



October 26, 2026

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

VIA USPS FIRST-CLASS MAIL

Re: *Xavier Brown v. Mississippi*, No. 26-5777

Dear Mr. Harris,

I am counsel for the Respondent, the State of Mississippi (the "State"), in the above-referenced case. Xavier Brown, a Mississippi death row inmate, filed a Petition for Writ of Certiorari with the Court on October 2, 2026. Absent an extension, the State's response is due November 9, 2026. The State respectfully requests that the time for filing a response be extended by thirty days, making it due December 9, 2026.

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 counsel's competing obligations, deadlines, and assistance in other state and federal capital cases prevents her from completing the response before the current deadline. For example, undersigned counsel has a pending motion to set execution and related pleadings in *Willie Jerome Manning v. State*, No. 1995-DP-00066-SCT (Miss.), No. 2023-DR-01076-SCT (Miss.); No. 2026-DR-01039-SCT (Miss.). Undersigned counsel is also preparing a Brief in Opposition to Petition for Post-Conviction Relief and *pro se* supplemental Petition for Post-Conviction Relief in *Willie Cory Godbolt v. State*, No. 2025-DR-00524-SCT (Miss.). That case also has two petitions to file interlocutory appeal pending and ongoing prepetition discovery issues in the trial court. *Godbolt v. State*, No. 2026-M-01100-SCT (Miss.); *Godbolt v. State*, No. 2026-M-01122-SCT (Miss.); *State v. Godbolt*, Cause No. 2018-064-LS (Lincoln Cnty. Circuit Court). Counsel is likewise preparing a response to the Successive Petition for Post-Conviction Relief in *Marlon LaTodd Howell v. State*, No. 2023-DR-00455-SCT (Miss.). And undersigned counsel must respond to a Motion for Relief Under Rule 60(b)(6) in *Lisa Jo Chamberlin v. State*, No. 2025-DR-01034-SCT (Miss.). Counsel also represents the State in two capital cases pending before the Fifth Circuit—*Grayson v. Fitch*, No. 25-70001 (5th Cir.) and *Pitchford v. Cain*, No. 23-70009 (5th Cir.).



Lynn Fitch

ATTORNEY GENERAL
CRIMINAL LITIGATION

The requested extension is necessary to ensure the State has an adequate opportunity to review and respond to the Petition for Writ of Certiorari in light of counsel's other commitments. The requested extension will also better enable undersigned counsel to prepare a response that will be most helpful to the Court. Granting it will not prejudice Brown. And it is not made in bad faith, to create delay, or for any other improper purpose.

Accordingly, the State respectfully requests a thirty-day extension of time, until December 9, 2026, to file a response to Brown's Petition for Writ of Certiorari.

Sincerely,

A handwritten signature in blue ink, reading "Allison Kay Hartman", is written over a horizontal line.

Allison Kay Hartman
Special Assistant Attorney General
Mississippi Attorney General's Office
Counsel for Respondent



Lynn Fitch
ATTORNEY GENERAL
CRIMINAL LITIGATION

CERTIFICATE OF SERVICE

Undersigned counsel certifies that one true copy of the foregoing letter motion for more time has been served on petitioner's counsel, Tameika L. Bennett, by USPS first-class mail:

TAMEIKA L. BENNETT
Mississippi Office of Capital Post-Conviction Counsel
239 N. Lamar Street
Suite 404
Jackson, Mississippi 36201

This, the 26th day of October, 2026.

LYNN FITCH
Attorney General of Mississippi

Allison Kay Hartman
Special Assistant Attorney General
Mississippi Attorney General's Office
Counsel for Respondent