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DEPARTMENT OF JUSTICE



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Via Electronic Filing System

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

RE: *Richard Galvan Montiel v. Kevin Chappell*, No. 22-6570
Request for Extension of Time to File Brief in Opposition to Petition for Certiorari

Dear Mr. Harris:

Petitioner Richard Galvan Montiel filed a petition for a writ of certiorari in this case on January 11, 2023, and the Court placed it on the docket on January 19, 2023. The California Attorney General's Office represents respondent Kevin Chappell, Warden. Respondent's brief in opposition to the petition is currently due by February 21, 2023. Pursuant to Rule 30.4 of the Rules of the Supreme Court of the United States, respondent respectfully requests that the time for filing the brief in opposition be extended by 30 days, to and including March 23, 2023.

This is respondent's first request for an extension of time. The petition seeks a writ of certiorari related to petitioner's claims of ineffective assistance of counsel during the penalty phase of his capital murder trial. An extension of time would better enable the preparation of a brief in opposition that respondent believes would be most helpful to the Court. On February 6, 2023, respondent informed David A. Senior, counsel of record for petitioner, of respondent's intention to request an extension. Mr. Senior does not object.

Accordingly, respondent respectfully requests that the due date for the brief in opposition to the petition for writ of certiorari be extended to March 23, 2023.

Sincerely,
/s/ **Kenneth N. Sokoler**
KENNETH N. SOKOLER
Supervising Deputy Attorney General

For **ROB BONTA**
Attorney General