

# THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE BOSTON, MASSACHUSETTS 02108

> (617) 727-2200 (617) 727-4765 TTY www.mass.gov/ago

September 28, 2022

### VIA ELECTRONIC FILING AND FIRST CLASS MAIL

Hon. Scott. S. Harris Clerk of the Court Supreme Court of the United States One First Street, NE Washington DC 20543-0001

Re: Carlos R. Ruiz v. Massachusetts, No. 22-132

Dear Clerk Harris:

The Respondent has been asked by the Court to file a brief in response to the petition for certiorari by October 19, 2022. Pursuant to Supreme Court Rules 15.3, 30.2, and 30.4, I respectfully request that the Respondent's deadline be extended by fifty days, to December 8, 2022. My request is based on the nature of the matter, the need for thorough review within the Massachusetts Attorney General's Office, and the extent of my own professional commitments. Counsel for the Petitioner has consented to the extension.

The underlying state-court proceedings were not handled by me or by anyone in my office, but by a district attorney's office. Thus, becoming acquainted with all aspects of the proceedings will require a significant amount of time. Moreover, a Court-requested brief in response to a certiorari petition is rightfully given close scrutiny in my office. The brief in this case will be subjected to multiple rounds of thorough evaluation and revision by various attorneys at different levels. And while I will give this matter top priority, I am also responsible for handling a number of other matters as well.

For the foregoing reasons, a fifty-day extension, to December 8, 2022, will enable my office to provide the Court with more thorough and helpful briefing. It will not prejudice any party. On behalf of the Respondent, I request that such an extension be allowed.

Thank you very much.

## Very truly yours,

## /s/ Anna Lumelsky\_\_\_\_\_

Anna E. Lumelsky
Deputy Chief, Appeals Division
Criminal Bureau
Office of the Massachusetts Attorney General
(617) 963-2334
anna.lumelsky@mass.gov
Counsel of Record for the Respondent,
the Commonwealth of Massachusetts

#### **CERTIFICATE OF SERVICE**

Pursuant to Supreme Court Rules 29.3 and 29.5, I hereby certify that, on the date set forth below, a true copy of the accompanying document was served upon all parties required to be served. Specifically, a copy was served through the United States Postal Service by first class mail, postage pre-paid, as well as by electronic mail. Service was directed to the Counsel of Record for the one other party to the case:

Michael B. Kimberly
McDermott Will & Emery LLP
500 North Capitol Street NW
Washington DC 20001
mkimberly@mwe.com
Counsel of Record for the Petitioner, Carlos R. Ruiz

/s/ Anna Lumelsky
Anna E. Lumelsky
Counsel of Record for the Respondent,
the Commonwealth of Massachusetts

Dated: September 28, 2022