



**U.S. Department of Justice**

Office of the Solicitor General

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*Washington, D.C. 20530*

May 16, 2023

Honorable Scott S. Harris  
Clerk  
Supreme Court of the United States  
Washington, D.C. 20543

Re: He v. Garland, No. 22-436

Dear Mr. Harris:

The petition for a writ of certiorari in the above-captioned case was filed on November 4, 2022. The government's response is now due, after five extensions, on May 17, 2023. We respectfully request, under Rule 30.4 of the Rules of this Court, a further extension of time to and including May 23, 2023 within which to file a response.

This extension is necessary because on May 8, 2023, the parties filed a joint motion to the Board of Immigration Appeals to reopen and dismiss petitioner's removal proceedings without prejudice. If acted upon by the Board, that motion could affect the appropriate disposition of the petition for certiorari.

Counsel for petitioner does not oppose this further extension.

Sincerely,

Elizabeth Prelogar  
Solicitor General

cc: See Attached Service List

22-0436

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