



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 13, 2023

By Electronic Filing and Overnight Delivery

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: *Gustavo Tijerina Sandoval v. Texas*, No. 23-5618

Dear Mr. Harris:

A response in this death penalty case is due November 20, 2023. Respondent respectfully requests a forty-five-day extension of the present deadline, up to and including Thursday, January 4, 2024. This is Respondent's second request for an extension in this case. The extension request is not sought for an improper purpose, including harassment or unnecessary delay. Rather, counsel requires additional time because he was not counsel for Respondent in the court below. Consequently, counsel has been unable to complete his review of the relevant records and prepare a response. Moreover, the undersigned requires additional time due to his commitments in other cases, including serving as lead counsel in execution-related litigation involving David Santiago Renteria, *e.g.*, *Renteria v. Lumpkin, et al.*, No. 23-70007 (5th Cir.), who is scheduled to be executed November 16, 2023. The undersigned has also devoted a significant amount of time to his supervisory duties within his division. The undersigned conferred with Petitioner's counsel who stated she is not opposed to this requested extension.¹ A copy of this letter will be sent to Petitioner's counsel. Thank you for your consideration.

Respectfully submitted,

s/ Jay Clendenin
JAY CLENDENIN
Assistant Attorney General

cc: Jennae Rose Swiergula
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¹ The additional time requested by this extension is also due, in part, to the intervening Thanksgiving holiday. Moreover, the undersigned is requesting an extension of more than thirty days to avoid causing Petitioner's reply brief to be due during the Christmas and New Year holidays. *See* Sup. Ct. R. 15.5, 15.6.