

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

On May 21, 2024, the United States Department of Justice through the Drug Enforcement Administration (DEA) 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.

Today, November 5, 2024, this tribunal received a letter from Nicholas Barreto which, *inter alia*, seeks some manner of relief related to some filing deadlines.¹ Inasmuch as Mr. Barreto 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.

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 5, 2024

JOHN J. MULROONEY, II
Chief Administrative Law Judge

CERTIFICATE OF SERVICE

This is to certify that the undersigned, on November 5, 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. Db, 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 cdoarn@cadca.org; (26) Tennessee Bureau of Investigation, via email at kim.litman@tbi.tn.gov; (27) National Sheriff's Association, via email at sheriffs Skinner@collincountytx.gov and ykaraman@sheriffs.org; and (28) Nicholas Barreto, via email at nbarreto89@aol.com.

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