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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUSTIN JOHNSON et al.,

Defendants.

CASE NOS. 2:18-CR-010; 2:18-CR-034;
2:18-CR-035; 2:18-CR-037; 2:18-CR-054

AMENDED STIPULATION REGARDING
EXCLUDABLE TIME PERIODS UNDER SPEEDY
TRIAL ACT; FINDINGS AND ORDER

DATE: April 26, 2018
COURT: Hon. Troy L. Nunley

STIPULATION

1. This stipulation concerns thirteen indicted cases, which all arise out of a common investigation. The thirteen cases concern twenty-seven different defendants.

2. By recent orders, eight of the thirteen matters were variously set for status conferences on July 19, July 26, and August 2, 2018. In the five matters noted in the caption, the parties requested a continuance to August 9; however, the Court is not available on August 9, and so the parties are instead asking for the next available date, August 16, at 9:30 a.m.

3. Consistent with the prior request, the parties to the five captioned matters seek to exclude time between April 26, 2018, and August 16, 2018, under Local Codes T2 and T4.

4. The parties agree and stipulate, and request that the Court find the following:

a) As of this stipulation, the Government has produced more than 400 pages of written discovery to the defendants as a group, as well as 45 DVDs containing audio and visual

1 surveillance recordings. (Each defendant has also received a copy of his or her criminal history,
2 if one exists, and a small amount of additional written discovery has been produced to a subset of
3 defendants.) Going forward, the Government anticipates producing hundreds of additional pages
4 of discovery, which will include wiretap-related documents pursuant to the Court's April 12,
5 2018 protective order, and additional DVDs containing wiretap data and additional surveillance
6 evidence.

7 b) At this time, the Government understands that the previously appointed
8 discovery-coordination attorney (the "DCA") is processing the discovery that the Government
9 has produced (as noted in the foregoing paragraph) and making it available to defense counsel.

10 c) At this time, Counsel for the defendants desire additional time to review the
11 discovery now being distributed by the DCA. This review will enable counsel to begin
12 reviewing the charges against their respective clients, conduct ancillary research, and consult
13 with their respective clients on how to proceed in their cases.

14 d) Counsel for the defendants believe that failure to grant the above-requested
15 continuances would deny them the reasonable time necessary for effective preparation, taking
16 into account the exercise of due diligence.

17 e) The government does not object to the continuances.

18 f) Based on the above-stated findings, the ends of justice served by continuing the
19 case as requested outweigh the interest of the public and the defendant in a trial within the
20 original date prescribed by the Speedy Trial Act.

21 g) Further, given that the discovery in this case arises from a single investigation and
22 is being produced to the twenty-seven defendants in thirteen cases, the Court has previously
23 designated the matter as "complex" for the purpose of providing an exclusion of time under
24 Local Code T2. The parties submit that the foregoing stipulation provides a continued basis for
25 such an exclusion.

26 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
27 et seq., within which trials must commence, the time period of April 26, 2018 to August 16,
28 2018, as noted in this stipulation, inclusive, are deemed excludable pursuant to

1 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because they result from continuances granted
2 by the Court at the defendants' requests on the basis of the Court's finding that the ends of
3 justice served by taking such action outweigh the best interest of the public and the defendants in
4 speedy trials.

5 i) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
6 et seq., within which trials must commence, the time periods of April 26, 2018 to August 16,
7 2018, as noted in this stipulation, inclusive, are deemed excludable pursuant to
8 18 U.S.C. § 3161(h)(7)(A), (ii) because they result from continuances granted by the Court at
9 defendants' requests on the basis of the Court's finding that the matters are sufficiently complex
10 that it would be unreasonable to expect adequate preparation absent the exclusions of time.

11 5. Nothing in this stipulation and order shall preclude a finding that other provisions of the
12 Speedy Trial Act dictate that additional time periods are excludable from the periods within which trials
13 must commence.

14 IT IS SO STIPULATED.

15
16 Dated: April 18, 2018

McGREGOR W. SCOTT
United States Attorney

17 /s/ OWEN ROTH

18 OWEN ROTH
Assistant United States Attorney

19 Dated: April 18, 2018

20 /s/ TODD D. LERAS

21 TODD D. LERAS
Counsel for Defendant Edgar Jimenez
Case No. 2:18-cr-010

22
23 Dated: April 18, 2018

/s/ CLYDE BLACKMON

24 CLYDE BLACKMON
Counsel for Defendant James Masterson
Case No. 2:18-cr-010

25
26 Dated: April 18, 2018

/s/ CANDICE L. FIELDS

27 CANDICE L. FIELDS
Counsel for Defendant Reggie Pajimola
Case No. 2:18-cr-010
28

1 Dated: April 18, 2018

2 /s/ KYLE R. KNAPP
3 KYLE R. KNAPP
4 Counsel for Defendant Joshua Sims
5 Case No. 2:18-cr-010

6 Dated: April 18, 2018

7 /s/ TIMOTHY E. WARRINER
8 TIMOTHY E. WARRINER
9 Counsel for Defendant John Lemus
10 Case No. 2:18-cr-034

11 Dated: April 18, 2018

12 /s/ MICHAEL B. BIGELOW
13 MICHAEL B. BIGELOW
14 Counsel for Defendant Carlos Martinez
15 Case No. 2:18-cr-035

16 Dated: April 18, 2018

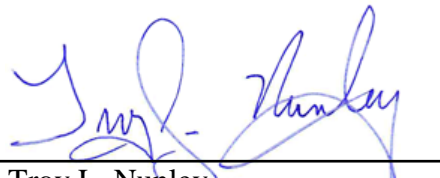
17 /s/ ERIN J. RADEKIN
18 ERIN J. RADEKIN
19 Counsel for Def. Asencion Jimenez
20 Case No. 2:18-cr-037

21 Dated: April 18, 2018

22 /s/ RONALD PETERS
23 RONALD PETERS
24 Counsel for Def. Blas Gonzalez-Ramirez
25 Case No. 2:18-cr-054

26 **FINDINGS AND ORDER**

27 IT IS SO FOUND AND ORDERED this 19th day of April, 2018.

28 
Troy L. Nunley
United States District Judge