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IN THE
Supreme Court of the United States

CURTIS T. HILL, JR., in his official capacity as
Attorney General of the State of Indiana, *et al.*,

Petitioners,

v.

WHOLE WOMAN'S HEALTH ALLIANCE, *et al.*,

Respondents.

**APPLICATION FOR EXTENSION OF TIME TO FILE A
PETITION FOR WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT**

Office of the Indiana
Attorney General
IGC South, Fifth Floor
302 W. Washington Street
Indianapolis, IN 46204
(317) 232-6255

**Counsel of Record*

CURTIS T. HILL, JR.
Attorney General
THOMAS M. FISHER*
Solicitor General
KIAN J. HUDSON
Deputy Solicitor General
JULIA C. PAYNE
Deputy Attorney General

Counsel for Petitioners

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**To the Honorable Justice Brett Kavanaugh, as Circuit Justice for the
United States Court of Appeals for the Seventh Circuit:**

Petitioners, Curtis T. Hill, Jr., in his official capacity of Attorney General of the State of Indiana, Kristina Box, in her official capacity, John Strobel, in his official capacity, and Kenneth P. Cotter, in his official capacity, respectfully request a 56-day extension of time, to and including January 15, 2020, to file a petition for writ of certiorari. In support of this application, Petitioner states as follows:

1. The United States Court of Appeals for the Seventh Circuit issued its panel decision on August 22, 2019. This decision is attached. Absent an

extension of time, the petition for writ of certiorari would therefore be due on November 20, 2019. Petitioner files this application at least ten days before the petition's due date. *See* Sup. Ct. R. 13.5.

2. The Court to which certiorari would be directed is the United States Court of Appeals for the Seventh Circuit. This Court would have jurisdiction to review the judgment of the Seventh Circuit under 28 U.S.C § 1254.

3. The State seeks a 56-day extension for two reasons: other cases requiring the attention of undersigned counsel of record and the intervening state and federal holidays between now and the proposed deadline.

4. First, undersigned counsel is engaged in other litigation matters that interfere with counsel's ability to research and prepare an adequate petition by the current due date of November 20, 2019. Those matters include:

- *Whole Woman's Health Alliance v. Hill*, No. 1:18-cv-01904 (S.D. Ind.) (remaining challenges not at issue in preliminary injunction that would be the subject of the cert. petition): State's motion for summary judgment due November 8, 2019.
- *Toomey v. Ind. Dep't of Correction*, No. 19S-PL-00401 (Ind.) (concerning public records request for drugs used in lethal injections): State's appellants' brief due November 19, 2019.
- *CBD Store v. Holcomb*, No. 19-3334 (7th Cir.) (concerning preemption of Indiana's prohibitions on smokeable hemp): State's appellant's brief due November 25, 2019.

- *Hope v. Ind. Dep't of Correction*, No. 19-2523 (7th Cir.) (concerning as-applied challenge to Indiana's sex-offender registry law): State's reply brief due December 6, 2019.

5. Second, several intervening state and federal holidays between now and the proposed deadline for the Petition for Writ of Certiorari will impede preparation of the Petition: November 11, 2019, November 28 and 29, 2019, December 24 and 25, 2019, and January 1, 2020.

6. Therefore, a 56-day extension of time is necessary so that the State can devote adequate time and attention to its petition in this matter. No meaningful prejudice would arise from a 56-day extension.

CONCLUSION

Petitioners, Curtis T. Hill, Jr., in his official capacity of Attorney General of the State of Indiana, Kristina Box, in her official capacity, John Strobel, in his official capacity, and Kenneth P. Cotter, in his official capacity, respectfully request a 56-day extension of time, to and including January 15, 2020, to file a petition for writ of certiorari.

Respectfully submitted,

/s/ Thomas M. Fisher

Office of the Indiana Attorney General
IGC South, Fifth Floor
302 W. Washington Street
Indianapolis, IN 46204
(317) 232-6255

**Counsel of Record*

CURTIS T. HILL, JR.
Attorney General
THOMAS M. FISHER*
Solicitor General
KIAN J. HUDSON
Deputy Solicitor General
JULIA C. PAYNE
Deputy Attorney General

Counsel for Petitioners

November 8, 2019