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February 27, 2019

VIA ELECTRONIC FILING SYSTEM

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

**Re: *Gregory Dean Banister v. Lorie Davis*, No. 18-6943;
Request for Extension of Time to File Brief in Opposition**

Dear Hon. Harris:

My Office, the Attorney General of Texas, represents the Respondent, Lorie Davis, Director, Texas Department of Criminal Justice, Correctional Institution Division, in the above referenced appeal. By letter dated January 28, 2019, the Court directed Respondent to file a brief in opposition to Petitioner's petition for writ of certiorari—presently due to be filed today, February 27, 2019. Pursuant to Rule 30.4, this is a request for a **58-day** extension of time, up to and including **Friday, April 26, 2019**, in which to file the Director's brief.

This is Respondent's first request for an extension in this case. As justification for this request, the undersigned, as the non-capital appellate supervisor for the Criminal Appeals Division of the Texas Attorney General (CAD), requires additional time due to his obligations within CAD to oversee seventeen non-capital attorneys in all aspects of federal habeas litigation. Finally, due to an internal docketing error within CAD, the undersigned first became aware of the Court's January 28-directive yesterday, February 26, 2019; hence, CAD has only just begun the complex internal review process required before filing a brief in opposition in this Court.

Conference with Petitioner is not possible because he is proceeding pro se, and is also incarcerated. Respondent will not speculate about whether Petitioner

will oppose this motion. A copy of this letter will be sent to Petitioner by placing it in the United States Mail, postage prepaid, to the address listed below.

Thank you for your consideration of this matter.

Sincerely,

s/ Joseph P. Corcoran
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