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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.

DONTE ROBINS,
ISAIAH BURKS,
RAYSHAWN WRAY, and
JOSHUA MARKANSON,
Defendants.

CASE NO. 2:18-CR-0024-GEB

STIPULATION AND [PROPOSED] ORDER TO
CONTINUE STATUS CONFERENCE

Date: November 2, 2018

Time: 9:00 a.m.

Judge: Hon. Garland E. Burrell, Jr.

The United States of America, through its undersigned counsel, and defendants Donte Robins, Isaiah Burks, and Joshua Markanson, through their counsel of record, stipulate that the status conference currently set for November 2, 2018, be continued to January 11, 2019, at 9:00 a.m.¹

In March 2018, Mr. Robins and Mr. Markanson were arraigned on the nine-count Superseding Indictment. (ECF Nos. 15, 21, 22.) Mr. Burks was arraigned separately, in May 2018. (ECF No. 37.) The government had produced to defense counsel the discovery relevant to this case. This includes 139 pages of written materials and roughly 130 photos, as well as fifteen compact disks containing dozens of

¹ Co-defendant Rayshawn Wray was recently taken into federal custody and made his initial appearance in a Rule 5 hearing in the Central District of California. *United States v. Rayshawn Wray*, 5:18-mj-0419 (C.D. Cal.). He will make his initial appearance in the Eastern District of California upon his arrival in this District via the U.S. Marshals Service.

audio and video files.

In addition, in the coming week, the government will be producing additional discovery materials to all defense counsel, with documents potentially relevant to each defendant under *Brady v. Maryland*, 373 U.S. 83 (1963), and *Giglio v. United States*, 405 U.S. 150 (1972). Defense counsel will require time to review these new materials, as well as the materials already produced, time to conduct research and investigation about the charged offenses and potential defenses, and time to otherwise prepare for trial.

Based on the foregoing, defendants Robins, Burks, and Markanson (through counsel) stipulate that the status conference currently set for November 2, 2018, be continued to January 11, 2019, at 9:00 a.m. The parties further agree that time under the Speedy Trial Act should be excluded from the date the parties stipulated, up to and including January 11, 2019, under 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time to prepare], and General Order 479 [Local Code T4], based on continuity of counsel and defense preparation.

The parties agree that the failure to grant a continuance in this case would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The parties also agree that the ends of justice served by the Court granting the requested continuance outweigh the best interests of the public and the defendants in a speedy trial.

Respectfully submitted,

Dated: October 31, 2018

/s/ Timothy H. Delgado
TIMOTHY H. DELGADO
Assistant United States Attorney
Attorneys for Plaintiff United States

Dated: October 31, 2018

/s/ THD for Linda C. Allison
LINDA C. ALLISON
Assistant Federal Defender
Attorney for Defendant Donte Robins

Dated: October 31, 2018

/s/ THD for Philip Cozens
PHILIP COZENS
Attorney for Defendant Isaiah Burks

Dated: October 31, 2018

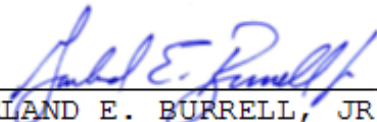
/s/ THD for Etan Zaitso
ETAN ZAITSU
Attorney for Defendant Joshua Markanson

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefore, adopts the parties' stipulation in its entirety as its order. The Court specifically finds that the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court also finds that the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial.

The Court orders that the time from the date the parties stipulated, up to and including January 11, 2019, shall be excluded from computation of time within which the trial in this case must begin under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time to prepare], and General Order 479 [Local Code T4]. It is further ordered that the November 2, 2018 status conference be continued until January 11, 2019, at 9:00 a.m.

Dated: November 1, 2018



GARLAND E. BURRELL, JR.
Senior United States District Judge