



CUYAHOGA COUNTY OFFICE OF THE PUBLIC DEFENDER

Chief Public Defender – Cullen Sweeney

June 5, 2025

Via U.S. Mail, Email, and Electronic Filing

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

Re: State of Ohio v. Garry Smith, Case No. 24-985

Dear Mr. Harris:

I am counsel for Garry Smith, the Respondent in this case. I am writing you to request a 2nd 30-day extension of time in which to file the brief in opposition to the Petition for a Writ of Certiorari. The brief is currently due on June 13, 2025. Granting this request would make the brief due on July 14, 2025 (since the 13th is a Sunday).

The additional time is required due to competing deadlines in other litigation, including two hearings on a motion for new trial (one on June 23, the other on July 10th) and a petition for habeas corpus relief in federal district court, in addition to the need to thoroughly research and prepare a response to the petition in this case.

Undersigned has reached out to counsel for petitioner who consents to this request.

Thank you very much for your time and assistance in this matter.

Sincerely,

Cullen Sweeney
Cuyahoga County Public Defender

By: Erika B. Cunliffe
Erika B. Cunliffe, Assistant Public
Defender, Counsel for Respondent

CC: Daniel T. Van, Counsel for Petitioner

Felony
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Office: (216) 443-8355
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Juvenile
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310 W. Lakeside Ave., Suite 200
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CERTIFICATE OF SERVICE

I, Erika Cunliffe, a member of the Bar of this Court and counsel of record for Respondent Garry Smith, hereby certify that on June 5, 2025, I caused a copy of the foregoing request for an extension of time to file a brief in opposition to be sent via first class mail, postage prepaid, to:

Daniel T. Van, Assistant Cuyahoga County Prosecutor
The Justice Center – 1200 Ontario Street – 8th Floor
Cleveland, Ohio 44113

By: /s/ Erika B. Cunliffe

Erika B. Cunliffe
Counsel for Respondent