

UNITED STATES DEPARTMENT OF JUSTICE

Drug Enforcement Administration

In the Matter of

**Schedules of Controlled Substances:
Proposed Rescheduling of Marijuana**

**DEA Docket No. 1362
Hearing Docket No. 24-44**

ORDER REGARDING REQUEST FROM A NON-PARTICIPANT (Anstiss)

On May 21, 2024, the United States Department of Justice through the Drug Enforcement Administration (DEA or Agency) issued a notice of proposed rulemaking (NPRM) proposing to transfer marijuana from Schedule I of the Controlled Substances Act to Schedule III. *Schedules of Controlled Substances: Rescheduling of Marijuana*, 89 Fed. Reg. 44597, 44597 (2024). Following the publication of the NPRM, the DEA Administrator determined that in-person hearing proceedings would be appropriate, and in an order dated August 29, 2024 (General Notice of Hearing or GNoH), fixed a December 2, 2024 commencement date. *Schedules of Controlled Substances: Rescheduling of Marijuana*, 89 Fed. Reg. 70148, 70148-49 (2024). Following the publication of the General Notice of Hearing, this tribunal received a hand-carried letter from the DEA Administrator designating a list of twenty-five “participants” (the Designated Participants) to take part in the proceedings. On October 31, 2024, this tribunal issued a preliminary order outlining a series of procedural and logistical directives addressed to the Designated Participants.

Earlier today, this tribunal received a letter from Rick Anstiss which, *inter alia*, seeks some manner of relief related to some filing deadlines.¹ Inasmuch as Mr. Anstiss is not included in the Administrator’s list of Designated Participants in these proceedings, no action will be taken on his request.²

¹ All deadlines fixed by the NPRM and the GNoH for the submission of materials by the public have expired. Portions of the letter submitted by Mr. Anstiss are nearly identical to portions of another filing received by this tribunal from another non-participant.

² The Designated Participants have been tasked with filing responses pertaining to, *inter alia*, their identities, identifiers, and their proposed bases for standing in these proceedings.

Dated: November 6, 2024

JOHN J. MULROONEY, II
Chief Administrative Law Judge

CERTIFICATE OF SERVICE

This is to certify that the undersigned, on November 6, 2024 caused a copy of the foregoing to be delivered to the following recipients: (1) James Schwartz, Esq., Counsel for the Government, via email at james.j.schwartz@dea.gov; (2) the DEA Government Mailbox, via email at dea.registration.litigation@dea.gov; (3) Shane Pennington for Village Farms International, via email at spennington@porterwright.com; (4) Aaron Smith for National Cannabis Industry Association, via email at aaron@thecannabisindustry.org and michelle@thecannabisindustry.org; (5) Chad Kollas for American Academy of Hospice and Palliative Medicine, via email at wchill@aahpm.org; (6) John Jones and Dante Picazo for Cannabis Bioscience International Holdings, via email at ir@cbih.net; (7) Robert Head for Hemp for Victory, via email at robert@bluecordfarms.com; (8) Erin Gorman Kirk for the State of Connecticut, via email at erin.kirk@ct.gov; (9) Ellen Brown for Massachusetts Cannabis Advisory Board, via email at ellen@greenpathtraining.com; (10) Shanetha Lewis for Veterans Initiative 22, via email at info@veteransinitiative22.com; (11) Jason Castro for The Doc App. Dba, My Florida Green, via email at jasoncastro@myfloridagreen.com; (12) Katy Green for The Commonwealth Project, via email at kag@platinumadvisors.com; (13) Ari Kirshenbaum for Saint Michael's College, via email at mslade@cannabispublicpolicyconsulting.com; (14) Jo McGuire for National Drug and Alcohol Screening Association, via email at jomcguire@ndasa.com; (15) Patrick Philbin for Smart Approaches to Marijuana, via email at pphilbin@torridonlaw.com; (16) Roneet Lev for International Academy on the Science and Impact of Cannabis, via email at roneetlev@gmail.com; (17) David Evans for Cannabis Industry Victims Educating Litigators, via email at thinkon908@aol.com; (18) Kenneth Finn, via email at kfinn@springsrehab.net; (19) Jennifer Homendy for National Transportation Safety Board, via email at executivesecretariat@ntsb.gov and correspondence@ntsb.gov; (20) Phillip Drum, via email at phillipdrum@comcast.net; (21) Attorney General Mike Hilgers for the State of Nebraska, via email at zachary.viglianco@nebraska.gov; (22) International Association of Chiefs of Police, via email at voegtlin@theiacp.org; (23) Drug Enforcement Association of Federal Narcotics Agents, via email at marshallfisher@rocketmail.com; (24) Natalie P. Hartenbaum for American College of Occupational and Environmental Medicine, via email at occumedix@comcast.net and craig@acoem.org; (25) Sue Thau for Community Anti-Drug Coalitions of America, via email at suerthau@gmail.com and cdoarn@cadca.org; (26) Tennessee Bureau of Investigation, via email at kim.litman@tbi.tn.gov; (27) National Sheriff's Association, via email at sheriffsskinner@collincountytexas.gov and ykaraman@sheriffs.org; and (28) Rick Anstiss, via email at anstiss421@gmail.com.

Quinn Fox
Staff Assistant to the Chief Judge
Office of Administrative Law Judges