



U.S. Department of Justice

Office of the Solicitor General

Washington, D.C. 20530

May 16, 2023

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

Re: United States, Petitioner v. Zackey Rahimi, No. 22-915

Dear Mr. Harris:

The government submits this letter in response to respondent's second motion to extend the time to file a response to the petition for a writ of certiorari. The response is currently due on May 23, 2023. The government consents to a second extension of the time to and including May 30, 2023, but opposes any extension beyond that date.

The court of appeals in this case held unconstitutional 18 U.S.C. 922(g)(8), a federal statute that disarms persons subject to domestic-violence restraining orders. Because the court's decision has had significant disruptive consequences, including the suspension of criminal prosecutions under Section 922(g)(8) in nine judicial districts, the government filed its petition for a writ of certiorari a little more than two weeks after the issuance of the court's final opinion. Pet. 15-16. The petition made clear that the government had filed on that "highly expedited schedule" in order to ensure that the Court could "consider the petition before it recesses for the summer." *Id.* at 16.

Respondent has already received a 33-day extension of the time to file his response to the petition for a writ of certiorari, bringing the total time to respond to 63 days. And in order to accommodate respondent's scheduling concerns while still allowing this Court to consider the petition before recessing for the summer, the government is willing to consent to an additional one-week extension and to cut its own time to file a reply brief in half by waiving the 14-day period under this Court's Rule 15.5 to allow the petition to be distributed on June 6 for consideration at the June 22 conference. But given the substantial disruption caused by the court of appeals' decision, the expedition with which the government filed its petition, and the accommodations that the government has already made, the government opposes any extension beyond May 30, 2023.

Sincerely,

Elizabeth B. Prelogar
Solicitor General

cc: See Attached Service List

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