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**DEPARTMENT OF JUSTICE**



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March 16, 2023

**Via Electronic Filing System**

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

RE: *James Michael Fayed v. Oak Smith, Acting Warden*, No. 22-6594  
Request for Extension of Time to File Brief in Opposition to Petition for Certiorari

Dear Mr. Harris:

I represent the respondent Oak Smith, Acting Warden of San Quentin State Prison, in the above-entitled case. The petition for writ of certiorari was filed on January 10, 2023. This is a capital case in which petitioner is self-represented, and the brief in opposition is currently due on March 24, 2023. Pursuant to Rule 30.4, I respectfully request that the time for filing that brief be extended by thirty-one days, to April 24, 2023.

This is respondent's second request for an extension of time. My office was not served with the petition for writ of certiorari at the time it was filed, and I first learned of the petition on February 13, 2023, only nine days before the initial deadline. This second extension of time request is predicated on that delay and on the press of other business. Granting the request would better enable the preparation of a response that respondent believes would be most helpful to the Court.

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Accordingly, I respectfully request that the due date for the brief in opposition to the petition for writ of certiorari be extended to April 24, 2023.

Sincerely,

/s/ Idan Ivri

IDAN IVRI

Supervising Deputy Attorney General

For    ROB BONTA  
Attorney General

cc: James Michael Fayed, Petitioner