

COLUMBIA LAW SCHOOL
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April 20, 2020

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

Re: *Phillip Wayne Tomlin v. Tony Patterson, Warden, No. 19-7127*

Dear Mr. Harris:

Pursuant to the Court's order of March 19, 2020, regarding the ongoing public health concerns due to COVID-19, Applicant-Petitioner, Phillip Wayne Tomlin, respectfully requests a short extension to file his Reply Brief and a corresponding delay of the distribution of the petition for a writ of certiorari in his case. *See Order List 598 U.S. (U.S., March 19, 2020).*

The Respondent's Brief in Opposition was filed on April 15, 2020, and under the Clerk's ordinary practice, the petition would be distributed on Wednesday, April 29, 2020. Mr. Tomlin requests a 10-day extension to file his reply and a corresponding delay in the distribution, which would result in the petition being scheduled for distribution on or after Monday, May 11, 2020. The additional time is warranted because COVID-19 has led to logistical challenges, which have made it difficult for undersigned counsel to prepare and file a reply brief in response to the Respondent's brief by the distribution date.

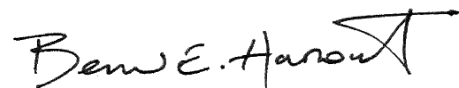
Counsel for the Respondent, Edmund G. LaCour Jr., does not oppose the 10-day extension and delay.

Since March 7, 2020, when the Governor of the State of New York, Andrew Cuomo, declared a state of emergency, and March 11, 2020, when the Director-General of the World Health Organization declared the COVID-19 epidemic to be a pandemic, it became increasingly difficult for undersigned counsel, located in New York City, to function properly as Mr. Tomlin's counsel. This difficulty was exacerbated when, on March 16, 2020, Columbia University—where undersigned counsel has his office and is a faculty member—closed all its buildings and facilities. As a result, starting on March 16, 2020, undersigned counsel has not had access to a law library or any non-electronic materials, or to his office.

Additionally, the COVID-19 pandemic has made it difficult for undersigned counsel to communicate and coordinate with Mr. Tomlin. It is now impossible to meet with him in person and the telephone logistics are complicated. Moreover, due to the closure of Columbia Law School's campus, the law students, who have been assisting on Mr. Tomlin's case through a Columbia Law School Practicum, are currently dispersed across states and time zones, making it harder to coordinate Mr. Tomlin's brief.

For the foregoing reasons, Applicant-Petitioner respectfully requests an extension and delay of the distribution of the petition for a writ of certiorari in his case, extending the time to file his reply by 10 days, which would make it due and result in the petition being scheduled for distribution on Monday May 11, 2020.

Respectfully submitted,



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