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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.  
  
ISAAH BURKS, and  
JOSHUA MARKANSON,  
  
Defendants.

CASE NO. 2:18-CR-0024-TLN  
  
STIPULATION AND ORDER  
TO CONTINUE STATUS CONFERENCE

Date: January 16, 2020  
Time: 9:30 a.m.  
Judge: Hon. Troy L. Nunley

The United States of America, through its undersigned counsel, and defendants Isaiah Burks and Joshua Markanson, through their counsel of record, stipulate that the status conference currently set for January 16, 2020, be continued to March 19, 2020, at 9:30 a.m.

In March 2018, Mr. Markanson was arraigned on the nine-count Superseding Indictment. (ECF Nos. 15, 21, 22.) Mr. Burks was arraigned separately, in May 2018. (ECF Nos. 37.) The government has produced discovery to defense counsel that includes 139 pages of written materials and roughly 130 photos, as well as fifteen compact disks containing dozens of audio and video files.

In late June 2019, the government made available for physical inspection all of the firearms and magazines purchased as part of this investigation. The parties are now scheduling a time in the coming weeks for defense counsel to inspect the remaining physical evidence collected in this case.

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Based on the foregoing, defendants Burks and Markanson (through counsel) stipulate that the status conference set for January 16, 2020, be continued to March 19, 2020, at 9:300 a.m. The parties further agree that time under the Speedy Trial Act should be excluded from the date the parties stipulated, to and including March 19, 2020, 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: January 14, 2020

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

Dated: January 14, 2020

/s/ THD for Philip Cozens  
PHILIP COZENS  
Law Office of Philip Cozens  
*Attorney for Defendant Isaiah Burks*

Dated: January 14, 2020

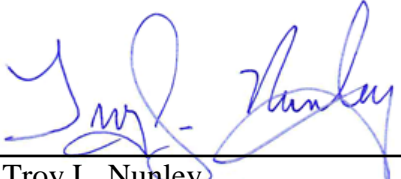
/s/ THD for Etan Zaitso  
ETAN ZAITSU  
Zaitso Law  
*Attorney for Defendant Joshua Markanson*

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 that the time from the date the parties stipulated, to and including March 19, 2020, 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 January 16, 2020 status conference be continued until March 19, 2020, at 9:30 a.m.

Dated: January 14, 2020

  
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Troy L. Nunley  
United States District Judge