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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 July 22, 2024. Respondent requests a thirty-day extension of time to file a joint response with private Respondents, creating a new filing date of August 21, 2024. This is Respondent's second request for an extension.

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

- Response to application for a stay in *Henderson v. Texas*, No. 23A1169, due in this Court on July 9;
- Petitioner's reply brief in *In re Office of the Attorney General*, No. 24-0073, due in the Supreme Court of Texas on July 10;
- Petition for review in *Doe v. Abbott*, No. 24-0385, due in the Supreme Court of Texas on July 10;
- Petition for review in *Muth v. PFLAG*, No. 24-0387, due in the Supreme Court of Texas on July 12;

- Appellee’s brief in *Ex Parte: Sutton*, No. 12-24-00162-CR, due in the Texas Court of Appeals for the Twelfth Judicial District on July 22;
- Petitioner’s brief on the merits in *Paxton v. American Oversight*, No. 24-0162, due in the Supreme Court of Texas on July 22;
- Brief in opposition in *Henderson v. Texas*, No. 23A1169, due in this Court on July 25;
- Brief on the merits in *In re Dallas County*, No. 24-0426, due in the Supreme Court of Texas on July 25;
- Appellant’s reply brief in *State v. Harris County*, No. 14-24-00290-CV, due in the Texas Court of Appeals for the Fourteenth Judicial District on July 29;
- Brief in opposition in *National Press Photographers Association v. Higgins*, No. 23-1105, due in this Court on August 5;
- Appellant’s reply brief in *Media Matters v. Paxton*, No. 24-7059, due in the U.S. Court of Appeals for the District of Columbia Circuit on August 9.

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.

Furthermore, since the prior extension was granted, this Court has issued an opinion in *Moyle v. United States*, No. 23-726. This opinion touched on issues implicated in the petition and complete briefing will require additional review.

For these reasons, Respondent respectfully requests a thirty-day extension to file a joint response to the petition, creating a new deadline of August 21, 2024.

Respectfully submitted.

/s/ Lanora C. Pettit

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