadline would be October 25.

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- *Wardrip v. Lumpkin*, No. 21-5226 in the Supreme Court of the United States (brief in opposition due September 27);
- *Texas Department of Public Safety v. K.T.*, Nos. 20-0977 & 21-0075 in the Supreme Court of Texas (reply brief due September 22);
- *Texas v. Haaland, et al.*, No. 21-378 in the Supreme Court of the United States (petition for a writ of certiorari filed September 3);
- *Texas, et al. v. Rettig, et al.*, to be docketed in the Supreme Court of the United States (petition for a writ of certiorari filed September 3);
- *Whole Woman's Health, et al., v. Jackson, et al.*, No. 21A24 in the Supreme Court of the United States (response to application filed August 31);
- *In re Abbott*, No. 21-0720 in the Supreme Court of Texas (reply in support of emergency motion for temporary relief filed August 25);
- *In re Abbott*, No. 08-21-00140-CV in the Texas Court of Appeals for the Eighth Judicial District (reply in support of emergency motion for temporary relief filed August 25); and
- *Biden, et al., v. Texas, et al.*, No. 21A21 in the Supreme Court of the United States (response to application filed August 24).

For the foregoing reasons, Respondent respectfully requests an extension of the deadline for filing a response to the petition for a writ of certiorari, creating a new deadline of October 25, 2021.

Sincerely,

/s/ Judd E. Stone II

JUDD E. STONE II

Solicitor General

*Counsel of Record*

cc: Stuart Brian Lev (via e-mail)