



# San Diego City Attorney Jan I. Goldsmith

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## NEWS RELEASE

### FOR IMMEDIATE RELEASE

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### **JUDGE CLOSES 9 MARIJUANA DISPENSARIES IN CITY OF SAN DIEGO**

**San Diego, CA:** Just two weeks after the San Diego City Attorney's Office filed complaints in San Diego Superior Court to shut down 12 marijuana dispensaries, Judge Ronald Prager has signed orders closing nine of them. Four of the cases (including one against a dispensary that has evaded service, despite the owner having agreed to close), were continued to Oct. 13 and 17 for various reasons, but no injunctions were denied.

"We are pleased that Judge Prager has enforced the law today and ordered these nine illegal marijuana dispensaries be shut down," City Attorney Jan Goldsmith said. "We have shut down about 40 illegal marijuana dispensaries in the past 12 months. But we have a lot more work to do."

The City Attorney's office plans to file another group of complaints tomorrow seeking injunctions against additional marijuana dispensaries that are in violation of federal and local laws. In the City of San Diego, marijuana dispensaries are not permitted in any zone. Under federal law the distribution of marijuana for any purpose is considered illegal drug trafficking.

The City Attorney's Office today received strong backing from U.S. Attorney Laura Duffy. Her office has sent letters to the original 12 dispensaries that the City sued last week, notifying them they are in violation of federal law and demanding that they shut down.

Duffy wrote in the letter that the dispensaries have 45 days to close. In addition, they face potential criminal prosecution and civil enforcement actions. Real and personal property involved in such operations are subject to seizure by and forfeiture to the United States. That means landlords who rent to marijuana facilities are in danger of losing their buildings.

"These penalties and remedies apply regardless of the purported purpose of the dispensary or the uses for which marijuana is purportedly sold and distributed," Duffy wrote.

It is expected that the U.S. Attorney will be sending similar letters to most, if not all, of the approximately 180 marijuana dispensaries operating in San Diego.

"Marijuana advocates and their lawyers have been wrong to assume that federal and local laws could be ignored and that cities like San Diego could be strong-armed into looking the other way," Goldsmith said. "Our job is to enforce the law and we will do it."

## JUDGE CLOSES 9 MARIJUANA OUTLETS OPERATING NEAR SCHOOLS

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The nine dispensaries that were ordered to close are:

**1. Herbameds at 4724-4760 Federal Blvd.**

**Property owner** entered into a stipulation/permanent injunction with the City agreeing not to operate any dispensary at the property nor anywhere in the City of San Diego. He is paying \$894.65 in investigative costs and there are \$25,000 in civil penalties suspended – to be imposed if he fails to comply with the injunction. The judge granted a TRO prohibiting the tenants from operating at this location. The preliminary injunction hearing on this matter is set for November 18<sup>th</sup> to make the TRO a permanent injunction and to decide whether the Court will restrain the dispensary operator from operating anywhere in the City.

**2. Trichomes Inc at 4009 Park Blvd.**

**Judge granted TRO against dispensary and operator**, restraining them from operating at this location. The preliminary injunction hearing on this matter is set for November 18<sup>th</sup> to make the TRO a permanent injunction and to decide whether the Court will restrain the dispensary operator from operating anywhere in the City.

**3. Healing Arts Cooperative at 4009 Park Blvd.**

**Judge granted TRO against dispensary and operator**, restraining them from operating at this location. The preliminary injunction hearing on this matter is set for November 18<sup>th</sup> to make the TRO a permanent injunction and to decide whether the Court will restrain the dispensary operator from operating anywhere in the City.

**4. All Green Health Cooperative at 3740 5<sup>th</sup> Ave.**

**Judge granted TRO against operators**, restraining them from operating at this location. The preliminary injunction hearing on this matter is set for November 18<sup>th</sup> to make the TRO a permanent injunction and to decide whether the Court will restrain the dispensary operator from operating anywhere in the City.

**5. West Coast Wellness at 6956 El Cajon Blvd.**

**Owner entered into stipulation at court.** They must serve tenant with eviction notice by 10/7 and have evicted by 11/5; Must pay \$5,000 in penalties and an additional \$45,000 suspended and \$1,200 in investigative costs. The dispensary is evading service, and that case has been continued.

**6. Absolute Collective, Inc., 2801 4th Ave.**

**7. Green Hope Dispensary, 5971 El Cajon Blvd.**

**8. MediMart, 6787 El Cajon Blvd.**

**9. Medical Miracle Collective, 4009-15 Park Blvd. #12**

Global settlement reached on all four: \$49,000 in civil penalties to be paid. An additional \$116,000 in penalties is suspended and to be imposed if defendants fail to comply with the injunction. Also \$2,763 in investigative costs. The owners were also enjoined.

Four cases have been continued: **Redwood Collective at 1516 W. Redwood St., Ocean Beach Wellness Center at 4851 Newport Ave., Oasis Herbal Center at 3441 University Ave.** and **West Coast Wellness at 6956 El Cajon Blvd.** (case against operator only).

Copies of the stipulations and U.S. Attorney letters are available upon request.

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