



GEORGIA DEPARTMENT OF LAW

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November 25, 2024

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

RE: ***John Esposito v. Shawn Emmons, Warden***
Case No. 24-5906

Dear Mr. Harris:

Petitioner John Esposito filed his petition for writ of certiorari on October 30, 2024. Respondent Warden's counsel respectfully requests a sixteen-day extension for filing a brief in opposition to the petition. Respondent's brief is currently due in this Court on December 4, 2024. During the briefing period, counsel for Respondent has been briefing and litigating a civil complaint filed by death row inmate Jerry Scott Heidler challenging the constitutionality of state statutes governing competency to be executed in the case of *Heidler v. Carr, et seq.*, Superior Court of DeKalb County Case No. 24CV8914. Additionally, counsel has prepared a response in opposition to an extraordinary motion for new trial also filed by Jerry Scott Heidler in the trial court that will be filed this week in the case of *State v. Heidler*, Superior Court of Toombs County, Case No. 98-CR-48. Counsel for Respondent also filed a response in opposition to a motion to remand in the Eleventh Circuit Court of Appeals in the case of *O'Kelley v. Warden*, Case No. 23-12947 on November 6, 2024. Finally, undersigned counsel has an outpatient medical procedure scheduled for December 3, 2024. Given these responsibilities, along with various other responsibilities in on-going cases, a sixteen-day extension until December 20, 2024, would ensure that

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counsel for Respondent has adequate time to respond to Esposito's petition for writ of certiorari appropriately.

Sincerely,



Sabrina Graham

Senior Assistant Attorney General

cc: Marcia Widder
Anna Arceneaux