



U.S. Department of Justice

Civil Rights Division

*Voting Section - Room 7254 NWB
950 Pennsylvania Avenue, N.W.
Washington, DC 20530*

April 21, 2006

Honorable Gary L. Sharpe
United States District Court
for the Northern District of New York
James T. Foley U.S. Courthouse
445 Broadway
Albany, NY 12207

Re: United States v. New York State Board of Elections, et al.
Civil Action No. 06-CV-0263 (RLS)

Dear Judge Sharpe:

The United States is submitting this unopposed Letter Motion requesting this Court to grant the United States an extension until April 28, 2006, to file its response to the New York State Board of Elections' ("SBOE") Plan for Compliance with the Help America Vote Act ("HAVA"), filed on April 10, 2006. Pursuant to this Court's March 23, 2006 Order, the United States' response to the SBOE Plan is due to be filed by Monday, April 24, 2006. As the Court is aware, the SBOE yesterday, April 20, 2006, supplemented its Plan by filing with the Court a chart detailing proposed county-by-county (including New York City) implementation of the SBOE's interim proposal. The United States has been in periodic contact with the SBOE while it has been gathering compliance information from the counties. However, we need the additional time requested to evaluate thoroughly the just-completed proposal for interim county HAVA compliance in order to best advise the Court of the United States' position on the State's overall compliance plan. I have been in contact with counsel for the defendants and have been authorized to advise the Court that the defendants do not oppose the Court granting the requested extension of time.

In light of the above, we respectfully request an extension of time until April 28, 2006, for the United States to respond to the SBOE's Plan for compliance with HAVA. Thank you for your consideration of this Motion.

Sincerely,

/s/

Brian F. Heffernan
Attorney, Voting Section