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SECTION CHIEF OF CRIMINAL APPEALS  
SECTION

May 18, 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  
*Jason Smith v. Arizona*, No. 22–899

Dear Mr. Harris:

On March 14, 2023, Petitioner Jason Smith filed a Petition for Writ of Certiorari. Respondents have been requested to file a Brief in Opposition on or before May 25, 2023. Pursuant to Supreme Court Rule 30.4, Respondents respectfully request a 30-day extension of this deadline, to and including June 26, 2023 (given that June 24, 2023 is a Saturday, and June 25, 2023 is a Sunday). Counsel for Petitioner, Mr. Hari Santhanam, has no objection to this requested extension.

This extension is necessary for several reasons. First, counsel who has been working on this case, Attorney Kinney, was forced to relocate to a temporary office for the past six months after filing her response in the Arizona Supreme Court in this matter. The lower-court case pleadings, documents, work product, and exhibits are in Attorney Kinney's permanent office. While some documents are digitally accessible, some are not, particularly the trial court exhibits. Counsel has been informed staff should be able to return to their offices hopefully next week.

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Second, the extension is necessary based on Attorney Kinney’s responsibilities in other matters, including *Centeno-Sarabia v. Thornell*, CV 23–00075 (limited answer to a petition for writ of habeas corpus with over 130 exhibits that had an original filing deadline of April 28, 2023, that was subsequently extended to May 22, 2023, and was filed on May 16, 2023), and *State v. Rix*, 1 CA-CR 22–0305 (assisting another attorney with a moot court for an upcoming oral argument on May 24, 2023). Moreover, an initial brief in opposition in this matter has been drafted and is being reviewed at the Arizona Attorney General Office’s executive level. After the initial review process at this level, additional research is needed to appropriately respond to the issues raised in the petition.

Thank you for your consideration in this matter.

Sincerely,

Kristin K. Mayes  
Attorney General

Alice M. Jones  
Deputy Solicitor General  
Section Chief of Criminal Appeals Section

/s/ Celeste Kinney

/s/ Michael O’Toole  
Assistant Attorneys General

Cc: Hari Santhanam, Counsel of Record for Petitioner  
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