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December 1, 2023

The Honorable Scott S. Harris
Clerk of Court
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

RE: *Trevino v. Soto Palmer*
Cause No. 23-484

Dear Mr. Harris:

I am counsel of record for Respondent State of Washington in the above-captioned case. The Court has called for a response to the petition for cert before judgment and set the deadline for any Briefs In Opposition as December 29, 2023.

Pursuant to Rule 30.4, Washington requests a 60-day extension to file a brief in opposition, to February 27, 2024. Counsel for Plaintiffs-Respondents do not object to this request, counsel for Intervenor-Defendants-Petitioners do object to this request.

This request for additional time is made to accommodate other concurrent deadlines, including briefing before this Court in *Garcia v. Hobbs*, No. 23-467. The State's motion to dismiss or affirm in *Garcia* is due on December 27, 2023. The State's small team of attorneys that work on U.S. Supreme Court matters will be extremely busy with that case, as well as preparing for two significant oral arguments in mid-January in Washington appellate courts and supervising and drafting briefing in several cases at the Washington Supreme Court during the next few months. The holiday season will also create difficulties as attorneys and staff have scheduled leave and childcare responsibilities.

We do not believe that the extension will prejudice any party. Petitioners seek review of a trial court order requiring a new Washington State legislative map pursuant to Section 2 of the Voting Rights Act. The parties have stipulated that Washington's legislative district map must be finalized by March 25, 2024, to avoid disrupting the 2024 election cycle. Thus, even if the Court were to deny *any* extension request, take the extraordinary step of granting certiorari before judgment in January, and hear argument in April, the Court could not possibly issue a ruling in time to be implemented for the 2024 election. Intervenors' counsel might respond that if this Court took those extraordinary steps and reversed the district court's finding of a Section 2 violation, the

ATTORNEY GENERAL OF WASHINGTON

The Honorable Scott S. Harris

December 1, 2023

Page 2

State could simply revert to the map originally adopted by the State, but Intervenor's counsel themselves have filed an appeal to this Court in the related case of *Garcia v. Hobbs*, No. 23-467, in which they argue that the State's originally adopted map is unconstitutional. They cannot simultaneously argue that the original map is unconstitutional and that this Court could simply order its use. Thus, under their own arguments, it is impossible for this Court to grant relief on this petition before judgment that would affect the 2024 election. We are therefore confident that this request will not prejudice any party.

Thank you for your consideration of this request.

Sincerely,

Noah Guzzo Purcell

Noah Guzzo Purcell

Solicitor General

cc: Jason Brett Torchinsky, Counsel for Petitioners
Mark Gaber, Counsel for Respondents Palmer, Macias, Lopez, Padilla, and Morfin