



**U.S. Department of Justice
Office of the Solicitor General**

Washington, D.C. 20530

December 12, 2023

Honorable Scott S. Harris
Clerk
Supreme Court of the United States
Washington, D.C. 20543

Re: GMS Mine Repair v. Federal Mine Safety and Health Review
Commission, et al,
S.Ct. No. 23-551

Dear Mr. Harris:

The petition for a writ of certiorari in the above-captioned case was filed on November 17, 2023, and placed on the docket on November 22, 2023. The government's response is due on December 22, 2024.

We respectfully request, under Rule 30.4 of the rules of this Court, an extension of time to and including January 22, 2024, within which to file the government's response.

This extension is requested to complete preparation of the government's response, which was delayed because of the heavy press of earlier assigned cases to the attorneys handling this matter.

Sincerely,

Elizabeth B. Prelogar
Solicitor General

cc: See Attached Service List

23-0551

GMS MINE REPAIR

FEDERAL MINE SAFETY AND HEALTH REVIEW
COMMISSION, ET AL.

JAMES P. MCHUGH
HARDY PENCE, PLLC
10 HALE STREET
4TH FLOOR
CHARLESTON, WV 25301
304-345-7250
JMCHUGH@HARDYPENCE.COM