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Attorneys for Defendant
Reggie Pajimola

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA SIMS et al.,

Defendants.

CASE NO. 2:18-CR-010-TLN

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

DATE: February 21, 2019
COURT: Hon. Troy L. Nunley

STIPULATION

1. This stipulation concerns one of thirteen indicted related cases, which all arise out of a common investigation.

2. By previous order, this matter was set for status on February 21, 2019.

3. By this stipulation, the Government and counsel for the defendants in the above-captioned case now move to continue the status conference to April 11, 2019.

4. The parties also seek to exclude time between February 21, 2019, and April 11, 2019 under Local Codes T2 and T4.

5. 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 surveillance recordings. (Each defendant has also received a copy of his or her criminal history, if one exists, and a small amount of additional written discovery has been produced to a subset of defendants.).

b) In addition, on or around February 8, 2019, the previously court-appointed discovery-coordination attorney (the “DCA”) made wiretap discovery available to defense counsel.

c) At this time, counsel for the above-captioned defendants desire additional time to review the discovery recently distributed by the DCA. This review will enable counsel to continue reviewing the charges against their respective clients, conduct ancillary research, and consult with their respective clients on how to proceed in their cases.

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

e) The government does not object to the continuances.

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

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

h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trials must commence, the time periods of February 21, 2019 to April 11, 2019, inclusive, are deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because they result from continuances granted by the Court at the defendants’ requests on the basis of the Court’s finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendants in speedy trials.

i) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trials must commence, the time periods of February 21, 2019 to April 11, 2019, inclusive, are deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), (ii) because they result from continuances granted by the Court at defendants’ requests on the basis of the Court’s finding that the matters are sufficiently complex that it would be unreasonable to expect adequate preparation absent the

exclusions of time.

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

IT IS SO STIPULATED.

Dated: February 13, 2019

McGREGOR W. SCOTT
United States Attorney

/s/ JUSTIN LEE

JUSTIN LEE
Assistant United States Attorney

Dated: February 13, 2019

/s/ TODD D. LERAS

TODD D. LERAS
Counsel for Defendant Edgar Jimenez

Dated: February 13, 2019

/s/ DANIEL L. OLSEN

DANIEL L. OLSEN
Counsel for Defendant James Masterson

Dated: February 13, 2019

/s/ CANDICE L. FIELDS

CANDICE L. FIELDS
Counsel for Defendant Reggie Pajimola

Dated: February 13, 2019

/s/ KYLE R. KNAPP

KYLE R. KNAPP
Counsel for Defendant Joshua Sims

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 19 day of February 2019.



THE HONORABLE TROY L. NUNLEY
UNITED STATES DISTRICT JUDGE