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January 18, 2022

Via E-File

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

Re: *Biden v. Texas et al.*, No. 21-954

Dear Mr. Harris:

Under Supreme Court Rule 30.4, Respondents the States of Texas and Missouri respectfully move for an extension of the time for filing their response to the petition for a writ of certiorari in this matter.

This is Respondents' first request for an extension. The response to the petition for a writ of certiorari in this matter is currently due January 28, 2022. Respondents request a 30-day extension of time to file their response to create a new filing date of February 28, 2022. My office conferred with counsel for Petitioners on January 18, and Petitioners have indicated that they oppose the requested extension.

The extension is nonetheless needed because the undersigned counsel and other counsel assisting with this matter have had and will continue to have numerous briefing and argument obligations that have delayed the preparation of the States' response to the petition for a writ of certiorari in this matter, including:

- *Whole Woman's Health v. Jackson*, No. 21-50792, in the United States Court of Appeals for the Fifth Circuit (oral argument presented January 7, 2022);

- *Miles v. Texas Cent. R.R. & Infrastructure, Inc.*, No. 20-0393, in the Supreme Court of Texas (oral argument presented January 11, 2022);
- *E.T. v. Paxton*, No. 21-51083, in the United States Court of Appeals for the Fifth Circuit (reply brief due January 21, 2022; oral argument scheduled for February 2, 2022);
- *United States v. State of Texas*, No. 21-40680, in the United States Court of Appeals for the Fifth Circuit (response brief due February 7, 2022);
- *State of Texas v. Cal-Maine Foods, Inc.*, No. 20-00641, in the Texas First Court of Appeals (oral argument scheduled for February 11, 2022);
- *Ysleta del Sur Pueblo v. State of Texas*, No. 20-493, in the Supreme Court of the United States (oral argument by Texas's Principal Deputy Solicitor General, who is also counsel in this matter, scheduled for February 22, 2022)

For the foregoing reasons, Respondents respectfully request a 30-day extension of the deadline for filing a response to the petition for a writ of certiorari, creating a new deadline of February 28, 2022.

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Sincerely,

/s/ Judd E. Stone II

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cc: Elizabeth B. Prelogar (Counsel for Petitioner)