



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

AARON L. NIELSON
Solicitor General

(512) 936-2834
Aaron.Nielson@oag.texas.gov

April 23, 2024

Via Electronic Filing

Honorable Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543

Re: No. 23-1004 (Capital Case), *Moises Sandoval Mendoza v. Bobby Lumpkin, Director, Texas Department of Criminal Justice, Correctional Institutions Division*

Dear Mr. Harris:

Under Supreme Court Rule 30.4, Respondent Bobby Lumpkin, Director, Texas Department of Criminal Justice, Correctional Institutions Division, respectfully moves for an extension of time to file his response to the petition for a writ of certiorari in this matter.

The response is currently due May 13, 2024. Respondent requests a thirty-day extension of time to file his response, which results in a new filing date of June 12, 2024. This is Respondent's second request for an extension. My office conferred with Petitioner's counsel on April 22, 2024, and counsel indicated that Petitioner does not oppose the requested extension.

The extension is necessary because counsel for Respondent has faced numerous briefing and argument obligations since the petition was filed. The press of business from those numerous, complex matters with deadlines overlapping with the current deadline has required, and will require, significant time and attention from the undersigned counsel and other counsel assisting with this matter. Such matters include:

- Response to Application in *Free Speech Coalition v. Paxton*, No. 23A925, due in this Court on April 26;
- Appellant's supplemental brief in *Texas v. Department of Homeland Security*, No. 23-50869, due in the U.S. Court of Appeals for the Fifth Circuit on April 29;
- Amicus curiae brief in *Wilson v. Midland County*, No. 22-50998, due in the U.S. Court of Appeals for the Fifth Circuit on April 29;
- Oral argument before the U.S. Court of Appeals for the Fifth Circuit on April 30 in *Texas v. Securities & Exchange Commission*, No. 23-60079;
- Oral argument before the en banc U.S. Court of Appeals for the Fifth Circuit on May 15 in *United States of America v. Abbott*, No. 23-50632; and
- Oral argument before the U.S. Court of Appeals for the Fifth Circuit on June 6 in *Texas v. U.S. Department of Homeland Security*, No. 23-50869.

For these reasons, Respondent respectfully requests a thirty-day extension of the deadline to file a response to the petition for a writ of certiorari, creating a new deadline of June 12, 2024.

Respectfully submitted.

/s/ Aaron L. Nielson

AARON L. NIELSON

Solicitor General

Counsel of Record

OFFICE OF THE ATTORNEY GENERAL

P.O. Box 12548 (MC 059)

Austin, Texas 78711-2548

Tel.: (512) 936-1700

Fax: (512) 474-2697

Aaron.Nielson@oag.texas.gov

cc: Mr. Jason Zarrow (via e-mail)

Counsel of Record for Petitioner