



OFFICE OF THE ARIZONA ATTORNEY GENERAL

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SOLICITOR GENERAL DIVISION

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SECTION CHIEF OF CAPITAL LITIGATION

December 13, 2022

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

Re: Request for extension of time to file Brief in Opposition
Richard Rojas v. David Shinn, No. 22-5961

Dear Mr. Harris:

On October 27, 2022, Petitioner Richard Rojas filed a Petition for Writ of Certiorari. Respondents have been requested to file a Brief in Opposition on or before January 3, 2023. Pursuant to Supreme Court Rule 30.4, Respondents respectfully request a 60-day extension of this deadline, to and including March 6, 2023 (given that March 4, 2023 is a Saturday, and March 5, 2023 is a Sunday). Counsel for Petitioner, Ms. Molly Patricia Brizgys, has informed undersigned counsel that she has no objection to this requested extension.

This extension is necessary for several reasons. First, Respondents' former counsel left the Office of the Arizona Attorney General last week, and undersigned counsel—who has never previously worked on this case—needs the additional time to familiarize himself with the procedural and factual history of this matter, as well as the

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legal issues involved.¹ Moreover, undersigned counsel has been forced to relocate to a temporary office location for the next four to six months, and he anticipates that that will complicate locating and obtaining the necessary lower-court case pleadings, documents, and work product. Finally, the extension is necessary due to undersigned counsel's responsibilities in other pending matters, including *Aguilar v. Shinn, et al.*, No. 22–6023 (requested brief in opposition to petition for writ of *certiorari* due February 21, 2023), and ongoing complex litigation involved in *Jones v. Shinn*, Ariz. Dist. Ct. No. CV–01–0592–TUC–TMB (Capital Case), as well as counsel's responsibilities of editing and reviewing the non-capital federal habeas corpus work of approximately 10 Arizona Assistant Attorney Generals.

Thank you for your consideration in this matter.

Sincerely,

Mark Brnovich
Attorney General

Jeffrey L. Sparks
Deputy Solicitor General
Section Chief of Capital Litigation

/s/ J.D. Nielsen
Assistant Attorney General

Cc: Molly Patricia Brizgys, Counsel of Record for Petitioner
Molly@mscclaw.com

¹ Assistant Arizona Attorney General Casey D. Ball will be assisting on this matter. Mr. Ball is currently in the process of applying for membership in the Court's Bar. Like unsigned counsel, Mr. Ball has never previously worked on this matter.