

November 5, 2020

Via Electronic Filing and E-mail

Scott S. Harris
Clerk of the Court
Supreme Court of the United States
1 First St., NE
Washington, DC 20543

RE: *Immigration and Customs Enforcement (“ICE”), et al., v. Padilla, et al.*, No. 20-234

Dear Mr. Harris:

Respondents write to request an additional 30-day extension of time to file a brief in opposition to the petition for writ of certiorari in *ICE v. Padilla*, No. 20-234. Specifically, Respondents seek to extend their response time from November 23, 2020, to December 23, 2020. Respondents seek this extension in light of counsel’s substantial obligations in November; these obligations are further complicated by the current public health emergency related to COVID-19, which has forced the closure of each of the offices where Respondents’ counsel normally work. In addition, the pandemic has forced closures of schools, camps, and child care facilities, which require Respondents’ counsel to care for minor children during this time.

This month, Counsel for Respondents is responsible for the following substantive briefing deadlines and hearings:

November 4, 2020, Opposition and reply on cross-motions for summary judgment on behalf of two certified nationwide classes addressing FOIA production of A-files in *Nightingale v. U.S. Citizenship and Immigration Serv.*, No. 19-cv-03512-WHO (N.D. Cal.);

November 4, 2020, Fairness Hearing to review settlement on behalf of two certified nationwide classes and four subclasses addressing mechanisms to implement permanent injunction with respect to processing asylum claims in *Mendez Rojas v. Wolf*, No. 16-cv-01024-RSM (W.D. Wash.);

November 4, 2020, Amended complaint and second motion for class certification on behalf of medically vulnerable detainees at Northwest Detention Center in *Castaneda Juarez v. Asher*, 20-cv-0700-JLR-MLP (W.D. Wash.);

November 5, 2020, Supplemental brief on relief, *Malam v. Adducci*, 5:20-cv-10829-JEL-APP (E.D. Mi.);

November 6, 2020, Reply in support of motion for preliminary injunction, *Make the Road New York v. Wolf*, No. 1:19-cv-02369-KBJ (D.D.C.);

November 13, 2020, Hearing on motion for preliminary injunction, *Make the Road New York v. Wolf*, No. 1:19-cv-02369-KBJ (D.D.C.);

November 13, 2020, Reply in support of individual class members' petition for writ of habeas corpus, *Thakker et al v. Doll*, 1:20-cv-00480-JEJ-MCC (M.D. Pa.);

November 18, 2020, Arguments on petition for review in *Koon Wai You v. Barr*, No. 19-73310 (9th Cir.);

November 19, 2020, Plaintiffs' motion for summary judgment on behalf of two certified nationwide classes challenging, *inter alia*, use of Controlled Application Review and Resolution Program (CARRP) in adjudicating adjustment and naturalization applications in *Wagafe v. Trump*; No. 17-cv-094-RAJ (W.D. Wash.);

November 23, 2020, Opening brief in *Estrada-Mendoza v. Barr*, No. 19-72878 (9th Cir.);

November 24, 2020, Opening brief and appendix due in *James v. Barr*, No. 20-1666 (1st Cir.);

November 27, 2020, Reply in support of individual class member's petition for writ of habeas corpus, *Thakker et al v. Doll*, 1:20-cv-00480-JEJ-MCC (M.D. Pa.); and

November 30, 2020, Responsive brief in support of habeas and mandamus claims in *Cristobal v. Asher*, No. 20-cv-01493-RSM-BAT (W.D. Wash.).

Petitioners through counsel have indicated they object to the proposed extension to December 23, but would not object to a shorter extension to December 2.

Thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Adams". The signature is stylized and cursive.

Matt Adams
Counsel for Respondents
matt@nwirp.org

cc: Jeffrey B. Wall, Counsel for Petitioners
Vivek Suri, Counsel for Petitioners