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October 15, 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 Respondent's second request for an extension of time.

This is a capital case. The response is currently due on October 25, 2021. Respondent requests a 21-day extension, creating a new filing date of November 15, 2021. My office conferred with counsel for Petitioner on October 15, 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:

- *Wardrip v. Lumpkin*, No. 21-5226 in this Court (brief in opposition due October 27);

Scott S. Harris
October 15, 2021
Page 2

- *Ramirez v. Collier*, No. 21-5592 in this Court (brief for respondents filed October 15; oral argument set for November 1);
- *Henderson, et al. v. The Source for Public Data, L.P., et al.*, No. 21-1678 in the Fourth Circuit (amicus brief filed October 15);
- *United States v. Texas*, No. 21-50949 in the Fifth Circuit (emergency motion to stay filed October 8; reply in support of emergency motion to stay filed October 14); and
- *Texas Department of Public Safety v. K.T.*, Nos. 20-0977 & 21-0075 in the Supreme Court of Texas (response to amicus brief filed October 4).

For the foregoing reasons, Respondent respectfully requests an extension of the time for filing a response to the petition for a writ of certiorari, creating a new filing date of November 15, 2021.

Sincerely,

/s/ Judd E. Stone II
JUDD E. STONE II
Solicitor General
Counsel of Record

cc: Stuart Brian Lev (via e-mail)