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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**

DATE: September 24, 2020  
TIME: 9:30 a.m.  
COURT: Hon. Troy L. Nunley

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 September 24, 2020
2. By this stipulation, defendants now move to continue the status conference until December 17, 2020, at 9:30 a.m. and to exclude time between September 24, 2020, and December 17, 2020, 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. In

4 California, many people have been forced to work from home, while  
5 schools and summer camps have shut down. The federal legal system has  
6 been substantially impacted. The United States District Court for the  
7 Eastern District of California remains closed to the public, while trials  
8 continue to be placed on hold. The Office of the Federal Defender in  
9 Sacramento has barred its attorneys from in-person jail visits due to  
10 health concerns, and has advised panel attorneys that it supports their  
11 decisions to similarly avoid in-person visits. Video conferencing  
12 technology is available at the Sacramento Jail to facilitate attorney visits  
13 through the Federal Defender Office, but the system must be shared with  
14 Sacramento County Public Defenders.  
15

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

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

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

23 (f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. §  
24 3161, et seq., within which trial must commence, the time period of  
25 September 24, 2020 to December 17, 2020, inclusive, is deemed excludable  
26 pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it  
27 results from a continuance granted by the Court at defendants' request on  
28 the basis of the Court's finding that the ends of justice served by taking such

1 action outweigh the best interest of the public and the defendant in a speedy  
2 trial.

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

6  
7 Respectfully submitted,

8 Dated: September 21, 2020

/s/ Etan Zaitso

ETAN ZAITSU

Attorney for Defendant Joshua Markanson

11 Dated: September 21, 2020

/s/ Philip Cozens

PHILLIP COZENS

Attorney for Defendant Isaiah Burks

14 Dated: September 21, 2020

/s/ Justin Lee

JUSTIN LEE

Assistant United States Attorney

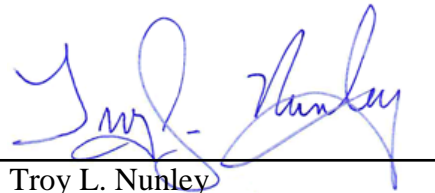
Attorney for Plaintiff United States

**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 December 17, 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 September 24, 2020 status conference be continued to December 17, 2020, at 9:30 a.m

Dated: September 22, 2020



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Troy L. Nunley  
United States District Judge