



KEN PAXTON  
ATTORNEY GENERAL OF TEXAS

January 14, 2022

**By Overnight Delivery**

The Honorable Jordan “Danny” Bickell, Deputy Clerk  
Supreme Court of the United States  
Office of the Clerk  
1 First Street, N.E.  
Washington, D.C. 20543

Re: *Fratta v. Texas*, No. 21-6434

Dear Mr. Bickell:

A response in this death-penalty case was due December 29, 2021. The petition in this case was filed pro se by a capital inmate whose has attorneys actively representing him before the federal courts. Further, the inmate served the elected district attorney in a paper filing through the U.S. mail system during a recognized pandemic when many normal office procedures have been delayed or suspended. These events conspired to ensure the undersigned had no knowledge of these proceedings until she was contacted by the Court on January 13, 2022. At that time the undersigned contacted the district attorney who requested that the Texas Attorney General’s Office handle the response. The respondent respectfully requests extension of the present deadline until February 28, 2021. The undersigned requests this continuance due to the demands of her current caseload which already include two briefs in opposition in other capital cases before this Court. The undersigned is also mentoring an attorney through her first oral argument. The inmate is representing himself pro-se and cannot be contacted regarding his opposition. Further because Mr. Fratta is represented by counsel, the undersigned will be serving this extension requests and the forthcoming opposition on both the inmate and his counsel. Thank you for your consideration.

Respectfully submitted,

  
ELLEN STEWART-KLEIN  
Assistant Attorney General



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