

PITTMAN HOWDESHELL, PLLC

ATTORNEYS AT LAW

MILBRANCH OFFICE PARK  
140 MAYFAIR ROAD, SUITE 400  
HATTIESBURG, MISSISSIPPI 39402

CHRISTOPHER M. HOWDESHELL

HOMER W. PITTMAN (1903-1971)

December 30, 2019

JACK H. PITTMAN - OF COUNSEL

REPLY TO:  
POST OFFICE, DRAWER 17138  
HATTIESBURG, MS 39404-7138

Telephone: 601.264.3314  
Facsimile: 601.261.3411

**VIA ELECTRONIC FILING AND FEDERAL EXPRESS**

Clerk, Supreme Court of the United States  
1 First Street, Northeast  
Washington, D.C. 20543

RE: Bay Point Properties, Incorporated, Petitioner v.  
Mississippi Transportation Commission, et al  
United States Supreme Court  
Case No. 19-798  
(On Petition for Writ of Certiorari to the United States Court of Appeals for  
the Fifth Circuit)

Dear Sir or Madam:

Our firm represents the Respondents in the above-referenced matter, and I am counsel of record. Pursuant to Rule 30.4, please accept this correspondence as our request to extend the time for Respondents to file its Brief in Opposition to Petitioner's Writ of Certiorari in the above-referenced matter. In support of this request, the undersigned Counsel would submit that additional time is required due to the holidays, as well as obligations in other matters.

Specifically, Counsel is representing Appellee, Concerned Citizens of Forrest County Areas 4, 5, & 6, LLC in the Mississippi Supreme Court, Case No. 20190AN-00639-SCT, and Appellee's Brief is currently due February 7, 2020. Counsel is also representing Appellant, Pendorff Community Association, LLC in the Mississippi Supreme Court, Case No. 2018-AN-01744-SCT, and Appellant's Reply Brief is currently due February 3, 2020. Further, Counsel is representing Respondents in the Mississippi Supreme Court in Case No. 2019-0862, and Appellee's Brief is currently due February 20, 2020. Counsel also has other active litigation files, and, therefore, it is necessary to request an extension of time to file its Brief in Opposition to Petitioner's Petition for Writ of Certiorari.

Petitioner filed its Petition for Writ of Certiorari on December 20, 2019, and the case was placed on the docket on December 23, 2019. The Brief in Opposition is currently due on January 20, 2020. Respondents would respectfully request an additional thirty (30) days to file the Brief in Opposition, or until February 20, 2020. Petitioner's Counsel has indicated no objection to the extension by email dated December 19, 2019. If this extension is not acceptable, any extension of time would be appreciated. The purpose of this request is not for delay, and good cause exists for this request as stated above.

Clerk, Supreme Court of the United States  
1 First Street, Northeast  
Washington, D.C. 20543  
Page Two

Respectfully submitted, this the 30<sup>th</sup> day of December, 2019.

PITTMAN HOWDESHELL, PLLC

/s/Christopher M. Howdeshell  
Counsel for Respondents

cc: J. David Breemer, Esq.  
Daniel B. Smith, Esq.  
Wilson D. Minor, Esq.

**CERTIFICATE OF SERVICE**

Pursuant to Supreme Court Rule 29, I hereby certify that I have filed the above correspondence with the electronic filing system and that a copy of the above and foregoing correspondence requesting an extension of time to file Brief in Opposition was served on the 20<sup>th</sup> day of December, 2019, via first class mail, postage prepaid, and email upon the party required to be served, as follows:

J. David Breemer, Esq.  
Counsel for Petitioner  
Pacific Legal Foundation  
930 G Street  
Sacramento, CA 95814

[jbreemer@pacificallegal.org](mailto:jbreemer@pacificallegal.org)

THIS, the 30<sup>th</sup> day of December, 2019.

/s/Christopher M. Howdeshell