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

Re: *Petrone-Cabanas v. Arizona*, No. 24-391

Dear Mr. Harris,

Petitioners oppose Respondent's request for an extension of time to file a Brief in Opposition. Respondent's requested extension would prevent the Court from hearing the case this Term, which in turn would prolong this already lengthy litigation. The cost of that delay will fall directly on Petitioners—state prisoners sentenced as children to mandatory life without parole—who filed their postconviction petitions about a decade ago seeking the discretionary sentencing procedure that the Constitution entitles them to.

Respondent has had considerable time to prepare a Brief in Opposition. Respondent has known since July 19, 2024, that Petitioners would file a joint Petition in this Court. Petitioners' extension application summarized the basis for the Petition, including that the courts below had denied relief on grounds that Respondent had expressly disclaimed before this Court. *See Bassett v. Arizona*, 144 S. Ct. 2494, 2496-99 (2024) (Sotomayor, J., dissenting from the denial of certiorari). The Petition was filed on October 4, 2024, nearly two months ago. Petitioners filed the Petition with ample time for the case to be heard this Term, including with extensions by both sides. However, Respondent chose to waive its Brief in Opposition, despite the strong possibility that the Court would call for a response given the important constitutional issues at stake and the dissent from denial of certiorari joined by three Justices in a related case. *See id.*

By choosing to waive its Brief in Opposition, and then requesting a 60-day extension, Respondent has proposed a schedule that would prevent the Court from hearing the Petition this Term, if it chooses to grant certiorari. Petitioners respectfully submit that this Court should instead grant up to a 21-day extension of the Brief in Opposition to January 2, 2025. Petitioners would then file a reply brief on an expedited schedule and waive the 14-day waiting period for distribution of the briefs to ensure distribution by January 8, which would enable the Court to consider the Petition for argument this Term.

We respectfully urge the Court to deny the request for a 60-day extension and instead grant up to a 21-day extension.

Respectfully submitted,

/s/ Neal Kumar Katyal
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Counsel of Record for Petitioners

cc: Kristin K. Mayes, Attorney General
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