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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,  
  
Defendant.

CASE NO. 2:18-CR-0024-GEB-1

STIPULATION AND [PROPOSED] ORDER TO  
CONTINUE STATUS CONFERENCE AND  
EXCLUDE TIME

Date: October 19, 2018  
Time: 9:00 a.m.  
Judge: Hon. Garland E. Burrell, Jr.

The United States of America, through its undersigned counsel, and defendant Donte Robins, through his counsel of record, stipulate that the status conference set for October 19, 2018, be continued to November 2, 2018, at 9:00 a.m.<sup>1</sup>

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.<sup>2</sup> (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 audio and video files.

<sup>1</sup> A status hearing for co-defendants Joshua Markanson and Isaiah Burks is currently set on this date.

<sup>2</sup> 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.

1 In addition, in the coming week, the government will be producing additional discovery materials  
2 to all defense counsel, with documents potentially relevant to each defendant under *Brady v. Maryland*,  
3 373 U.S. 83 (1963), and *Giglio v. United States*, 405 U.S. 150 (1972). Defense counsel will require time  
4 to review these new materials, as well as the materials already produced, time to conduct research and  
5 investigation about the charged offenses and potential defenses, and time to otherwise prepare for trial.

6 Based on the foregoing, Mr. Robins (through counsel) stipulates that the status conference set for  
7 October 19, 2018, be continued to November 2, 2018, at 9:00 a.m. The parties further agree that time  
8 under the Speedy Trial Act should be excluded from the date the parties stipulated, up to and including  
9 November 2, 2018, under 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time to prepare], and  
10 General Order 479 [Local Code T4], based on continuity of counsel and defense preparation.

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

15 Respectfully submitted,

16  
17 Dated: October 18, 2018

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

18  
19  
20 Dated: October 18, 2018

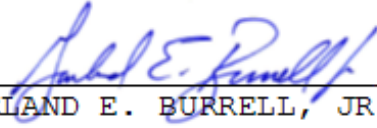
/s/ THD for Linda C. Allison  
LINDA C. ALLISON  
Attorney for Defendant Donte Robins

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 November 2, 2018, 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 October 19, 2018 status conference be continued until November 2, 2018, at 9:00 a.m.

Dated: October 19, 2018

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