



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

September 22, 2021

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

Re: *Oklahoma v. Devin Warren Sizemore*, No. 21-326

Dear Mr. Harris,

I am counsel of record for petitioner in the above-captioned matter and write to provide the Court with an update regarding the petition in this case. In the petition for certiorari, petitioner referred the Court to its petition in *Oklahoma v. Bosse*, No. 21-186, for a fuller explanation of the reasons why review of the questions presented is warranted. Petitioner requested that the Court grant the petition in this case or, in the alternative, grant the petition in *Bosse* and hold the petition in this case pending its decision in *Bosse*.

While the petition in *Bosse* was pending, the Oklahoma Court of Criminal Appeals *sua sponte* vacated the judgment in that case, and the parties agreed to dismiss the matter. On September 14, 2021, counsel for petitioner informed counsel for respondent in this matter of the dismissal in *Bosse* and of petitioner's intent to file a petition in another case that would again fully set forth the reasons for granting review on the questions that remain unresolved after the dismissal in *Bosse*. Subsequently, petitioner filed a petition for certiorari in *Oklahoma v. Castro-Huerta*, No. 21-429, which presents two of the same questions as *Bosse* and again fully sets forth the arguments in favor of review.

Accordingly, when considering the petition in this matter, petitioner respectfully requests that the Court to refer to petitioner's arguments in *Castro-Huerta* in lieu of referring to the now-dismissed petition in *Bosse*. Petitioner requests that the Court grant the petition in this case or, in the alternative, grant the petition in *Castro-Huerta* and hold the petition in this case pending its decision in *Castro-Huerta*.

Respectfully,



Mithun Mansinghani

Solicitor General

OKLAHOMA OFFICE OF THE
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Counsel of Record for Petitioner

cc: Counsel of Record for Devin Warren Sizemore

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