

**In the United States Court of Appeals
for the Fifth Circuit**

TEXAS ALLIANCE FOR RETIRED AMERICANS; SYLVIA BRUNI;
DSCC; AND DCCC,

Plaintiffs-Appellees,

v.

RUTH HUGHS, IN HER OFFICIAL CAPACITY AS TEXAS SECRETARY OF
STATE,

Defendant-Appellant.

On Appeal from the United States District Court
for the Southern District of Texas, Laredo Division

**UNOPPOSED FIRST MOTION FOR EXTENSION OF TIME
TO FILE APPELLANT'S BRIEF**

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General
Office of the Attorney General
P.O. Box 12548 (MC 059)
Austin, Texas 78711-2548
Tel.: (512) 936-1700
Fax: (512) 474-2697

KYLE D. HAWKINS
Solicitor General

MATTHEW H. FREDERICK
Deputy Solicitor General
Matthew.Frederick@oag.texas.gov

Counsel for Defendant-Appellant

UNOPPOSED FIRST MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF

In accordance with Federal Rule of Appellate Procedure 27 and Fifth Circuit Rule 31.4, Defendant-Appellant Ruth R. Hughs, in her official capacity as Texas Secretary of State, files this motion for a 30-day extension of time to file her Appellant's Brief, to and including December 10, 2020. This is Appellant's first request for an extension of time. In support thereof, Appellant respectfully shows the Court as follows:

1. Appellant's Brief is currently due on November 10, 2020. Appellant seeks a 30-day extension of time, to and including December 10, 2020, in which to file her Appellant's Brief. This is Appellant's first request for an extension of time.

2. Counsel for Appellant has conferred with counsel for Appellees, who indicated that they do not oppose this motion.

3. This extension is necessary because Appellant's lead counsel in this proceeding is also serving as trial or appellate counsel in multiple cases with deadlines falling around the same time as the Appellant's Brief in this case. Specifically, counsel for Appellant was and is responsible for the following:

(A) Drafting the Appellant's Brief in *Texas Democratic Party v. Hughs*, No. 20-50667 (5th Cir.), filed in this Court on October 26, 2020;

(B) Drafting the opposition to Plaintiffs' application to vacate this Court's stay of the permanent injunction in *Valentine v. Collier*, No. 20A70, filed in the United States Supreme Court on November 2, 2020;

(C) Drafting the Appellants' Brief in *Veasey v. Abbott*, No. 20-40428 (5th Cir.), to be filed in this court on November 9, 2020;

(D) Drafting the Appellants' Brief in *Valentine v. Collier*, No. 20-20525 (5th Cir.), to be filed in this Court on November 13, 2020, under an expedited briefing schedule;

(E) Drafting the Appellant's Brief in *Texas Democratic Party v. Hughs*, No. 20-50683 (5th Cir.), to be filed in this Court on November 16, 2020;

(F) Drafting the Appellants' Reply Brief in *Valentine v. Collier*, No. 20-20525 (5th Cir.), to be filed in this Court on November 18, 2020, under an expedited briefing schedule.

Counsel has also been staffed in a supporting role in numerous other matters in the Office of the Solicitor General.

4. The requested extension of time is necessary to provide counsel with adequate time to review the record and provide the Court with a thorough Appellant's Brief.

5. The extension is sought in the interest of justice, not for delay, and no party will be prejudiced if the extension is granted.

CONCLUSION

For the foregoing reasons, Appellant respectfully requests that the Court grant her unopposed motion for a 30-day extension of time to file her Appellant's Brief, from November 10, 2020, to and including December 10, 2020.

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

KYLE D. HAWKINS
Solicitor General

BRENT WEBSTER
First Assistant Attorney General

/s/ Matthew H. Frederick
MATTHEW H. FREDERICK
Deputy Solicitor General
Matthew.Frederick@oag.texas.gov

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P.O. Box 12548 (MC 059)
Austin, Texas 78711-2548
Tel.: (512) 936-1700
Fax: (512) 474-2697

Counsel for Defendant-Appellant

CERTIFICATE OF CONFERENCE

On November 6, 2020, counsel conferred with counsel for Appellees, who indicated that they do not oppose this motion.

/s/ Matthew H. Frederick
MATTHEW H. FREDERICK

CERTIFICATE OF COMPLIANCE

I certify that this document complies with Federal Rules of Appellate Procedure 32(g)(1) and 27(d)(2)(A) because it contains 453 words and was prepared in Microsoft Word using 14-point Equity typeface.

/s/ Matthew H. Frederick
MATTHEW H. FREDERICK

CERTIFICATE OF SERVICE

On November 6, 2020, this brief was served via CM/ECF on all registered counsel and transmitted to the Clerk of the Court. Counsel further certifies that: (1) any required privacy redactions have been made in compliance with Fifth Circuit Rule 25.2.13; (2) the electronic submission is an exact copy of the paper document in compliance with Fifth Circuit Rule 25.2.1; and (3) the document has been scanned with the most recent version of Symantec Endpoint Protection and is free of viruses.

/s/ Matthew H. Frederick
MATTHEW H. FREDERICK