



**OFFICE OF THE ARIZONA ATTORNEY GENERAL**

**MARK BRNOVICH**  
**ATTORNEY GENERAL**

**SOLICITOR GENERAL DIVISION**

**JEFFREY L. SPARKS**  
**DEPUTY SOLICITOR GENERAL**  
**SECTION CHIEF OF CAPITAL LITIGATION**

December 7, 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  
*Tonatiuh Aguilar v. David Shinn, et al.*, No. 22-6023

Dear Mr. Harris:

On November 3, 2022, Petitioner Tonatiuh Aguilar filed a Petition for Writ of Certiorari. Respondents have been requested to file a Brief in Opposition on or before December 21, 2022. Pursuant to Supreme Court rule 30.4, Respondents respectfully request a 60-day extension of this deadline, to and including February 20, 2023 (given that February 19 is a Sunday). Counsel for Petitioner, Mr. Keith Hilzendeger, has informed undersigned counsel that he has no objection to this requested extension.

This extension is necessary for several reasons. First, Respondents' former counsel is unexpectedly leaving the Office of the Arizona Attorney General this 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 legal issues involved. 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

Scott Harris, Clerk of the Court  
United States Supreme Court  
December 7, 2022  
Re: *Tonatiuh Aguilar v. David Shinn, et al.*, No. 22–6023  
Page Two

counsel's responsibilities of editing and reviewing the non-capital habeas work of approximately 10 Arizona Assistant Attorney Generals, as well as counsel's responsibilities in other pending matters, including ongoing complex litigation involved in *Jones v. Shinn*, Ariz. Dist. Ct. No. CV–01–0592–TUC–TMB (Capital Case).

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: Keith Hilzendeger, Counsel of Record for Petitioner  
[Keith\\_Hilzendeger@fd.org](mailto:Keith_Hilzendeger@fd.org)