



STATE OF ALABAMA
OFFICE OF THE ATTORNEY GENERAL

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December 14, 2021

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

Re: *Smith v. Commissioner, Ala. Dep't of Corr.*
Case No. 21-579

Dear Mr. Harris:

I am writing to request an additional extension of time to file the State of Alabama's brief in opposition in the above-styled case pursuant to Rule 30.4, Sup.Ct.R. The State's brief in opposition is due in this Court on December 20, 2021.

In addition to other duties, undersigned counsel has been heavily involved in pre-execution litigation in the matter of *Reeves v. Dunn*, No. 2:20-cv-00027-RAH, since November 5, 2021. This has included expedited discovery and depositions granted by the district court on November 24, 2021, immediately prior to the Thanksgiving holiday and preparations for and representing the State at an evidentiary hearing that was held on December 9, 2021.

Consequently, undersigned counsel for the State of Alabama requests an additional 14 days. The State's brief in opposition would then be due on January 3, 2022. Counsel has contacted Andrew Johnson, one of petitioner Kenneth Smith's counsel, who has no objection to this request.

Thank you for your assistance in this matter.

Sincerely,

s/ Richard D. Anderson
Richard D. Anderson
Assistant Attorney General

cc: Robert M. Grass, Counsel of Record for Kenneth Eugene Smith robert.grass@arnoldporter.com