

ROB BONTA
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DEPARTMENT OF JUSTICE



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March 9, 2023

Via Electronic Filing System

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

RE: *Curtis Lynn Fauber v. Ronald Davis, Warden*, Case No. 22-6909
Request for Extension of Time to File Brief in Opposition to Petition for Certiorari

Dear Mr. Harris:

I represent the respondent in the above-entitled case.¹ The petition for a writ of certiorari was filed on February 28, 2023. This is a capital case, and the brief in opposition is currently due on April 3, 2023. Pursuant to Rule 30.4, I respectfully request that the time for filing that brief be extended by thirty days, to May 3, 2023.

This is respondent's first request for an extension of time. An extension of time would better enable the preparation of a response that respondent believes would be most helpful to the Court. Petitioner's counsel have advised me they do not oppose this request.

Accordingly, I respectfully request that the due date for the brief in opposition to the petition for writ of certiorari be extended to May 3, 2023.

Sincerely,

/s/ A. Scott Hayward
A. SCOTT HAYWARD
Deputy Attorney General

For ROB BONTA
Attorney General

cc: Ajay Kusnoor and John Crouchley, Counsel for Petitioner

¹ This Court's docket indicates the named respondent is "Ronald Davis, Warden" but the Acting Warden of San Quentin State Prison, where petitioner is currently incarcerated, is Oak Smith.

No. 22-6909

In the Supreme Court of the United States

CURTIS LYNN FAUBER, *Petitioner*,

v.

RONALD DAVIS, WARDEN, *Respondent*.

CERTIFICATE OF SERVICE BY MAIL

I, A. Scott Hayward, Deputy Attorney General, a member of the Bar of this Court hereby certify that on March 9, 2023, copies of the attached REQUEST FOR EXTENSION OF TIME TO FILE BRIEF IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI in the above-entitled case were mailed, first class postage prepaid to:

John S. Crouchley
Deputy Federal Public Defender
Federal Public Defender's Office
321 East 2nd Street
Los Angeles, CA 90012-4202

Ajay V. Kusnoor
Research & Writing Attorney
Federal Public Defender's Office
321 East 2nd Street
Los Angeles, CA 90012-4202

I further certify that all parties required to be served have been served.

s/ A. Scott Hayward

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