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June 4, 2024

Mr. Scott S. Harris, Clerk
Supreme Court of the United States
One First Street, NE
Washington, DC 20543

Re: Application for Extension of Time to File Response to Petition for Writ of
Certiorari in *Russell William Tucker v. State of North Carolina*, No. 23-7499

Dear Mr. Harris:

I am counsel of record for Respondent in *Russell William Tucker v. State of North Carolina*, No. 23-7499. The response in this capital case is due on or before June 17, 2024. Respondent has not requested any previous extensions of time.

Pursuant to Supreme Court Rule 30(4), Respondent respectfully requests an extension of sixty days until August 16, 2024, to file the response. The basis for this request is that undersigned counsel was only recently assigned to handle the response after counsel for the State in the lower court proceedings, Senior Deputy Attorney General Danielle Marquis Elder, retired from state service effective June 1, 2024. Undersigned counsel requests an extension of time to allow sufficient opportunity to review the case materials and to draft the response. In addition to this matter, undersigned counsel also has a petition for discretionary review due June 11, 2024, in the North Carolina Supreme Court in *State v. Kelliher*, COA23-691; a brief involving a double homicide and a juvenile offender due June 6, 2024, in the North Carolina Supreme Court in *State v. Borlase*, 33A24; briefs due June 10, 2024 (*State v. Middleton*, COA24-252), June 17, 2024 (*State v. Shipman*, COA24-167), June 27, 2024 (*State v. Mills*, COA23-691), and July 3, 2024 (*State v. Williams*, COA-785), in the North Carolina Court of Appeals; a response to a federal habeas petition due July 1, 2024 (*Wilson v. Ishee*, 5:23-HC-2199-D), in the United States District Court for the Eastern District of North Carolina; and a ten-day leave period between now and August scheduled since January 2024.

Thank you for your attention to this matter.

Sincerely,

Heidi M. Williams
Special Deputy Attorney General
*Counsel of Record

CERTIFICATE OF SERVICE

I, Heidi M. Williams, Special Deputy Attorney General for Respondent and a member of the bar of this Court, hereby certify that on June 4, 2024, a copy of the State of North Carolina's LETTER OF MOTION REQUESTING AN EXTENSION OF TIME TO FILE RESPONSE TO PETITION FOR WRIT OF CERTIORARI, was served on petitioner's counsel of record, Gretchen M. Engel, Center for Death Penalty Litigation, 3326 Durham Chapel Hill Blvd., Bldg D., Suite 201, Durham, NC 27707, by first class mail, postage prepaid. I further certify that all parties required to be served have been served.

This the 4th day of June, 2024.



Heidi M. Williams
Special Deputy Attorney General

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