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May 5, 2023

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
Atdom Mikels Patsalis v. Ryan Thornell, et al., No. 22–7113

Dear Mr. Harris:

On March 23, 2023, Petitioner Atdom Mikels Patsalis filed a Petition for Writ of Certiorari. Respondents have been requested to file a Brief in Opposition on or before May 17, 2023. Pursuant to Supreme Court rule 30.4, Respondents respectfully request a 30-day extension of this deadline, to and including June 16, 2023. This proposed extension is not for reasons of delay, and Counsel for Petitioner, Mr. Keith Hilzendeger, has no objection to the request.

This extension is necessary due to the complex factual and legal nature of the case. Patsalis was charged with and convicted of 25 felony counts stemming from a three-month crime spree during which he committed a number of burglaries (and other crimes) against numerous different victims on different occasions. Additionally, this case presents complicated legal issues under the Antiterrorism and Effective Death Penalty Act of 1996 [AEDPA], including whether, under 28 U.S.C. 2254(d), the state court decision can be considered a merits adjudication, and whether this Court's Eighth Amendment jurisprudence has been clearly established with regard to the sentences Patsalis received.

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Because of the factual and legal complexities presented, Respondents need the additional time to finalize their Brief.

Thank you for your consideration in this matter.

Sincerely,

Kristin K. Mayes
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
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