

MICHIGAN SUPREME COURT DECISIONS

People v. Green, 494 Mich 865; 831 NW2d 460 (2013):

Issue: Whether the Michigan Court of Appeals' published case of *People v. Green*, decided January 19, 2013 should be overturned?

In the published Michigan Court of Appeals decision of *People v. Tony Green* decided January 19, 2013, the Court ruled that a registered qualifying patient under the Michigan Medical Marihuana Act (MMMA), MCL 333.26421, who transferred a small uncompensated amount of marihuana to another person who was a registered qualifying patient pursuant to MCL 333.26429(b), is legally allowed to do so pursuant to the MMMA.

Holding: The Michigan Supreme Court held as follows:

"In *Michigan v. McQueen*, 493 Mich 135 (2013), this Court held that, under the MMMA, "§ 4 immunity does not extend to a registered qualifying patient who transfers marihuana to another registered qualifying patient for the transferee's use because the transferor is not engaging in conduct related to marihuana for the purpose of relieving the transferor's own condition or symptoms."

Therefore, the Court ordered the case to be remanded back to the Barry County Circuit for reinstatement of the delivery of marihuana charges.