



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

Re: Patrick Morrissey, et al. v. Jonathan R., et al., No. 26-297

Dear Mr. Harris:

Petitioners respectfully oppose Respondents' request for a 30-day extension of time to file a brief in opposition. Granting it would push the Court's consideration of the petition from December into January, while the district court moves ahead toward a March 2027 trial.

Petitioners served their petition on September 2, 2026, and the Court docketed it on September 8. Respondents' brief in opposition was due October 8, but Respondents waived their right to respond. On October 19, the Court called for a response, due November 18. Respondents now ask to push that deadline to December 18, 107 days after they were served with the petition.

The district court has refused to stay proceedings while this petition is pending, and it has set an aggressive schedule. Dispositive motions will be fully briefed by December 14, 2026, and trial is set to begin on March 16, 2027. Petitioners filed early enough that, if the Court grants the petition, it can decide the case this Term. That prompt action could spare the district court from holding a trial and reaching a decision in a case that, given Respondents' lack of standing, federal "courts have no business deciding." *DaimlerChrysler Corp. v. Cuno*, 547 U.S. 332, 341 (2006). To that end, Petitioners will also waive the 14-day waiting period under Rule 15.5.

With that waiver, a brief in opposition filed by November 18 could be distributed on November 24 for the December 11 conference. A brief filed on December 18 could not be considered until January 8, 2027, at the earliest. That shift would leave little room for the Court to grant review and hear the case this Term.

Respondents suggest an extension is necessary because they "recently retained [Kelsi Brown Corkran] to serve as counsel before this Court." But Ms. Corkran is not new to this case. She was Respondents' counsel of record on the earlier petition in this very litigation. *See Justice v. Jonathan R.*, No. 22-240. Petitioners trust that she remains familiar with the case and its record.

We ordinarily consent to reasonable extension requests, but the circumstances here are different. By the current November 18 deadline, Respondents will have had the petition for 77 days and the three amicus briefs supporting it for 41 days. That is ample time, especially now that Respondents are again represented by experienced Supreme Court counsel. If the Court is inclined to grant an extension, Petitioners respectfully request that it be no longer than necessary to permit distribution for the December 11 conference.

Sincerely,

/s/ Michael R. Williams

Michael R. Williams
Solicitor General

cc: Counsel of Record