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February 15, 2022

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: *John Lexell Balentine v. Bobby Lumpkin, Director, Texas Department of Criminal Justice, Institutional Division, No. 21-7061 (Capital Case)*

Dear Mr. Harris:

In accordance with Supreme Court Rule 30.4, Respondent Bobby Lumpkin, Director, Texas Department of Criminal Justice, Institutional Division, respectfully moves for an extension of the time for filing the response to the petition for a writ of certiorari in this matter.

Petitioner filed a petition for a writ of certiorari on February 4, 2022. It was docketed on February 7, 2022, creating a deadline for Respondent's response of March 7, 2022. Respondent requests a 45-day extension of that deadline, creating a new filing date of April 21, 2022.

My staff reached out to counsel for Petitioner via email to ask for Petitioner's position on this motion. Petitioner's counsel advised that the requested extension is unopposed.

The extension is necessary because lead counsel for Respondent faces additional briefing and argument obligations. The press of business from numerous, complex matters with deadlines overlapping with the current deadline require significant time and attention from the undersigned counsel and other counsel assisting with this matter:

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- *Whole Woman's Health v. Jackson*, No. 22-0033 (Tex.) (response brief filed Feb. 11, 2022)
- *Whole Woman's Health v. Jackson*, No. 22-0033 (Tex.) (oral argument Feb. 24, 2022)
- *Torres v. Texas DPS*, No. 20-603 (U.S.) (merits brief due Mar. 2, 2022)
- *NetChoice v. Paxton*, No. 21-51178 (5th Cir.) (appellant's brief due Mar. 2, 2022)
- *Cook County v. Texas*, No. 21-2561 (7th Cir.) (reply brief due Mar. 10, 2022)
- *Texas Entertainment Ass'n v. Hegar*, No. ___ (U.S.) (cert petition due Mar. 14, 2022)
- *Torres v. Texas DPS*, No. 20-603 (U.S.) (oral argument Mar. 29, 2022)

In addition, counsel assisting with this matter will be on vacation during the weeks of March 14, 2022, and March 28, 2022.

For the foregoing reasons, Respondent respectfully requests a 45-day extension of the deadline to file the response to the petition for a writ of certiorari, creating a new deadline of April 21, 2022.

Respectfully submitted.

/s/ Judd E. Stone II

Judd E. Stone II
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Counsel of Record

cc: Stuart Lev (via e-mail)