



September 29, 2023

Mr. Scott Harris
Clerk of the Court
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

Re: Gregory et al. v. Brown, No. 22-1107

Dear Mr. Harris:

Petitioners in this matter filed their Petition for a Writ of Certiorari on May 8, 2023. On July 28, 2023, the Court requested a response by August 28. On August 7, the Ninth Circuit denied Petitioners' request to stay the mandate and District Court proceedings pending their Petition. On August 22, the Court granted Respondent a 30-day extension of time to file a response.

On September 15, after retaining Supreme Court counsel, Respondent requested an additional 30-day extension of time to respond up to and including October 27, 2023. Petitioners opposed the request on the ground that a jury trial was "scheduled to proceed in the District Court ... on October 10, 2023, and an extension of time would prohibit the Justices' consideration of the Petition before trial." On September 19, this Court granted in part and denied in part Respondent's extension request and extended the time to respond until October 10.

On September 22, 2023, Petitioners asked the District Court to stay the case pending disposition of the Petition for Certiorari. In their stay request, Petitioners explained that "the timing of the trial pending SCOTUS' decision on Defendants' Petition presents a situation where the outcome of the October 10, 2023 trial might be in conflict with SCOTUS's decision on Defendants' Petition." On September 25, the District Court granted the stay and held the trial in abeyance pending this Court's disposition of the Petition.

Respondent respectfully renews her request, under Rule 30.4 of the Rules of this Court, for an extension of time up to and including October 27, 2023, within which to file her Brief in Opposition. This is Respondent's third extension request. Petitioners advised that they will not oppose the requested extension.

The requested extension is necessary because Respondent recently retained the undersigned as counsel of record in this matter, and additional time is necessary to allow counsel a reasonable opportunity to review the record, study the relevant case law, and prepare the brief. The requested extension is also necessary due the press of counsel's other business. Finally, because the District Court has entered a stay, granting the requested extension will not preclude the Justices' consideration of the Petition before trial.

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Thank you very much for your assistance in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'RPT', is written above a horizontal line.

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cc: Petitioners' Counsel