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December 13, 2023

Via Efile

Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543

Re: *Steven Lawayne Nelson v. Bobby Lumpkin, Director, Texas Department of Criminal Justice, Correctional Institutions Division*, No. 23-635 (Capital Case)

Dear Mr. Harris:

In accordance with Supreme Court Rule 30.4, Respondent Bobby Lumpkin, Director, Texas Department of Criminal Justice, Correctional Institutions Division, respectfully moves for an extension of the time for filing the response to the petition for a writ of certiorari in this matter.

Petitioner filed a petition for a writ of certiorari on December 11, 2023. It was docketed on December 13, creating a deadline for the response of January 12, 2024. Respondent requests a 30-day extension of that deadline, creating a new filing date of February 13.

My staff reached out to counsel for Petitioner via e-mail to ask for Petitioner's position on this motion. Petitioner's counsel advised that the requested extension is unopposed.

The extension is necessary because counsel of record for Respondent has faced numerous briefing and argument obligations since the petition was filed. The press of business from numerous, complex matters with deadlines overlapping with the current deadline, as well as pre-existing holiday travel plans, requires significant time

and attention from the undersigned counsel and other counsel assisting with this matter. Such matters include:

- A Reply Brief in Support of an Emergency Motion for Stay Pending Appeal in *United States v. Paxton*, No. 23-50885, filed in the United States Court of Appeals for the Fifth Circuit on December 12, 2023;
- Respondent's Brief on the Merits in *Devillier v. Texas*, No. 22-913, filed in this Court on December 13, 2023;
- Appellant's Brief in *Woodlands Pride v. Paxton*, No. 23-20480, due to be filed in the United States Court of Appeals for the Fifth Circuit on January 9, 2024;
- Respondent's Brief on the Merits in *NetChoice v. Paxton*, No. 22-555, due to be filed in this Court on January 16, 2024; and
- Presenting argument to this Court in *Devillier v. Texas*, No. 22-913, on January 16, 2024.

For the foregoing reasons, Respondent respectfully requests a 30-day extension of the deadline to file the response to the petition for a writ of certiorari, creating a new deadline of February 13, 2024.

Respectfully submitted.

/s/ Aaron L. Nielson

Aaron L. Nielson
Solicitor General

cc: Meaghan VerGow (via e-mail)