



U.S. Department of Justice

Office of the Solicitor General

Washington, D.C. 20530

January 19, 2018

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

Re: Donivon Craig Tingle v. Sonny Perdue, Secretary of Agriculture, et al.,
No. 17-807

Dear Mr. Harris:

The petition for a writ of certiorari in the above-captioned case was filed on December 1, 2017. Respondents include the government and representatives of a plaintiff class. On December 27, 2017, the class-representative respondents sought a 17-day extension of time in which to file a response, from January 5, 2018, to January 22, 2018, to align the briefing schedule in this case with the briefing schedule in Keith Mandan v. Sonny Perdue, Secretary of Agriculture, et al., No. 17-897 (petition for cert. filed Dec. 19, 2017), which seeks review of the same underlying decision of the court of appeals. See Keepseagle v. Perdue, 856 F.3d 1039 (D.C. Cir. 2017). This Court granted the requested 17-day extension for all respondents.

We respectfully request, under Rule 30.4 of the Rules of this Court, a further extension of time, to and including February 21, 2018, for the government to file a response to this petition. In a separate letter, we have requested a first extension of time to file a response to the petition in Mandan, No. 17-897, to and including February 21, 2018. The additional time is needed for the government to prepare its response to these two petitions arising from the same judgment but presenting somewhat different arguments. If the Clerk's Office grants the government's requested extension in Mandan, granting the requested extension in this case would allow the briefing schedules to remain aligned.

Counsel for petitioner does not consent to this further extension.

Sincerely,

Noel J. Francisco
Solicitor General

cc: See Attached Service List

17-0807
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