



STATE OF ALABAMA
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January 10, 2022

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

Re: *Broadnax v. Alabama*
Case No. 21-6238

Dear Mr. Harris:

I am writing to respectfully request an “out-of-time” extension of sixty days to file the State of Alabama’s brief in opposition in the above-styled case. The State’s brief in opposition was due on December 10, 2021. However, due to a docketing error, Broadnax’s petition was incorrectly docketed with the Alabama Attorney General’s Office’s case management software and no due dates were calculated for the matter. Undersigned counsel learned of the error today and immediately prepared this motion and contacted opposing counsel.

Additionally, undersigned counsel has been heavily involved with pre-execution (execution set for January 27, 2022) litigation in the matter of *Reeves v. Dunn*, No. 2:20-cv-00027-RAH, since November 5, 2021. This has included expedited discovery, conducting a deposition, an evidentiary hearing on December 9, 2021, and post-hearing briefing. Additionally, undersigned filed the State’s brief in opposition to certiorari in this Court in the matter of *Smith v. Commissioner, Ala. Dep’t of Corr.*, Case No. 21-579 on December 30, 2021. Undersigned counsel will also be filing an initial brief in the Eleventh Circuit Court of Appeals in the matter of *Williams v. Alabama*, No. 21-13734-P, on January 18, 2022. For these reasons, counsel needs additional time to prepare the State’s brief in opposition. Counsel for Respondent contacted Mr. John Palombi, counsel for Mr. Broadnax, and he informed me that he has no objection to the State’s request.

Should this Court grant the State's request for a sixty-day extension, the State's brief in opposition will then be due on February 9, 2022. Thank you for your assistance in this matter.

Sincerely,

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

cc: John Palombi
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