



KRISTIN K. MAYES
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL
SOLICITOR GENERAL'S OFFICE

ALEXANDER W. SAMUELS
PRINCIPAL DEPUTY SOLICITOR GENERAL
(602)-542-5252
ALEXANDER.SAMUELS@AZAG.GOV

December 2, 2024

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

Re: Request for extension of time to file Brief in Opposition
Felipe Petrone-Cabanas v. State of Arizona
Charles Vincent Wagner v. State of Arizona
Jonathan Andrew Arias v. State of Arizona
Thomas James Odom v. State of Arizona
Christopher Lee McLeod v. State of Arizona
Case No. 24-391

Dear Mr. Harris:

On October 4, 2024, Petitioners filed a Petition for Writ of Certiorari. On November 12, 2024, the Court ordered Respondent to file a Brief in Opposition on or before December 12, 2024. Pursuant to Supreme Court Rule 30.4, Respondent respectfully requests a 60-day extension of this deadline, to and including February 10, 2025. Neal Katyal, counsel for Petitioners, has conveyed the following position regarding this extension request: "Petitioners consent to a 21-day extension to January 2, 2025, but do not consent to a longer extension, to ensure that the Court may consider the petition this Term."

The extension is necessary for several reasons. First, Respondent's counsel in this Court—the Arizona Attorney General's Office—did not represent the State in proceedings below. The State was represented by a County Attorney's Office in the state courts, and the Attorney General's Office now needs additional time to familiarize itself with the procedural and factual history of these matters, and to ensure adequate coordination between the Attorney General's Office and prior counsel at the County Attorney's Office.

This task requires more time than usual in this case because the Petition for Writ of Certiorari is a consolidated petition filed by five petitioners, and the Petition purports

to raise record-based claims. *See, e.g.*, Pet. at 24-27. Each of the five petitioners has a separate case with its own separate record in the state courts. Petitioners' list of related proceedings in their Petition for Writ of Certiorari includes 29 state-court matters under 24 different case numbers. *See* Pet. at iii-v. And many of the relevant trial proceedings date back to the 1990s. Put simply, "reviewing voluminous materials" is required, as Petitioners previously noted in seeking a 60-day extension of their own (which was granted). *See* Case No. 24A76, Application, at 8.

Moreover, the extension is necessary due to counsel's other responsibilities, including cases in which counsel is expected to file briefs in state-court matters in the coming weeks. These include an answering brief in the Arizona Supreme Court and substantive briefing in trial-court matters. Counsel also has supervisory and reviewing responsibilities on other matters. Finally, counsel was out of town on pre-planned, out-of-state travel from November 23 to December 1, and is scheduled to be out of town on pre-planned, out-of-state travel from December 25 to December 31.

Thank you for your consideration in this matter.

Sincerely,

Kristin K. Mayes
Attorney General

/s/ Alexander W. Samuels
Alexander W. Samuels
Principal Deputy Solicitor General

Cc: Neal Katyal, Counsel of Record for Petitioner
Neal.Katyal@hoganlovells.com