



U.S. Department of Justice

Office of the Solicitor General

The Solicitor General

Washington, D.C. 20530

February 10, 2025

Honorable Scott S. Harris
Clerk
Supreme Court of the United States
Washington, D.C. 20543

Re: Diamond Alternative Energy, LLC v. EPA, No. 24-7

Dear Mr. Harris:

Certiorari was granted in the above-captioned matter on December 13, 2024. On January 24, 2025, following the change in Administration, the federal respondents moved to hold the briefing in this case in abeyance pending a review of the underlying policy by the Environmental Protection Agency. Petitioners' opening brief was filed three days later, on January 27, 2025. This Court denied the federal respondents' abeyance motion on February 6, 2025. Any merits brief for a respondent, including the federal respondents, is currently due on February 26, 2025.

Under the circumstances, we respectfully request, under Rule 30.4 of the Rules of this Court, that the time within which to file any brief for a respondent be extended to and including March 12, 2025. If that extension were granted, petitioners' reply brief would be due on April 11, 2025. That schedule would permit the reply brief to be filed 10 days before the first day of the Court's April session.

Counsel for petitioners has informed us that petitioners take no position on the government's requested extension. Counsel for the State respondents has authorized us to represent that the State respondents join in this request. Counsel for the nongovernmental respondents does not oppose the proposed extension.

Sincerely,

Sarah M. Harris
Acting Solicitor General

24-0007

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