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Attorneys for Plaintiff
United States of America

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSHUA MARKANSON,

Defendants.

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

STIPULATION AND ORDER TO SET BRIEFING
SCHEDULE AND SET JURY TRIAL DATE

Date: May 4, 2023
Time: 9:30 a.m.
Judge: Hon. Troy L. Nunley

The United States of America, through its undersigned counsel, and defendant Joshua Markanson, through his counsel of record, stipulate that the status conference currently set for May 4, 2023, be vacated and the case be set for Jury Trial on February 12, 2024. The parties also jointly request that the Court set the following briefing schedule for all Rule 12 and non-in-limine motions:

1. All Motions shall be filed by September 1, 2023.
2. All Oppositions shall be filed by October 2.
3. All Replies shall be filed by October 16.
4. A non-evidentiary hearing on the motions on October 26.

Based on the representations of counsel in court and in legal filings in this case and defense counsel's on-going need to prepare for jury trial in this matter, including conducting research and investigation related to the charges in the Second Superseding Indictment, the parties stipulate that the Court should exclude of time between May 4, 2023, and February 12, 2024. The parties further agree

that time under the Speedy Trial Act should be excluded from the date the parties stipulated, to and including February 12, 2024, 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.

Respectfully submitted,

Dated: May 2, 2023

/s/ Justin L. Lee

JUSTIN L. LEE

Assistant United States Attorney
Attorney for Plaintiff United States
Attorney for Defendant Isaiah Burks

Dated: May 2, 2023

/s/ JLL for Etan Zaitso

ETAN ZAITSU

Zaitso Law
Attorney for Defendant Joshua Markanson

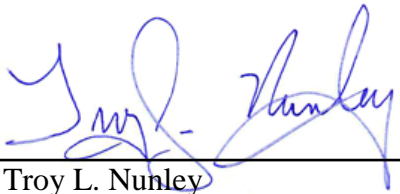
ORDER

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 this case set for Jury Trial to begin on February 12, 2024, at 9:00 a.m. The Court also set a Trial Confirmation Hearing on January 11, 2024, at 9:30 a.m. The Court adopts the proposed briefing schedule and sets this matter for a non-evidentiary motion hearing on October 26, 2023, at 9:30 a.m.

The Court orders that the time from the date the parties stipulated, to and including February 12, 2024, 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 May 4, 2023, status conference is vacated.**

Dated: May 2, 2023


Troy L. Nunley
United States District Judge