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SOLICITOR GENERAL DIVISION
CAPITAL LITIGATION SECTION

LACEY STOVER GARD
SECTION CHIEF COUNSEL

March 7, 2019

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

RE: *James Erin McKinney v. Arizona*, No. 18-1109

Dear Mr. Harris:

Pursuant to United States Supreme Court Rule 30(4), the State of Arizona respectfully requests a first 30-day extension of time to file the Brief in Opposition to Petitioner James Erin McKinney's Petition for Writ of Certiorari. The Brief in Opposition is currently due on March 28, 2019. The State of Arizona requests an extension of time to and including April 29, 2019. McKinney's counsel, Neal Katyal, does not oppose this extension.

The extension is requested due to undersigned counsel's involvement in other capital cases. Counsel is presently drafting an answer to the over 500-page capital habeas petition in *Johnson v. Ryan*, CV18-00889-SPL (D. Ariz.), which was filed on December 17, 2019. Counsel must also complete and file an answering brief in the Ninth Circuit by April 2, 2019, in the case of *Jones v. Ryan*, No. 18-99005.

The affidavit of service of this letter is enclosed. Thank you in advance for your attention to this matter and your consideration.

Sincerely,

Jeffrey L. Sparks
Assistant Attorney General, Capital Litigation Section
Counsel of Record

No. 18-1109

IN THE
SUPREME COURT OF THE UNITED STATES

JAMES ERIN MCKINNEY,
PETITIONER,

vs.

STATE OF ARIZONA,
RESPONDENT.

STATEMENT OF MAILING
AFFIDAVIT OF SERVICE

EXTENSION REQUEST

MARK BRNOVICH
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Attorneys for Respondent

AFFIDAVIT

STATE OF ARIZONA

County of Maricopa

} ss.

JEFFREY L. SPARKS, being first duly sworn upon oath, deposes and says:

That he is a member in good standing of the United States Supreme Court Bar.

That on March 7, 2019, he caused to be shipped by Federal Express, an Original and 10 copies of an application for extension of time to file the brief in opposition to the petition for writ of certiorari of Petitioner in *James Erin McKinney v. Arizona*, No. 18-1109, to:

THE HONORABLE SCOTT HARRIS
United States Supreme Court
Office of the Clerk
1 First Street, N.E.
Washington, D.C. 20543

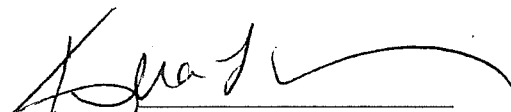
and caused to be deposited in a United States Post Office, first-class postage prepaid, and sent electronically to:

Neal Kumar Katyal
Hogan Lovells US LLP
555 Thirteenth Street, N.W.
Washington, D.C. 20004
neal.katyal@hoganlovells.com

That to his knowledge the Federal Express shipping and mailing of Respondents' Application for Extension of Time to File the Brief in Opposition, took place on March 7, 2019. All parties required to be served have been served.


JEFFREY L. SPARKS

SUBSCRIBED AND SWORN to before me this 7th day of March, 2019.


Notary Public

