

MICHIGAN COURT OF APPEALS DECISIONS - UNPUBLISHED CASES

People v Grant, No. 316487, September 23, 2014 (Michigan Court of Appeals)

Issue: Whether the defendant should be excused from liability for the charged offenses because he reasonably – albeit mistakenly – believed that the co-defendant was growing marihuana in **compliance with the Michigan Medical Marihuana Act (MMMA)?**

Holding: NO

The Court held that “The fact that defendant may have acted under a mistaken belief as to the legality of the marijuana grow operation is no defense under Michigan law because “ignorance of the law or a mistake of law is no defense to a criminal prosecution.” *People v Motor City Hosp & Surgical Supply, Inc*, 227 Mich App 209, 215; 575 NW2d 95 (1997). As such, the trial court properly precluded defendant from admitting evidence concerning the MMMA or medical marijuana in an effort to show that his actions should be excused. Moreover, we note that reference to the MMMA and medical marijuana was irrelevant given defendant’s theory of defense.”