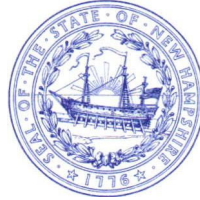


**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL

JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL



April 17, 2023

VIA ELECTRONIC FILING AND FIRST-CLASS MAIL

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

Re: *Robert Frese v. John M. Formella, in his official capacity as Attorney General of the State of New Hampshire*, Case No. 22-939

Dear Mr. Harris:

I am counsel of record for respondent, New Hampshire Attorney General John M. Formella, in the above-captioned matter. The petition for writ of certiorari in this case was filed on March 23, 2023, and placed on this Court's docket on March 28, 2023. The respondent's response to the petition is currently due on April 27, 2023. Pursuant to Supreme Court Rule 30.4, the respondent respectfully requests a 45-day extension of time, to and including Monday June 12, 2023 (June 11, 2023 is a Sunday), within which to file a response to the petition in the above-captioned matter.

The petition for a writ of certiorari, which the petitioner had 90 days to file, was originally due on February 6, 2023. Subsequently, the petitioner submitted an application for a 45-day extension, which was granted, thereby setting a due date of March 23, 2023.

Counsel for the respondent in this matter, along with counsel that represented the respondent in the lower court proceedings, began a complex education funding trial in state court on April 10, which is expected to last multiple weeks, in *Contoocook Valley School District, et. al. v. State of New Hampshire, et. al.*, Docket No. 213-2019-cv-00069, Rockingham County (N.H. Super. Ct.). Additionally, counsel for the respondent is scheduled to present oral arguments before the New Hampshire Supreme Court on April 25, 2023, in *Petition of the State of New Hampshire*, Case No. 2022-0201 (N.H.), and on May 11, 2023, in *Brown v. Secretary of State*, Case No. 2022-0629 (N.H.). Accordingly, this extension of time is requested in the interest of fairness to both parties and to allow the respondent adequate time to respond to the petition for writ of certiorari in this matter.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ Anthony J. Galdieri

Anthony J. Galdieri

Solicitor General

Anthony.J.Galdieri@doj.nh.gov

(603) 271-1214

Counsel of Record

cc: Brian M. Hauss, Esq., counsel of record for the petitioner