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FILED

JUN 06 2005

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARIN ALLIANCE FOR MEDICAL
MARIJUANA, and LYNETTE SHAW,

Defendants.

No. C 98-00086 CRB
No. C 98-00087 CRB
No. C 98-00088 CRB

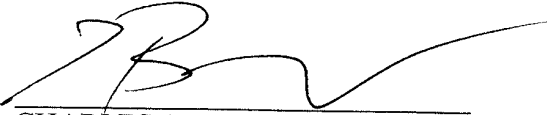
ORDER

AND RELATED CASES

Before issuing an opinion on the merits of defendants' consolidated appeals, the Ninth Circuit remanded these related actions to this Court for reconsideration after the United States Supreme Court issues its decision in Gonzales v. Raich, cert. granted, 524 U.S. 936 (2004). United States v. Marin Alliance for Medical Marijuana, 372 F.3d 1047 (9th Cir. 2004). Raich is a Commerce Cause challenge to federal regulation of intrastate noncommercial cultivation and use of marijuana. In light of the Supreme Court's opinion issued today, Gonzales v. Raich, ___ S.Ct. ___, 2005 WL 1321358 (June 6, 2005), the Court declines to reconsider its earlier rulings.

IT IS SO ORDERED.

Dated: June 6, 2005



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

United States District Court
for the
Northern District of California
June 6, 2005

bae

* * CERTIFICATE OF SERVICE * *

Case Number:3:98-cv-00086

USA

vs

Marin Alliance

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 6, 2005, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

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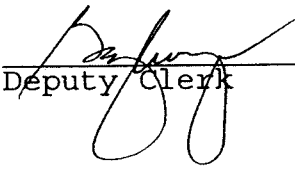
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BY: 
Deputy Clerk