

# FEDERAL PUBLIC DEFENDER

WESTERN DISTRICT OF OKLAHOMA

SUSAN M. OTTO  
FEDERAL PUBLIC DEFENDER

Death Penalty Federal  
Habeas Corpus Division:  
Reply To:  X   
215 Dean A. McGee  
Suite 707 Old Post Office Building  
Oklahoma City, Oklahoma 73102  
(405) 609-5975  
Fax: (405) 609-5976

Main Office:  
Reply To: \_\_\_\_\_  
215 Dean A. McGee  
Suite 109 Old Post Office Building  
Oklahoma City, Oklahoma 73102  
(405) 609-5930  
Fax: (405) 609-5932

Federal Transfer Center  
Parole Revocation Docket:  
Reply To: \_\_\_\_\_  
215 Dean A. McGee  
Suite 109 Old Post Office Building  
Oklahoma City, Oklahoma 73120  
(405) 680-4047  
Fax: (405) 680-4082

May 6, 2020

Mr. Scott Harris, Clerk  
Supreme Court of the United States  
One First Street, NE  
Washington, DC 20543

Re: *Tommy Sharp, Petitioner v. Roderick Smith, Respondent*,  
Case No. 19-1106 (capital case)

Dear Mr. Harris:

Pursuant to Rules 30.4 and 15.3 of the Rules of the Supreme Court, undersigned counsel for Respondent, Emma V. Rolls, hereby requests an extension of time of thirty (30) days in which to respond to the Petition for Writ of Certiorari filed in the above-captioned case.

The Petitioner's petition was filed March 2, 2020, and docketed March 9, 2020. After already having been granted one extension of time, Respondent's Brief in Opposition is currently due May 26, 2020. Counsel for Respondent respectfully requests an additional 30-day extension, which would render the brief due Thursday, June 25, 2020. The extension is justified for the following reasons.

Due to COVID-19, the Capital Habeas Unit of the Western District of Oklahoma has implemented a telework policy, pursuant to W.D. Okla. General Order 20-5 (Court Operation Protocols Under the Exigent Circumstances created by the COVID-19 Pandemic) filed March 13, 2020. Teleworking has complicated working conditions, requiring increased time for the completion of tasks. This Court recognized the same in its March 19, 2020 Order, in which the Court automatically extended the deadlines for Petitions for Writs of Certiorari by 150 days.

In addition, Respondent's counsel of record is the supervisor of the Capital Habeas Unit of the Federal Public Defender for the Western District of Oklahoma, which entails numerous administrative and supervisory functions, including an increased workload litigating a challenge to the newly released lethal injection protocol for Oklahoma capital inmates. Ms. Rolls is also co-counsel on a certiorari petition currently due May 25, 2020, in *Harmon v. Sharp*, Supreme Court Case No. 19A1011.

Further, Ms. Rolls is the lead attorney in *Tommy Sharp, Petitioner v. Jimmy Harris, Respondent*, Supreme Court Case No.19-1105, wherein the Brief in Opposition is due and will be filed on Monday, May 11, 2020. The Petitions for Writ of Certiorari for Mr. Harris and Mr. Smith were filed on the same day, despite Mr. Harris's petition not being due for over 20 days.

Thank you for your consideration.

Sincerely,

*s/ Emma V. Rolls*

Emma V. Rolls

Assistant Federal Public Defender

Western District of Oklahoma

215 Dean A. McGee Ave., Suite 707

Oklahoma City, Oklahoma 73102

(405) 609-5975 (telephone)

(405) 609-5976 (facsimile)

Emma\_Rolls@fd.org

Counsel of Record for Roderick Smith,  
Respondent