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May 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. 23-1076, *Xavier Becerra, Secretary of Health and Human Services, et al. v. Texas, et al.*

Dear Mr. Harris:

Under Supreme Court Rule 30.4, Respondent the State of Texas respectfully moves for an extension of time to file its response to the petition for a writ of certiorari in this matter. The response is currently due June 20, 2024. Respondent requests a thirty-day extension of time to file its response, which results in a new filing date of July 22, 2024.* This is Respondent's first request for an extension. On May 23, 2024, counsel for the State conferred with counsel for Petitioners, who indicated that Petitioners do not oppose this extension.

The extension is necessary because Respondent's counsel have numerous briefing and argument obligations that will require significant time and attention, including:

- Appellants' supplemental reply brief in *United States v. Abbott*, No. 23-50632, due in the U.S. Court of Appeals for the Fifth Circuit on May 24;
- Appellants' opening brief in *Texas Department of Public Safety v. Texas Tribune*, No. 03-23-00832-CV, due in the Texas Court of Appeals for the Third Judicial District on May 28;

* Thirty days from June 20 is Saturday, July 20, so the new filing deadline would be July 22. See S. Ct. R. 30.1.

- Appellant’s opening brief in *State v. Harris County*, No. 14-24-00290-CV, due in the Texas Court of Appeals for the Fourteenth Judicial District on May 28;
- A brief in opposition in *Free Speech Coalition v. Paxton*, No. 23-1122, due in this Court on May 30;
- A petition for review of *Paxton v. Commission for Lawyer Discipline*, No. 05-23-00128-CV (Tex. App.—Dallas Apr. 18, 2024), due in the Supreme Court of Texas on June 3;
- Petitioner’s brief on the merits in *In re Office of the Attorney General*, No. 24-0073, due in the Supreme Court of Texas on June 5;
- Appellant’s opening brief in *Media Matters v. Paxton*, No. 24-7059, due in the U.S. Court of Appeals for the District of Columbia Circuit on June 10;
- Appellant’s opening brief in *United States v. Paxton*, No. 23-50885, due in the U.S. Court of Appeals for the Fifth Circuit on June 12; and
- A brief in opposition in *Mendoza v. Lumpkin*, No. 23-1004, due in this Court on June 12.

Additionally, since the petition was filed on April 1, Respondent’s counsel has filed numerous briefs. Just since May 1, this has included a reply in support of emergency relief in *In re State of Texas*, No. 24-0325 (Tex.); Respondents’ brief in *Port Arthur Community Action Network v. Texas Commission on Environmental Quality*, No. 24-0116 (Tex.); Appellants’ reply brief in *Woodlands Pride v. Paxton*, No. 23-20480 (5th Cir.); Appellants’ supplemental brief in *United States v. Abbott*, No. 23-50632 (5th Cir.); and a supplemental complaint in *Texas v. Brooks-LaSure*, No. 6:23-CV-161-JK (E.D. Tex.). Since the petition was filed, counsel has also argued before the U.S. Court of Appeals for the Fifth Circuit in *The Heidi Group, Inc. v. Texas Health and Human Services Commission, et al.*, No. 23-50303, and before the en banc Fifth Circuit in *United States v. Abbott*, No. 23-50632.

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 July 22, 2024.

Respectfully submitted.

/s/ Lanora C. Pettit

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