



Lynn Fitch
ATTORNEY GENERAL
CRIMINAL LITIGATION

October 9, 2025

Honorable Scott Harris
Clerk of the Court
Supreme Court of the United States
Washington, DC 20543

VIA USPS FIRST-CLASS MAIL

Re: *Clyde Wendell Smith v. Mississippi*, No. 25-5818

Dear Mr. Harris,

I am counsel for the Respondent, the State of Mississippi, in the above-referenced case. Clyde Wendell Smith, a Mississippi death row inmate, filed a Petition for Writ of Certiorari with the Court on October 3, 2025. Absent an extension, the State's response is due November 6, 2025. The State respectfully requests that the time for filing a response be extended by thirty-two days under Rule 30.4, making it due Monday, December 8, 2025.

The State needs more time to prepare an adequate response. This is the State's first request for more time. Good cause exists for granting this request. Undersigned's competing obligations, deadlines, and assistance in other state and federal capital cases prevents him from completing the response before the current deadline. For example, undersigned is preparing the Appellee's Brief in *Heard v. State*, No. 2024-DP-00802-SCT (Miss. Jul. 11, 2024), as well as the responsive pleading to the Amended Petition for a Writ of Habeas Corpus by a Prisoner in State Custody in *Garcia v. Cain, et. al*, No. 1:24-cv-00052-HSO (S.D. Miss. Feb. 16, 2024) and *Ronk v. Hall, et. al*, No. 1:19-cv-00346-HSO (S.D. Miss. Jun. 26, 2019). The requested extension is necessary to ensure the State has an adequate opportunity to review and respond to Smith's Petition for Writ of Certiorari in light of undersigned's other commitments. The requested extension will enable undersigned to prepare a response that will be most helpful to the Court. Granting it will not prejudice Smith. And the State does not make this request in bad faith, to create delay, or for any other improper purpose.

Accordingly, the State respectfully requests a thirty-two-day extension of time, until December 8, 2025, to file a response to Smith's Petition for Writ of Certiorari.

Sincerely,

/s/Brad A. Smith

Brad A. Smith

Special Assistant Attorney General
Mississippi Attorney General's Office

Counsel for Respondent



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CERTIFICATE OF SERVICE

Undersigned certifies that he mailed a copy of this document via USPS first class mail to all parties required to be served. This letter was mailed to:

Marie F. Donnelly and Jason P. Mooney
Capital Habeas Unit
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Krissy Nobile
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today, October 9, 2025.

LYNN FITCH
Attorney General of Mississippi

/s/Brad A. Smith
Brad A. Smith
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Mississippi Attorney General's Office
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