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April 1, 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 requested and received a 45-day extension of that deadline, creating a new filing date of April 21, 2022. Respondent respectfully requests a 14-day extension of that deadline, creating a new filing date of May 5, 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 complex matters with deadlines overlapping with the current deadline requires significant time and

attention from the undersigned counsel and other counsel assisting with this matter:

- *Torres v. Texas DPS*, No. 20-603 (U.S.) (argued Mar. 29, 2022)
- *Biden v. Texas*, No. 21-954 (U.S.) (Brief on the Merits due Apr. 7, 2022)
- *Biden v. Texas*, No. 21-954 (U.S.) (oral argument Apr. 26, 2022)
- *United States v. Texas*, No. 21-50949 (5th Cir.) (Appellant's Brief due May 2, 2022)
- *Haaland v. Brackeen*, No. 21-376 (U.S.) (Brief on the Merits due May 26, 2022)
- *Texas Tech University Health Sciences Center v. Niehay*, No. 22-0179 (Tex.) (Petition for Review due April 22, 2022)

For the foregoing reasons, Respondent respectfully requests a 14-day extension of the deadline to file the response to the petition for a writ of certiorari, creating a new deadline of May 5, 2022.

Respectfully submitted.

/s/ Judd E. Stone II

Judd E. Stone II
Solicitor General
Counsel of Record

cc: Stuart Lev (via e-mail)