



U.S. DEPARTMENT OF JUSTICE

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District of Colorado

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January 12, 2012

Via Certified Mail and First Class Mail

[REDACTED]

Cert Mail No. 7007 1490 0001 4784 0215

[REDACTED]

Cert Mail No. 7007 1490 0001 4784 0222

Re: [REDACTED]

Dear [REDACTED]

I am writing regarding the marijuana dispensary operating under the business name [REDACTED], located at [REDACTED], which property you own or have under your control and management. This property and the dispensary operating on it is located within 1,000 feet of a school, specifically, [REDACTED].

Federal law prohibits the manufacture, distribution, and possession of marijuana, except as provided under the strict control provisions of the Controlled Substances Act. The dispensary is operating in violation of federal law, and the Department of Justice has the authority to enforce the federal law even when such activities may be permitted under state law. Persons and entities who operate or facilitate the operation of such dispensaries are subject to criminal prosecution and civil enforcement actions under federal law. Moreover, because the dispensary is operating within 1,000 feet of a school, enhanced federal penalties apply. See 21 U.S.C. § 860(a).

[REDACTED]

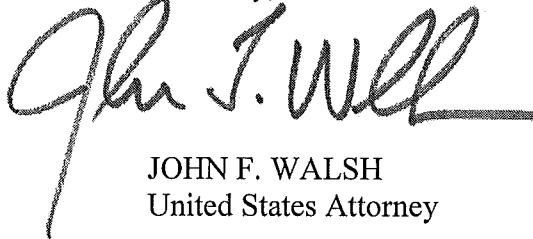
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The provisions of federal law relating to controlled substances have direct and unambiguous implications for property owners and managers. Specifically, Title 21, United States Code, Section 856(a) provides that it is unlawful to “knowingly and intentionally rent, lease, profit from, or make available for use, with or without compensation, [a] place for the purpose of unlawfully manufacturing, storing, distributing, or using a controlled substance.” A violation of this provision may result in criminal prosecution and civil penalties. In addition, any person or entity with an ownership interest in real property, with knowledge or reason to know that the real property is being used for illegal drug sales, may have his interest in the property forfeited to the government without compensation. See 21 U.S.C. § 881(a)(7).

This letter constitutes formal notification that a marijuana dispensary is operating on the above described property in violation of federal law. You are further advised that the real property is subject to forfeiture, and any money you receive, or have received, from the dispensary owner may also be subject to seizure and forfeiture. This letter also constitutes formal notice that action will be taken to seize and forfeit such property if you do not cause the sale and/or distribution of marijuana and marijuana-infused substances at the above referenced location to be discontinued within 45 days from the date of this letter, specifically, by Monday, February 27, 2012. Your prompt attention to this matter is strongly advised.

Sincerely,



JOHN F. WALSH
United States Attorney

JFW/je