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August 28, 2018

Via Electronic Filing System and Federal Express

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

RE: *Tracy Dearl Cain v. Ron Davis, Warden,*
No. 17-9218
Request for Extension of Time to File Brief in Opposition to Petition for Writ of
Certiorari

Dear Mr. Harris:

I represent the respondent, Ron Davis, in the above-entitled case. The petition for a writ of certiorari was filed on May 25, 2018, following a fifty-nine-day extension of time. I have previously received two extensions of time, totaling sixty-two days, to file the brief in opposition, which is currently due on September 5, 2018. Pursuant to Rule 30.4, I respectfully request that the time for filing that brief be extended by another thirty days, to October 5, 2018. Absent unforeseen circumstances, I do not anticipate needing any time beyond October 5, 2018, to file the brief in opposition.

I have now completed a draft brief in opposition. As detailed in my previous request for an extension of time, however, the draft took longer than I anticipated because it involves several issues with which I was unfamiliar, as they were not certified for appeal below until after oral argument, and they were not briefed by the State. I still must allow time for internal review and revision of the draft, in consultation with my supervisors, including the California Solicitor General's Office. Based on my initial consultation with my supervisors, I believe that the process of review and revision, as well as preparation for filing, will take substantially longer than would be permitted by the current deadline.

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On August 24, 2018, I communicated with Jonathan Aminoff, counsel for petitioner, who advised me that he does not oppose this request.

Accordingly, I respectfully request that the due date for the brief in opposition to the petition for a writ of certiorari be extended to October 5, 2018.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Kimara A. Aarons". The signature is fluid and cursive, with a long horizontal stroke at the end.

KIMARA A. AARONS
Deputy Attorney General

For XAVIER BECERRA
Attorney General

In the Supreme Court of the United States

TRACY DEARL CAIN, *Petitioner*,

v.

RON DAVIS, WARDEN, *Respondent*,

CERTIFICATE OF SERVICE BY MAIL

I, Kim Aarons, Deputy Attorney General, a member of the Bar of this Court, hereby certify that on **August 28, 2018**, a copy of the Request for Extension of Time to File Brief in Opposition to Petition for a Writ of Certiorari in the above-entitled case was mailed, first class postage prepaid to:

Jonathan C. Aminoff
Office of the Federal Public Defender
321 E. 2nd Street
Los Angeles, CA 90012
2138945374

I further certify that all parties required to be served have been served.



KIMARA A. AARONS
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Counsel for Respondent