



November 17, 2023

By Electronic Filing

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

Re: *Gamboa v. Lumpkin*, No. 23-323

Dear Mr. Harris:

The undersigned is counsel for Respondent in this death penalty case. Petitioner filed his petition for a writ of certiorari on September 22, 2023. A response is currently due on November 29, 2023. Under Rule 30.4, Respondent respectfully requests that the time for filing a response be extended by 21 days, up to and including December 20, 2023.

This is Respondent's second extension request in this case. Good cause exists for the extension. The undersigned has completed substantial work in responding to Petitioner's petition. However, the undersigned requires additional time to complete Respondent's response. The undersigned has filed motions to dismiss federal proceedings as moot in two separate lawsuits. The undersigned has also been working on a district court answer to a federal habeas petition in *Sales v. Lumpkin*, 4:15-cv-00256. In addition, the undersigned has drafted findings of fact from an evidentiary hearing in a state-habeas proceeding in which the undersigned has been deputized as a special prosecutor. *Ex parte Falk*, WR-18,0810-04. And the undersigned has recently been appointed first-chair counsel for a federal-court evidentiary hearing in *Williams v. Lumpkin*, 3:20-cv-03030-N, which is currently scheduled for December 13, 2023.

Moreover, the undersigned's office is closed from November 22, 2023, through November 24, 2023, in observance of the Thanksgiving holiday. Finally, division policy requires that the undersigned submit the response for internal review five days before the filing deadline.

Accordingly, Respondent respectfully requests that the time for filing a response to the petition for writ of certiorari be extended by 21 days, up to and including December 20, 2023. The undersigned has conferenced with counsel for Petitioner, and they do not oppose this request.

Respectfully submitted,

/s/ Ali Nasser

Ali Nasser

Assistant Attorney General

Cc: Stephen Ferrell
Susanne Bales
Emily Elison
Federal Defender Services of Eastern Tennessee
800 South Gay Street,
Suite 2400
Knoxville, TN 37929
Stephen_ferrell@fd.org