

ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE



300 SOUTH SPRING STREET, SUITE 1702
LOS ANGELES, CA 90013-1230
Public: (213) 269-6000
Telephone: (213) 269-6100
Facsimile: (916) 731-2122
E-Mail: Analee.Brodie@doj.ca.gov

August 17, 2023

Via Electronic Filing System

Hon. Scott S. Harris, Clerk
Supreme Court of the United States
One First Street, NE
Washington, DC 20543

RE: *Sergio Ochoa v. Oak Smith, Acting Warden*, Case No. 23-5277
Request for Extension of Time to File Brief in Opposition to Petition for Certiorari

Dear Mr. Harris:

I represent the respondent in the above-entitled case. The petition for a writ of certiorari was filed on August 1, 2023. This is a capital case, and the brief in opposition is currently due on September 5, 2023. Pursuant to Rule 30.4, I respectfully request that the time for filing that brief be extended by thirty days, to October 5, 2023.

This is respondent's first request for an extension of time. An extension of time would better enable the preparation of a response that respondent believes would be most helpful to the Court. Petitioner's counsel have advised me they do not oppose this request.

Accordingly, I respectfully request that the due date for the brief in opposition to the petition for writ of certiorari be extended to October 5, 2023.

Sincerely,

/s/ Analee J. Brodie
ANALEE J. BRODIE
Deputy Attorney General

For ROB BONTA
Attorney General

cc: Ajay Kusnoor and Pamela Gomez, Counsel for Petitioner

In the Supreme Court of the United States

SERGIO OCHOA, *Petitioner*,

v.

OAK SMITH, *Respondent*.

CERTIFICATE OF SERVICE BY MAIL

I, Analee J. Brodie, Deputy Attorney General, a member of the Bar of this Court hereby certify that on **August 17, 2023**, copies or a copy REQUEST FOR EXTENSION OF TIME TO FILE BRIEF IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI in the above-entitled case were mailed, first class postage prepaid to:

C. Pamela Gomez
Deputy Federal Public Defender
Federal Public Defender's Office
321 East 2nd Street
Los Angeles, CA 90012

Ajay V. Kusnoor
Research & Writing Attorney
Federal Public Defender's Office
321 East 2nd Street
Los Angeles, CA 90012

I further certify that all parties required to be served have been served.

s/ Analee J. Brodie

ANALEE J. BRODIE, Deputy Attorney General
Office of the Attorney General
300 South Spring Street, Suite 1702
Los Angeles, CA 90013-1230
Telephone: (213) 269-6100
Counsel for Respondent