



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 22, 2022

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

Re: *Joubert v. Texas*, No. 21-6424

Dear Mr. Harris:

A response in this death penalty case is due February 25, 2022. The respondent respectfully requests a twenty-eight-day extension of the present deadline. If granted, the response will be due March 25, 2022. The undersigned requests this extension for several reasons. First, much of the response period was taken up by work in another case before this Court, in which the undersigned filed a brief about a month ago. Second, the undersigned was promoted about a half-year ago, adding assistance to trial prosecutors and state appeals on top of a capital habeas caseload and the undersigned's new duties, including an upcoming deadline for about a dozen motions in a capital murder case with death as a possible punishment, have kept him from completing a response in this case. Third, the records to be reviewed for this case are significant, spanning two capital murder trials, two state habeas proceedings, and a civil rights suit. Fourth, the undersigned has motion responses due in a federal capital habeas case with an upcoming petition deadline.

The respondent has previously requested two extensions in this case. In the undersigned's decade-plus practice before the Court, primarily as a capital habeas litigator, the undersigned has only once requested a third extension and only just recently and it will be the undersigned's last. The present request is not sought for an improper purpose, including delay. The undersigned has conferred with the petitioner's counsel, Mr. Tivon Schardl, who is not opposed to the requested extension. A copy of this letter will be sent to Mr. Schardl. Thank you for your consideration.

Respectfully submitted,


Matthew Ottoway
Assistant Attorney General

Cc: Mr. Tivon Schardl
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