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April 9, 2026

The Honorable Scott Harris
Clerk of Court
Supreme Court of the United States
1 First Street NE
Washington, D.C. 20543

**Re: *Trevino, et al. v. Hobbs, et al.*, No. 25-918
Garcia v. Hobbs, et al., No. 25-901**

Dear Mr. Harris:

I am counsel of record for Petitioners in the above-captioned cases. Pursuant to Rule 30.4, Petitioners respectfully oppose the State of Washington's request for a 60-day extension to file its briefs in opposition to the petitions for certiorari and request that the extension be limited to 30 days, with a new deadline of May 24, 2026. Petitioners recognize that extensions may be appropriate in certain circumstances but respectfully submit that a 60-day extension is unwarranted here for the following reasons.

Respondents Already Received a De Facto Extension of Nearly 60 Days by Waiving Their Right to Respond. Under Rule 15.5, the Clerk distributes a certiorari petition to the Court for its consideration upon receiving an express waiver of the right to file a brief in opposition or upon the expiration of the time allowed for filing if no brief or waiver is filed. After the petitions were docketed, Respondents waived their right to respond. While that is their prerogative, the exercise of that prerogative comes with tradeoffs. The Court subsequently called for a response and set a deadline of April 24, 2026—53 days after a response originally would have been due in *Garcia*, No. 25-901, and 49 days after a response originally would have been due in *Trevino*, No. 25-918, had Respondents not waived their right to respond. If Respondents requested a 60-day extension from this standard 30-day deadline under Rule 15.3 or Rule 30.4 (a request to which Petitioners would not have objected), the extended deadline would have been approximately May 1. Instead, Respondents now seek an *additional* 60-day extension from their initial Rule 15.3 deadline—all

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the way to June 23, which is 113 and 109 days after the initial response due date in the respective cases. With a 30-day extension that Petitioners would not oppose, Respondents will still receive the equivalent of an 83-day extension from their original deadline in *Garcia* and a 79-day extension from their original deadline in *Trevino*.

A 60-Day Extension Would Delay Distribution Beyond This Term. Under the timing outlined in Rule 15.5, a 60-day extension to June 23, 2026, followed by the 14-day distribution period, would push distribution well into July—past the end of the Court’s current Term. Consequently, the respective petitions would not be considered until after the long conference in the fall, causing significant delay. A 30-day extension to May 24, however, would permit distribution before the end of this Term and allow the Court to consider the petitions on its current schedule.

Petitioners’ Previous Extension Does Not Justify Respondents’ Request. Respondents argue that Petitioners requested and received a 60-day extension to file their petitions, and therefore it is “only fair” to grant Respondents the same latitude. But the circumstances are not comparable. Petitioners’ extension was from the 90-day deadline provided for certiorari petitions under Rule 13.1—a deadline set by rule, not by waiver and subsequent Court order—and was requested to account for potentially dispositive developments in *Louisiana v. Callais*, No. 24-109, regarding the statutory provision at the heart of these cases. More importantly, given that Respondents initially waived their right to file a brief in opposition, they have already received the functional equivalent of an extension.

For the foregoing reasons, Petitioners respectfully request that any extension be limited to 30 days.

Respectfully submitted,

/s/ Jason B. Torchinsky
Jason B. Torchinsky

cc: Peter B. Gonick, *Counsel for Respondent State of Washington*
Mark Peter Gaber, *Counsel for Respondents Susan Soto Palmer, et al.*