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January 19, 2021

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

Re: *South Bay United Pentecostal Church, et al., v. Newsom, et al.* No. 20-746
Request for Extension of Time

Dear Mr. Harris:

On November 24, 2020, petitioners South Bay United Pentecostal Church, et al. (South Bay), filed the above-captioned petition for a writ of certiorari before judgment, seeking review of an October 15, 2020 order in which the district court had denied a request for a preliminary injunction with respect to California's then-operative public health restrictions on indoor worship. After the petition was filed, the court of appeals vacated the district court's October 15 order and remanded to the district court for consideration in light of *Roman Catholic Diocese v. Cuomo*, No. 20A87, 592 U.S. __ (Nov. 25, 2020) and other relevant developments. On remand, the district court issued a reasoned decision denying a preliminary injunction. The court of appeals is presently considering the appeal of that order on an expedited basis; briefing is complete and the court of appeals heard oral argument on January 15, 2021.

On January 14, 2021, this Court requested a response to the petition. Pursuant to Rule 30.4, respondents respectfully request that the time for filing a response to the petition be extended by thirty days, up to and including Thursday, March 18, 2021.

Undersigned counsel is also the lead counsel in *Lange v. California*, No. 20-18, scheduled to be heard during this Court's February sitting. Undersigned counsel is presently preparing the State's reply brief in *Lange*, due on February 8, and will be presenting oral argument in the case on February 24. Significant time is required to prepare for that argument. Undersigned counsel is also counsel of record on behalf of the Attorney General of the State of California as amicus curiae in *Serova v. Sony Entertainment, et al.*, S260736 (Cal. Supreme Court). That case involves questions of significant importance for the Attorney General and the amicus brief is due to be filed on February 12, 2021.

Moreover, the Solicitor General of the State of California supervises and reviews all submissions to this Court. Among his other responsibilities, he is presently reviewing the merits brief in *Cedar Point Nursery, et al. v. Hassid*, No. 20-107 (currently due on February 1); assisting with preparing the merits brief in the consolidated matters *Americans for Prosperity v. Becerra*, No. 19-251 and *Thomas More Law Center v. Becerra*, No. 19-255 (expected deadline

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of March 24); assisting in argument preparation for *Trump v. Sierra Club*, 20-138 (which is scheduled for argument on February 22); and assisting with preparing the reply brief and with oral argument preparations in *Lange*.

A 30-day extension would give respondents the time to prepare a response that respondents believe would be most helpful to the Court.

Sincerely,

s/ Samuel T. Harbourt

SAMUEL T. HARBOURT
Deputy Solicitor General

For XAVIER BECERRA
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