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January 20, 2021

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

Re: *Darrell Hemphill v. New York*
Case Number 20-637

Dear Mr. Harris,

I write to request a second extension of time of four weeks under Rule 30.4, as modified by the Order of March 19, 2020 to respond to the petition for a writ of certiorari in *Hemphill v. New York* (No. 20-637). That would result in a new date for submitting a response of Monday, **March 1, 2021**. On January 19, 2021, I communicated with Jeffrey Fisher, Esq., counsel of record for Mr. Hemphill, and he has informed me of his consent to this request.

The underlying opinion of the New York Court of Appeals was entered on June 25, 2020, and under this Court's standing order of March 19, 2020, petitioner's time to file the petition was extended to November 22, 2020. The petition was filed on November 6, 2020.

I make this request due to extraordinary and unanticipated circumstances that arose since my prior request for adjournment of December 4, 2020 that sought an extension of time to respond to February 1, 2021. Put simply, within a week of the granting of that adjournment, I became symptomatic with a virus that testing confirmed was COVID-19. Subsequently, each member of my household, weeks apart, became infected as well, placing me in isolation and quarantine and unable to set foot in my Office for the month of December. Subsequent to my household being cleared of the infection, I unexpectedly suffered severe, longer-term symptoms of the virus, including extreme fatigue and neurological effects that directly impacted my ability to answer the petition. These effects lasted for weeks and required medical intervention.

Thank you for your attention to this request.

Sincerely,

Noah Chamoy
Assistant District Attorney
Counsel for Respondent

cc: Jeffrey L. Fisher, Esq.
Counsel of Record for Petitioner
Professor of Law
Co-Director, Supreme Court Litigation Clinic
Stanford Law School
via e-mail: jlfisher@law.stanford.edu