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APR 04 2013 *RPB*
JEANNE G. QUINATA
CLERK OF COURT

UNITED STATES DISTRICT COURT

DISTRICT COURT OF GUAM

Sedfrey M Linsangan (Pro Se)) Civil Case No. 19-00011
Plaintiff) *Complaint*
VS) Federal law Violation by the Government of
Government of Guam, Lourdes Leon) Guam and Lourdes Leon Guerrero by
Guerrero acting in her official Capacity) Legalizing Medical and Recreational
) Marihuana (Cannabi's Act)
)
)

Introduction

This is a Federal Law violation by the Government of Guam, Title 21 United States Code (USC) Controlled Substances Act and Title 48 (USC)

Organic Act of Guam. Governor Leon Guerrero violated her mandated duty in Section

1422 of Organic Act of Guam. Medical and Recreational

Marihuana are legalized in Guam which is illegal under Title 21 and Title 48 of Federal

Laws.

Memorandum Of Points and Authorities

1. This Court has jurisdiction as per Section 2 of Article 111 of the Constitution and Section 1421b of the Organic Act of Guam.

2 Defendants are Government of Guam and Governor of Guam. Their action are taking place on Guam.

3. Defendant Guam is a Territory of the United States. The structure of its Government was set forth in the Organic Act Passed by Congress in 1950.

4. Defendant Lourdes Leon Guerrero is sued in her official capacity for injunctive and declaratory relief.

5. Plaintiff is a resident of Guam and have all the standing as per Section 1421b of Organic Act of Guam.

6. Under Section 812 of Title 21 USC Controlled Substances Act, Marihuana is Classified as Schedule 1 Substance. Section (c) (10).

- A) Drug or other Substance has high potential for abuse.
- b) The drug or other substance has no currently accepted medical use in treatment.
- c) There is lack of accepted safety for use of the drug or other substance under medical supervision.

7. Article V1 of the Constitution mandate that Judges in every State or Territory shall be bound any Thing in the Constitution and Federal Laws.

The Supremacy Clause which contain the Doctrine of Preemption supercedes States and Territory Laws. Article V1 buttresses the Supreme Clause by requiring all Government officials, both state and federal to give precedence to the Federal Laws and U.S. Constitution over any state constitution or other laws.

8) Governor Leon Guerrero has violated her mandated duties under Section 1422 of the Organic Act of Guam which stipulate that the Governor is

responsible for the faithful execution of federal Laws that is extended to Guam.

9) Section 1421b, Section 1422 Section 1423a Section 1423d of Title 48 of the Organic Act of Guam were violated by the Defendants

Claim for Relief

10) The illegal acts by the Defendants will destroy families, children, economy, businesses and the Island of Guam. It will put more financial pressure on medical system and public coffers to treat those that will be addicted and eventually try stronger drugs: *WHEREFORE, Plaintiff seeks a judgment:*

11) Declaring Guam's legalization of recreational and medical marihuana null and void.

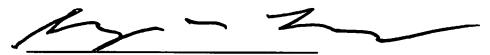
12) Enjoining defendants from engaging on policy making sale and distribution of marihuana

13) Declaring that the Governor of Guam and Legislature of Guam have committed official misconduct and violated the Federal law .

14) Awarding cost and fees as authorized by all relevant provisions of law

15) Awarding any other appropriate relief.

Respectfully Submitted



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Date : April 4, 2019