

LEO T. BLACKWELL  
M. ELIZABETH BEMIS  
ANDREW R. DUNCAN  
JAGEN P. ARNOLD



**RUCKELSHAUS  
KAUTZMAN  
BLACKWELL**

JOHN C. RUCKELSHAUS (1873-1945)  
JOHN K. RUCKELSHAUS (1900-1962)  
JOHN C. O'CONNOR (1915-1996)  
JOHN C. RUCKELSHAUS (1930-2015)  
JOHN F. KAUTZMAN (1959-2025)

August 10, 2026

The Honorable Scott S. Harris  
Clerk of the Court  
Supreme Court of the United States  
1 First Street, N.E.  
Washington D.C. 25043-0001

*via USPS Priority Express Mail*

RE: Request for extension of time to file a response to the petition  
*Patrick Harrington, Individually and as Prosecutor of Tippecanoe County, Indiana et al.*  
*v. Randall Martin*  
No. 25-1348

Dear Mr. Harris:

I am counsel of record with the United States Court of Appeals for the Seventh Circuit for the Respondent, Randall Martin, in the above-mentioned case.<sup>1</sup> My appearance was substituted in at the Court of Appeals while the matter was pending a ruling after my partner John F. Kautzman, who represented the Respondent and argued the case, passed in October 2025. (Respondent is represented by other counsel at the trial court level).

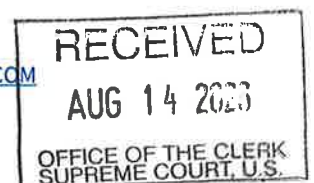
Petitioners filed their Petition on June 1, 2026. Respondent waived a response with a silent waiver. By letter dated July 30, 2026, and received by the undersigned by First Class U.S. Mail on August 7, 2026, the Court through your office has requested that a response be filed.

Under Supreme Court Rule 30.4, Respondent respectfully requests a thirty (30) day extension of time, up to and including October 1, 2026, to file a response in opposition to the petition for a writ of certiorari. The current due date without an extension per your letter is on or before August 31, 2026.

This request for an extension is Respondent's first. Good cause exists for the requested extension, in that Respondent's counsel has numerous other professional commitments prior to the current deadline (which currently is only 21 days from today) and the undersigned is not currently a member of the Supreme Court of the United States Bar. Further as mentioned, a

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<sup>1</sup> The undersigned is not currently a member of the United States Supreme Court Bar. Respondent understands that, at the time that the response is due, an attorney who is a member of the Supreme Court of the United States Bar will need to file it. Respondent is seeking admitted counsel, or the undersigned will prepare and file an application for admission in advance of the response.



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former partner represented Respondent on this matter at the Court of Appeals, and the undersigned will need additional time to fully review the case. The requested extension is necessary for Respondent to retain Supreme Court counsel, or seek admission by the undersigned, and to ensure Respondent and its counsel have an adequate opportunity to review and respond to the Petition for a Writ of Certiorari. This request is not made for purposes of delay, and the requested extension will better enable preparation of a response that will be most helpful to the Court. Further, there are no circumstances that necessitate a speedy ruling on the petition.

Accordingly, Respondent requests a thirty-day (30) extension of time, to and including October 1, 2026, to file its response in opposition to the Petition for Writ of Certiorari. Before writing this, I informed Petitioner's counsel, James Allen Barta, of Respondent's intent to request a thirty-day (30) extension. Mr. Barta informed me by email that the Petitioners do not object to the requested thirty-day extension.

Thank you for your attention to this matter.

Respectfully submitted,

RUCKELSHAUS, KAUTZMAN, BLACKWELL,  
BEMIS & DUNCAN, LLP



M. Elizabeth Bemis  
135 N. Pennsylvania St., Suite 1600  
Indianapolis, IN 46204

MEB/hg

## AFFIDAVIT OF SERVICE

I, M. Elizabeth Bemis, of lawful age, being duly sworn, upon my oath, state that I did, on the 10<sup>th</sup> day of August 2026, send out from Indianapolis, IN, one package containing one letter to the Clerk of the Court pursuant to Rule 30.4 in the above captioned case. All parties required to be served have been served by Priority Mail. Packages were plainly addressed to the following:

Theodore E. Rokita  
Indiana Attorney General  
Office of the Indiana Attorney General  
IGC South, Fifth Floor  
302 W. Washington Street  
Indianapolis, IN 46204

James A. Barta  
Solicitor General, *Counsel of Record*  
Office of the Indiana Attorney General  
IGC South, Fifth Floor  
302 W. Washington Street  
Indianapolis, IN 46204

Douglas L. Masson  
Hoffman, Luhman & Masson, PC  
200 Ferry Street, Suite C  
Lafayette, IN 47902

Executed this 10<sup>th</sup> day of August 2026 in Indianapolis, Indiana.

  
M. Elizabeth Bemis