

AARON D. FORD
Attorney General

CRAIG A. NEWBY
Assistant Attorney General

CHRISTINE JONES BRADY
Assistant Attorney General



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

100 North Carson Street
Carson City, Nevada 89701

TERESA BENITEZ-
THOMPSON
Chief of Staff

LESLIE NINO PIRO
General Counsel

HEIDI PARRY STERN
Solicitor General

February 12, 2025

Via Electronic Filing and Electronic Mailing

Hon. Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, NE
Washington, DC 20543-0001

**Re: Request for extension of time to file brief in opposition
Sherman v. Bean, No. 24-6297 (Capital Case)**

Dear Mr. Harris:

I am counsel of record for the Respondents in this matter. On January 2, 2025, this Court docketed the petition for writ of certiorari Petitioner Donald Sherman filed with this Court. The brief in opposition is currently due on February 13, 2025. Respondents respectfully request this Court issue an order under Rule 30.4, extending the deadline to file the brief in opposition by thirty-two (32) days, to and including March 17, 2025.

This is Respondents' first request for an extension of time to file the brief in opposition. Good cause for an extension exists. First, one of my Senior Deputy Attorney Generals left the office on January 24, 2025. I have had to cover several of his cases and assist in the reassignment of matters, including five capital cases. I have also taken responsibility for mentoring several deputies whom the Senior previously directly supervised, as well as training of a new deputy, including reviewing drafts and discussing cases. As one of my Senior Deputies was also out on an extended medical leave, I have taken on her responsibilities for review state habeas corpus matters challenging the calculation of time credits as well as several of her federal deadlines. And I have recently been extremely busy, and will remain so over the coming weeks, working on a number of other matters pending in the United States Court of Appeals for the Ninth Circuit, United States District Court for the District of Nevada, and state court. Those matters include *Blake v. Bean*, No. 23-99001 (9th Cir.) (capital); *Chappell v. Bean*, No. 2:16-cv-00645 (USDC) (capital); *Glover v. Reubart*, No. 3:22-cv-00207 (USDC); *Goodlow v. Breitenbach*, No. 3:20-cv-00364 (USDC); *Hampton v. Bean*, No. 2:24-cv-01504 (USDC); *King-Hardiman v. Breitenbach*, No. 24-598 (9th Cir.); and *In re Coache* and *In re Roginsky* (state wrongful conviction compensation litigation). In light of the considerable time and

Page 2
February 12, 2025

attention required by those matters and this matter, Respondents need additional time to complete the brief in opposition.

Counsel for Petitioner Sherman, Assistant Federal Defender David Anthony, informed me by electronic mail that he does not oppose this request.

Sincerely,

AARON D. FORD
Attorney General

By: /s/ Heather D. Procter
HEATHER D. PROCTER (Bar No. 8621)
Chief Deputy Attorney General
Post-Conviction Division
hprocter@ag.nv.gov
(775) 684-1271 (work)

HDP/aw
cc: David Anthony*

*Counsel of Record