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November 9, 2023

VIA ELECTRONIC FILING SYSTEM

Hon. Scott S. Harris, Clerk
Supreme Court of the United States
1 First Street, N.E.
Washington, D.C. 20543

**Re: *Victor Santana v. Texas*, No. 22-1139;
Emergent Motion for Extension of Time to File Brief in Opposition**

Dear Hon. Harris:

Pursuant to Supreme Court Rule 30.4, Respondent, the State of Texas, respectfully moves for an extension of the time to file its response in opposition to the petition for writ of certiorari in *Santana v. Texas*, No. 22-1139.

The response is presently due to be filed on or before Monday, November 13, 2023—after the Court granted Respondent's previous extension. Respondent now requests a **4-day** extension of time, up to and including **Friday, November 17, 2023**, in which to file its brief.

A second extension of time is needed due to the extraordinary events that occurred earlier today at the William P. Clements Building (WPC) in Austin, Texas, which is occupied by the Office of Attorney General of Texas (OAG)—including the undersigned. Specifically, the OAG's mailroom, located in the WPC building, received a suspicious package full of a white powder, which required the Austin Fire Department to decontaminate three OAG employees, who were later taken to a local hospital as a precaution. (*See <https://woai.iheart.com/content/2023-11-09-white-powder-found-at-texas-ags-office/>*). While law enforcement and health security teams preliminarily determined that the substance was not a threat, in abundance of caution, the OAG shut down the WPC building, including the mailroom facility, until Monday, November 13, 2023—the date Respondent's brief in opposition is presently due.

Unfortunately, the OAG's copy facility—which will print and bind 40-copies of Respondent's booklet-formatted brief—is located within the mailroom. Hence, the very earliest the OAG copy facility could begin printing and binding Respondent's brief is the same date the brief is due. Added to this, Respondent is concerned that Monday's reopening could be further delayed.

No prejudice would arise from the requested extension, as counsel for Petitioner, Mr. Jonathan D. Landers, does not oppose this request. A paper copy of this letter will be mailed to the Court and to Mr. Landers on Monday, when the mail room reopens.

Thank you for your consideration of this matter.

Sincerely,

s/ Lori Brodbeck
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cc: Jonathan D. Landers (Counsel for Petitioner)