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VIA ELECTRONIC DELIVERY

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

Re: *Miguel Jaimes-Luviano v. Florida*, Case No. 23-6622

Dear Mr. Harris:

On behalf of the Respondent in this matter, and pursuant to Rule 30.4, I respectfully request a 22-day extension to file the Brief in Opposition, extending the May 1, 2024, deadline to May 22, 2024. The extension is necessary because the Office of the Solicitor General has a number of pressing deadlines in various other matters with limited staff assistance. Along with its obligations in other state and federal courts, the Office is currently responding to numerous other petitions raising the same issue Petitioner raises here: the constitutionality of Florida's use of six-person juries. Because Florida tries all noncapital crimes before six-person juries, new petitions raising this issue are filed constantly.¹ The Court began calling for responses to such petitions in August of 2023, and

¹ The petitions for which briefs in opposition are outstanding include *Albritton v. Florida*, Case No. 23-7272; *Almuhaseb v. Florida*, Case No. 23-6937; *Anderson v. Florida*, Case No. 23-6527; *Brown v. Florida*, Case No. 23-6891; *Bryant v. Florida*, Case No. 23-6963; *Harpel v. Florida*, Case No. 23-7245; *Hodge v. Florida*, Case No. 23-7162; *Laidler v. Florida*, Case No. 23-7239; *Mejia v. Florida*, Case No. 23-6597; *Owensby v. Florida*, Case No. 23-6723; *Quinn v. Florida*, Case No. 23-6558; *Ryan v. Florida*, Case No. 23-7050; *Stephenson v. Florida*, Case No. 23-7244; *Stewart v. Florida*, Case No. 7246; *Tansil v. Florida*, Case No. 23-6901; *Vincent v. Florida*, Case No. 23-6968; and *Zenon v. Florida*, Case No. 23-7124. The Office of the Solicitor General has already filed briefs in opposition in 13 cases, including *Aiken v. Florida*, Case No. 23-5794; *Arellano-Ramirez v. Florida*, Case No. 23-5567; *Bartree v. Florida*, Case No. 23-6143; *Crane v. Florida*, Case No. 23-5455; *Cunningham v. Florida*, Case No. 23-5171; *Enriquez v. Florida*, Case No. 23-5965; *Guzman v. Florida*, Case No. 23-5173; *Jackson v. Florida*, Case No. 23-5570; *Manning v. Florida*, Case No. 23-6049; *Morton v. Florida*, Case No. 23-5579; *Sanon v. Florida*, Case No. 23-6289;

although the Court was first scheduled to consider whether to take up the issue on November 17, 2023, it has delayed its consideration of those petitions several times since then. Counsel for petitioner does not object to this request for an extension of time.

Sincerely,

/s/ Henry C. Whitaker
Henry C. Whitaker
Counsel of Record

cc: Benjamin H. Eisenberg
Counsel of Record

Sposato v. Florida, Case No. 23-5575; and *Tillman v. Florida*, Case No. 23-6304. The Court's consideration of those cases has been rescheduled several times.