



DISTRICT ATTORNEY'S OFFICE
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December 17, 2024

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

Re: *Robert Wharton v. Joseph Terra, Supt. SCI Phoenix*
No. 24-6038 (Capital Case)

Dear Mr. Harris:

Petitioner, Robert Wharton, has filed a petition for writ of certiorari in the above-captioned case. Because Wharton's petition could affect his capital sentence, Respondent is required to file a response pursuant to Supreme Court Rule 15.1. Absent an extension, Respondent's response is due on December 26, 2024. Respondent will be unable to comply with the current deadline and respectfully requests forty-five additional days in which to file the response to the petition for writ of certiorari.

This request for an extension is Respondent's first. The assistant district attorney assigned to this matter has numerous other matters with pre-existing deadlines. Additionally, the assigned attorney and his editors have pre-planned time off around late-December's holidays. In light of these other commitments, the requested extension is necessary to ensure Respondent has an adequate opportunity to review and respond to the Petition for a Writ of Certiorari. The requested extension will also better enable preparation of a response that will be most helpful to the Court.

Respondent respectfully requests that the time for filing a response be extended by forty-five days. Because a forty-five-day extension of time would make Respondent's brief due on Sunday, February 9, 2025, Respondent respectfully requests a due date of February 10, 2025.

Respondent has informed Petitioner's counsel, Stuart Lev, of the intent to request a forty-five-day extension. Mr. Lev has informed Respondent by e-mail that Petitioner does not object to the requested extension.

Thank you for your attention to this matter.

Respectfully submitted,



Nancy Winkelman

Counsel of Record

Supervisor, Law Division

(215) 686-5700

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cc: Stuart B. Lev, Esquire

CERTIFICATE OF SERVICE

I, Nancy Winkelman, a member of the Bar of this Court and counsel for Respondent, hereby certify that on this 17th day of December, 2024, a copy of Respondent's request for an extension of time to file the response to petition for writ of certiorari was served through the Court's electronic filing system and by first class mail, postage prepaid, on counsel for Petitioner:

Stuart B. Lev. Esquire
Federal Community Defender Office
for the Eastern District of Pennsylvania
601 Walnut Street, Suite 545 West
Philadelphia, PA 19106
(215) 928-0520
stuart_lev@fd.org

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

Respectfully submitted,



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