



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 11, 2019

Honorable Danny Bickell, Deputy Clerk
Supreme Court of the United States
Office of the Clerk
1 First Street, N.E.
Washington, D.C. 20543

Re: *Edward Busby v. Lorie Davis, Director, TDCJ-CID*, No. 19-5653

Dear Mr. Bickell:

This is to request a thirty-one-day extension of time, up to and including October 21, 2019, in which to file a brief in opposition in the above-styled cause. The undersigned recently filed a response in the Fifth Circuit to a motion for authorization prior to a scheduled execution in the Mark Soliz case. *In re Soliz*, No. 19-10979 (5th Cir.). The undersigned is also lead counsel in the Ruben Gutierrez case in which an execution date has been scheduled for October 30, 2019. Moreover, the undersigned has other impending briefing deadlines, e.g., *In re Julius Murphy*, No. 19-40741 (5th Cir.) (response to motion for authorization due October 7, 2019) and *In re Raby*, No. 19-5820 (brief in opposition due), and is serving as lead counsel in post-conviction DNA-testing proceedings in state court in *Irvan v. Texas*, No. 864928 (180th Dist. Ct. Harris Co.), which has several attendant pre-hearing deadlines. Thus, the undersigned requests additional time to file the brief in opposition in the above-styled cause. This is the first extension of time requested by the Director in this case.

The undersigned has conferred with counsel for petitioner who stated the requested extension is unopposed. Thank you for your consideration of this matter.

Sincerely,

s/ Jefferson Clendenin
JEFFERSON CLENDENIN
Assistant Attorney General
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cc: David Dow
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