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August 1, 2022

Honorable Scott S. Harris  
Clerk  
Supreme Court of the United States  
Washington, DC 20543

Re: *Carr v. Kansas*, No. 22-5218 (CAPITAL CASE)

Dear Mr. Harris,

The petition for a writ of certiorari in this case was filed on July 22, 2022. Because this is a capital case, a response is required under Rule 15.1 of the rules of this Court. Kansas's response is due on August 29, 2022.

Kansas respectfully requests, under Rule 30.4 of the rules of this Court, a 60-day extension of time to and including October 28, 2022, within which to file Kansas's response. Petitioner does not oppose this request for an extension.

This extension is requested to complete preparation of Kansas's response, which will be delayed because of the heavy press of earlier assigned cases to the attorneys handling this matter. Among other cases, this Court has requested a response from Kansas in *Gulley v. Kansas*, No. 21-1464.

An extension is further warranted in this case because the petition in a related case—*Carr v. Kansas*, 22A35—is not due until October 1, 2022. The petitioner in that case, Jonathan Carr, is the brother and co-defendant of the petitioner in this case. The two brothers were convicted for their participation in the same criminal events. They were tried and sentenced together, and this Court previously decided their appeals together. *See Kansas v. Carr*, 577 U.S. 108 (2016). And with respect to their current appeals, the Kansas Supreme Court released its judgments in the brothers' cases on the same day. *See State v. Carr*, 314 Kan. 744 (2022); *State v. Carr*, 314 Kan. 615 (2022). The opinions in the two cases reference each other throughout and rely on each other's analysis.

The brothers' cases are intrinsically related. A 60-day extension would allow Kansas the opportunity to see Jonathan Carr's petition (should he file one by October 1) and analyze how that petition relates to, and potentially overlaps with, this one. This would in turn allow Kansas to better analyze the cert-worthiness of each brother's case.

For these reasons, Kansas respectfully requests a 60-day extension of time through October 28, 2022 to file its brief in opposition in this case.

Sincerely,



Brant M. Laue  
Solicitor General

Cc: Attached Service List

22-5218  
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