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**DEPARTMENT OF JUSTICE**



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March 5, 2024

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

RE: *Kimble v. Davis, Warden*, Case No. 23-6469  
Request for Second Extension of Time to File Brief in Opposition to Petition for  
Certiorari

Dear Mr. Harris:

I represent the respondent in the above-entitled capital case. The petition for a writ of certiorari was filed on January 9, 2024. The brief in opposition is currently due on March 13, 2024, after this Court granted respondent a thirty-day extension of time. Pursuant to Rule 30.4, I respectfully request that the time for filing the brief in opposition be extended by thirty additional days, to April 12, 2024.

A draft of the brief in opposition has been completed. But the deputy solicitor general assigned to review the brief in opposition suffered a death in the family this week and will be unavailable for at least the next week. We are in the process of adjusting the review process so that the brief may be finalized and submitted within the time requested. Petitioner's counsel has advised me that she does 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 April 12, 2024.

Sincerely,

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

For ROB BONTA  
Attorney General

cc: Kathryn A. Young, David R. Evans, Counsel for Petitioner