



THE COMMONWEALTH OF MASSACHUSETTS
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VIA ELECTRONIC FILING AND FIRST-CLASS MAIL

Hon. Scott S. Harris
Clerk of the Court
Supreme Court of the United States
One First Street, NE
Washington, DC 20543-0001

RE: *Elana Gordon v. Massachusetts*, No. 23-7150

Dear Clerk Harris:

The Respondent in the above-listed case, the Commonwealth of Massachusetts, has been asked by the Court to prepare a brief in response to the petition for a writ of certiorari. The brief is currently due by June 13, 2024. I was recently assigned to prepare the brief. I am a member of the Bar of this Court. Pursuant to Supreme Court Rule 30.4, I respectfully request that the time allowed for the Respondent to file its brief be extended by sixty days, up to and including August 12, 2024. My request is based on the nature of the matter, the need for extensive review within the Massachusetts Attorney General's Office, the fact that the Massachusetts Attorney General's Office did not handle this case in the state courts, the extent of my professional duties, and because my office is awaiting the decision of this Court in Smith v. Arizona, Docket No. 22-899 to determine how best to respond. Counsel for the petitioner has consented to the extension.

A Court-requested brief in response to a certiorari petition is rightfully given close scrutiny in my office. The brief in this case will be subjected to multiple rounds of thorough evaluation and revision by various attorneys at different levels, all of which will require time. Further, this matter was handled in the state courts by a district attorney's office—not by the Attorney General's Office. I, thus, will require additional time to familiarize myself with the state-court record and the pertinent legal authorities. And while I am giving this matter top priority, I am also responsible for handling a number of other matters as well. Additionally, the decision in Smith v. Arizona, Docket No. 22-899 may influence the way in which the Attorney General's Office will respond to this petition.

For the foregoing reasons, a sixty-day extension will enable my office to provide the Court with more thorough and helpful briefing. It will not prejudice any party. On behalf of the Respondent, I request that such an extension be allowed.

Thank you.

Very truly yours,

/s/ Tara L. Johnston

Tara L. Johnston

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*Counsel of Record for the Respondent,
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CERTIFICATE OF SERVICE

Pursuant to Supreme Court Rules 29.3 and 29.5, I hereby certify that, on the date set forth below, a true copy of the accompanying document was served upon all parties required to be served. Specifically, a copy was served through the United States Postal Service by first class mail, postage pre-paid, as well as by electronic mail. Service was directed to the Counsel of Record for the one other party to the case:

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Dated: May 29, 2024

/s/ Tara L. Johnston
Tara L. Johnston
*Counsel of Record for the Respondent,
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