

## MICHIGAN LOWER COURT DECISIONS - CIRCUIT COURT DECISIONS

People v. Finney, Case No. 09-4081, September 9, 2009 (Midland County):

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**Issue:** Whether the Defendant can assert an MMMA §8 defense.

**Holding:** The Midland County Circuit Court ruled that the Defendant offered no evidence to the court with regard to element (2) of Section 8(a). The Court therefore had no basis at this time to conclude that the amount of marihuana in Defendant's possession on January 29, 2009 was not more than was reasonably necessary to ensure the uninterrupted availability of marihuana for the purpose of treating or alleviating the Defendant's serious or debilitating medical condition within the meaning of element (2).