



OFFICE OF THE DISTRICT ATTORNEY

KEVIN R. STEELE

DISTRICT ATTORNEY

EDWARD F. McCANN, JR.

FIRST ASSISTANT DISTRICT ATTORNEY

COUNTY OF MONTGOMERY

COURTHOUSE

P.O. BOX 311

NORRISTOWN, PENNSYLVANIA

19404-0311

MARK A. BERNSTIEL

CHIEF COUNTY DETECTIVE

BRIANNA L. RINGWOOD

CHIEF OF STAFF

DISTRICT ATTORNEY'S OFFICE

DISTRICT ATTORNEY'S FAX

COUNTY DETECTIVE BUREAU

(610) 278-3090

(610) 278-3095

(610) 278-3368

August 11, 2022

ELECTRONIC SERVICE

Scott S. Harris, Esq.
Clerk of the Court
Supreme Court of the United States
One First Street NE
Washington, DC 20543

RE: *John Charles Eichinger v. George Little, Acting Secretary,
Pennsylvania Department of Corrections, et al.*, No. 21-7611

Dear Mr. Harris:

Petitioner, John Charles Eichinger, filed a petition for writ of certiorari in the above-captioned matter on April 8, 2022, which was docketed by this Court on April 13, 2022. Respondents' mandatory response, pursuant to Supreme Court Rule 14.1(a), is due today, August 11, 2022. Respondents, however, must respectfully request, under Supreme Court Rule 30.4, a 60-day extension of time, until October 10, 2022, to file its mandatory response to Petitioner's petition for writ of certiorari.

Since the last extension, respondents have handled numerous deadlines and commitments. Specifically, undersigned counsel spent a majority of his time for weeks preparing for a 5-day Post-Conviction Relief Act hearing in *Commonwealth v. Christopher Johnson*, CP-01-CR-1180-2010 (Adams. Cty. Ct. Comm. Pls.), a capital case, held on May 23-26, 2022, and again on July 19, 2022. In addition, undersigned counsel had an oral argument scheduled before the Pennsylvania Superior Court in *Commonwealth v. Hatfield*, No. 2359 EDA 2021 (Pa. Super.), a homicide case, on June 8, 2022. Moreover, undersigned counsel had responses due in *Commonwealth v. Hailey*, No. CP-46-CR-7753-09 (Mont. Cty. Ct. Comm. Pls.) on July 22, 2022, *Commonwealth v. Thinna*, No. CP-46-CR-5821-17 (Mont. Cty. Ct. Comm. Pls.) on August 1, 2022, and *Commonwealth v. Ross*, No.

CP-46-CR-3055-1996 (Mont. Cty. Ct. Comm. Pls.) on August 8, 2022. All of which are Post-Conviction Relief Act related matters, one involving a homicide.

Additionally, the Appellate Division of this Office, which comprises of a mere handful of attorneys, has more than a dozen briefs due in the Pennsylvania and federal appellate courts over the course of the next two months, all of which undersigned counsel will need to edit, and some of which he will be drafting himself.

Based on the foregoing reasons, respondents respectfully request an additional extension of time – until October 10, 2022 – to respond to petitioner’s petition for writ of certiorari. Respondents have previously sought one extension, which this Court graciously granted. Undersigned counsel makes this request based on absolute need and without any intent to delay. Undersigned counsel appreciates the Court’s patience in this regard, and apologizes for the continued delay.

Thank you for your consideration of this matter.

Respectfully submitted:

/s/ Robert M. Falin

Robert M. Falin
Deputy District Attorney
Chief, Appellate Division

RMF:jld

cc: Joseph W. Luby, Esq.
Counsel of Record