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August 22, 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: *Roy Charles Brooks et al. v. Greg Abbott, Governor of Texas, et al.*,
No. 22-136**

Dear Mr. Harris:

In accordance with Supreme Court Rule 30.4, Appellees, Greg Abbott, Governor of Texas; Dan Patrick, Lieutenant Governor of Texas; John Scott, Secretary of State of Texas; Jose A. Esparza, Deputy Secretary of State of Texas; Dade Phelan, Speaker of the Texas House of Representatives; and the State of Texas respectfully move for an extension of the time for filing the response to Appellants' jurisdictional statement in this matter.

On February 1, 2022, the three-judge district court entered an order denying Appellants' motion for a preliminary injunction, and on May 4 that court issued a memorandum opinion explaining its rationale for denying the motion. On June 2, Appellants noticed an appeal to this Court. And on August 8 Appellants filed their jurisdictional statement in this Court. That jurisdictional statement was docketed on August 11, creating a deadline for Appellees' response of September 12. Appellees request a 30-day extension of that deadline, creating a new filing date of October 12, 2022.

My staff reached out to counsel for Appellants via e-mail to ask for Appellants' position on this motion. Although Appellees were unopposed to Appellants' request for a 120-day extension of time to file their jurisdictional statement, Appellants would only consent to a 7-day extension of time for Appellees to file

their response to that jurisdictional statement. Appellants, therefore, are partially opposed to this motion because it seeks a 30-day extension rather than a 7-day extension.

The requested extension is necessary because counsel of record for Appellees has faced numerous briefing and argument obligations since this case was docketed. The press of business from numerous, 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. Such matters include:

- Petitioner's Brief on the Merits in *Abbott v. City of San Antonio et al.*, No. 21-1079, filed in the Texas Supreme Court on August 17, 2022;
- Petitioners' Brief on the Merits in *Abbott v. Jenkins*, No. 21-1080, filed in the Texas Supreme Court on August 17, 2022;
- Petitioners' Brief on the Merits in *Abbott v. Harris County et al.*, No. 22-0124, filed in the Texas Supreme Court on August 17, 2022;
- Appellants' Reply Brief in *National Horsemen's Benevolent and Protective Assoc. v. Jerry Black*, No. 22-10387, filed in the United States Court of Appeals for the Fifth Circuit on August 17, 2022;
- A Supplemental Reply Brief in *Daves v. Dallas County*, No. 18-11368, filed in the United States Court of Appeals for the Fifth Circuit on August 17, 2022;
- An *Amicus Curiae* Brief on behalf of the State of Texas in *New York v. New Jersey*, No. 22O156, due to be filed in this Court on August 29, 2022;
- An argument on behalf of the State of Texas in *National Horsemen's Benevolent and Protective Assoc. v. Jerry Black*, No. 22-10387, due to be presented in the United States Court of Appeals for the Fifth Circuit on August 30, 2022; and
- Petitioners' Reply Brief on the Merits in *Texas v. Haaland*, No. 21-378, which is due to be filed in this Court on September 12, 2022.

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In addition to the above-mentioned professional obligations, one of the principal lawyers for Appellees—who is the only attorney assisting with this appeal who also attended the preliminary-injunction hearing—is scheduled to be on leave for a week starting on August 24 because he will be married on August 27.

For the foregoing reasons, Appellees respectfully request a 30-day extension of the deadline to file their response to Appellants’ jurisdictional statement, creating a new deadline of October 12, 2022.

Respectfully submitted.

/s/ Lanora C. Pettit

Lanora C. Pettit
Principal Deputy Solicitor General

cc: all counsel of record (via e-mail)