



Kimberly Kendall Corral & Associates
INNOVATIVE LEGAL DEFENSE TEAM

October 20, 2026

Hon. Scott S. Harris
Clerk of the Court
Supreme Court of the United States
1 First Street, NE
Washington, DC20543

Via FedEx Priority Mail

***Re: Request for Extension of time to file response to petition
Cynthia Davis, Warden, Petitioner v. David M. Smith, Respondent
S. Ct No. 26-176***

Dear Mr. Harris:

I am counsel for the respondent in this case. Petitioner filed their petition for a writ of certiorari on August 7, 2026. On October 1, 2026 respondent was requested to respond, with response due on November 2, 2026. Pursuant to Rule 30.4, respondents respectfully request that the time for filing a response be extended by 30 days, to and including December 2, 2026.

This is respondents' first request for an extension of time to file a response. Good cause exists for the requested extension. I did represent respondent in this case in the district court of appeals, in the state court retrial, in the Sixth Circuit, and with co-counsel in the Warden's prior petition for certiorari in this court case no. 24-421. Accordingly, I am familiar with the case but require sufficient time to address Warden's newest claims.

I work in a small firm practice with only one other attorney. Apart from this case, I represent trial, appellate, and post-conviction clients with a substantial number of professional obligations in the next several weeks, including several oral arguments in three separate districts of the Ohio State Court of Appeals, several significant briefs due, and two jury trials. An extension of time would better enable the preparation of a response that would be most helpful to this Court.

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Accordingly, respondents respectfully request that the time for filing a response to the petitioner for writ of certiorari be extended by 30 days, to and including December 2, 2026. Counsel on behalf of Petitioner indicated via email that Petitioner does not oppose this request for a 30-day extension of time to respond.

Sincerely,

/s/ Kimberly Kendall Corral

Kimberly Kendall Corral for

FOR DAVID SMITH, Respondent

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