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Attorney for Defendant
JOSHUA MARKANSON

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ISAIAH BURKS AND
JOSHUA MARKANSON,

Defendants.

Case No.: 2:18-CR-00024 TLN

**STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE**

The defendants, Joshua Markanson, by and through his counsel, Etan Zaitso, defendant Isaiah Burks, by and through his counsel, Phillip Cozens, and the Government, by and through its counsel, Justin Lee, hereby stipulate as follows:

1. By previous order, this matter was set for status on December 17, 2020
2. By this stipulation, defendants now move to continue the status conference until March 18, 2021, and to exclude time between December 17, 2020 and March 18, 2021, under Local Code T4.

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

- (a) Discovery in this case includes 139 pages of written materials and roughly 130 photos, as well as fifteen compact disks containing numerous audio and

1 video files. Additional discovery has been requested by defendants.

2 Discovery production from that request is pending.

3 (b) The Covid-19 pandemic is a serious health concern impacting the world.

4 Here in the Eastern District of California, the pandemic has forced shut
5 downs of courts, schools, and office buildings. It has also created burdens
6 for attorneys to adequately investigate cases.

7 (c) Defense counsels believe that failure to grant the above-requested
8 continuance would deny them reasonable time necessary for effective
9 preparation, taking into account the exercise of due diligence.

10 (d) The government does not object to the continuance.

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

14 (f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. §
15 3161, et seq., within which trial must commence, the time period of
16 December 17, 2020 to March 18, 2021, inclusive, is deemed excludable
17 pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it
18 results from a continuance granted by the Court at defendants' request on
19 the basis of the Court's finding that the ends of justice served by taking such
20 action outweigh the best interest of the public and the defendant in a speedy
21 trial.
22

23 2. Nothing in this stipulation and order shall preclude a finding that other
24 provisions of the Speedy Trial Act dictate that additional time periods are excludable from the
25 period within which a trial must commence.

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1 Respectfully submitted,

2 Dated: December 9, 2020

/s/ Etan Zaitso

ETAN ZAITSU

Attorney for Defendant Joshua Markanson

5 Dated: December 9, 2020

/s/ Philip Cozens

PHILLIP COZENS

Attorney for Defendant Isaiah Burks

8 Dated: December 9, 2020

/s/ Justin Lee

JUSTIN LEE

Assistant United States Attorney

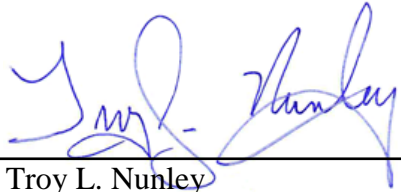
Attorney for Plaintiff United States

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 March 18, 2021, 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 December 17, 2020 status conference be continued to March 18, 2021, at 9:30 a.m.

Dated: December 9, 2020


Troy L. Nunley
United States District Judge