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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. DENNY BHAKTA, Defendant.	Case Nos.: 3:21-CR-3352-JLS **JOINT MOTION TO CONTINUE THE MOTION HEARING AND TRIAL SETTING TO JULY 15, 2022** **The Honorable Janis L. Sammartino**

The United States of America, by and through its counsel, Randy S. Grossman, United States Attorney, and Eric R. Olah, Assistant United States Attorney, and Defendant Denny Bhakta, through counsel Sandra Resnick, hereby jointly move this Court for an order continuing the Motion Hearing and Trial Setting, currently set for May 13, 2022, to July 15, 2022 at 1:30 p.m., and excluding time under the Speedy Trial Act. The parties' joint Motion is based on the following:

1. On December 1, 2021, a grand jury returned an indictment charging Defendant with securities fraud, money laundering, and criminal forfeiture. ECF No. 1.

2. On December 14, 2021, Defendant made his initial appearance in the case and the Court appointed current counsel to represent Defendant. ECF No. 4.

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3. The United States has since produced over 1,000 pages of discovery, including law enforcement reports, bank records, and emails.

4. The United States recently produced records related to Paycheck Protection Program (PPP) loans that Defendant applied for and received, and it anticipates producing more such records shortly. The requested continuance will allow defense counsel to review that discovery and discuss it with Defendant. The continuance will also the United States to more thoroughly analyze the approximately 17 PPP loan applications that Defendant submitted and determine whether to seek charges based on those submissions.

5. Defendant filed a discovery motion on January 2, 2022 (ECF No. 13) that remains pending.

Based on the above, it would be unreasonable to expect adequate preparation for pretrial proceedings and trial to be completed within the otherwise applicable time limits. Therefore, the parties agree that the time from May 13, 2022 through July 15, 2022, shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), on the grounds that the ends of justice served by such a continuance outweigh the best interest of the public and the defendant in a speedy trial.

In the alternative, the Court should that time from May 13, 2022 through July 15, 2022, shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(D), based on the pending discovery motion (ECF No. 13) and the need for a continuance to adequately address the issues raised in the motion.

DATED: May 3, 2022

Respectfully submitted,
RANDY S. GROSSMAN
United States Attorney

/s/ Eric R. Olah
ERIC R. OLAH
Assistant United States Attorney

DATED: May 3, 2022

/s/ Sandra Resnick
SANDRA RESNICK
Counsel for Defendant
(as authorized via email on 05/03/22)