



# **Notice**

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## AlaFile E-Notice

03-CV-2025-900618.00

To: JAMES S. WARD  
jward@wardcooperlaw.com

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# NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

DUSTIN CHANDLER ET AL V. ALABAMA MEDICAL CANNABIS COMMISSION ET AL  
03-CV-2025-900618.00

The following complaint was FILED on 4/25/2025 10:49:31 AM

Notice Date: 4/25/2025 10:49:31 AM

GINA J. ISHMAN  
CIRCUIT COURT CLERK  
MONTGOMERY COUNTY, ALABAMA  
251 S. LAWRENCE STREET  
MONTGOMERY, AL, 36104

334-832-1260



ELECTRONICALLY FILED

4/25/2025 10:39 AM

03-CV-2025-900618.00

CIRCUIT COURT OF

MONTGOMERY COUNTY, ALABAMA

GINA J. ISHMAN, CLERK

Case:

03

Date of Filing:

04/25/2025

Judge Code:

State of Alabama  
Unified Judicial System  
Form ARCiv-93 Rev. 9/18

**COVER SHEET**  
**CIRCUIT COURT - CIVIL CASE**  
(Not For Domestic Relations Cases)

**GENERAL INFORMATION**

**IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA**  
**DUSTIN CHANDLER ET AL v. ALABAMA MEDICAL CANNABIS COMMISSION ET AL**

**First Plaintiff:** ☐ Business ☒ Individual **First Defendant:** ☐ Business ☐ Individual  
☐ Government ☐ Other ☒ Government ☐ Other

**NATURE OF SUIT:** Select primary cause of action, by checking box (check only one) that best characterizes your action:

**TORTS: PERSONAL INJURY**

- ☐ WDEA - Wrongful Death  
☐ TONG - Negligence: General  
☐ TOMV - Negligence: Motor Vehicle  
☐ TOWA - Wantonness  
☐ TOPL - Product Liability/AEMLD  
☐ TOMM - Malpractice-Medical  
☐ TOLM - Malpractice-Legal  
☐ TOOM - Malpractice-Other  
☐ TBFM - Fraud/Bad Faith/Misrepresentation  
☐ TOXX - Other: \_\_\_\_\_

**TORTS: PERSONAL INJURY**

- ☐ TOPE - Personal Property  
☐ TORE - Real Property

**OTHER CIVIL FILINGS**

- ☐ ABAN - Abandoned Automobile  
☐ ACCT - Account & Nonmortgage  
☒ APAA - Administrative Agency Appeal  
☐ ADPA - Administrative Procedure Act  
☐ ANPS - Adults in Need of Protective Service

**OTHER CIVIL FILINGS (cont'd)**

- ☐ MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/Enforcement of Agency Subpoena/Petition to Preserve  
☐ CVRT - Civil Rights  
☐ COND - Condemnation/Eminent Domain/Right-of-Way  
☐ CTMP - Contempt of Court  
☐ CONT - Contract/Ejectment/Writ of Seizure  
☐ TOCN - Conversion  
☐ EQND - Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division  
☐ CVUD - Eviction Appeal/Unlawful Detainer  
☐ FORJ - Foreign Judgment  
☐ FORF - Fruits of Crime Forfeiture  
☐ MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition  
☐ PFAB - Protection From Abuse  
☐ EPFA - Elder Protection From Abuse  
☐ QTLB - Quiet Title Land Bank  
☐ FELA - Railroad/Seaman (FELA)  
☐ RPRO - Real Property  
☐ WTEG - Will/Trust/Estate/Guardianship/Conservatorship  
☐ COMP - Workers' Compensation  
☐ CVXX - Miscellaneous Circuit Civil Case

**ORIGIN:** F ☒ **INITIAL FILING**

A ☐ **APPEAL FROM DISTRICT COURT**

O ☐ **OTHER**

R ☐ **REMANDED**

T ☐ **TRANSFERRED FROM OTHER CIRCUIT COURT**

**HAS JURY TRIAL BEEN DEMANDED?** ☐ YES ☒ NO

**Note:** Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P., for procedure)

**RELIEF REQUESTED:** ☐ **MONETARY AWARD REQUESTED** ☒ **NO MONETARY AWARD REQUESTED**

**ATTORNEY CODE:**

WAR006

4/25/2025 10:39:46 AM

Date

/s/ JAMES S. WARD

Signature of Attorney/Party filing this form

**MEDIATION REQUESTED:** ☐ YES ☐ NO ☒ **UNDECIDED**

**Election to Proceed under the Alabama Rules for Expedited Civil Actions:** ☐ YES ☐ NO

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

STATE OF ALABAMA ex rel.  
EARLY CHANDLER A MINOR BY AND  
THROUGH HER FATHER AND NEXT  
FRIEND DUSTIN CHANDLER, JOHN  
HARDY CAIN A MINOR BY AND  
THROUGH HIS MOTHER AND NEXT  
FRIEND CRISTINA CAIN, LIAM JAMES  
HALL A MINOR BY AND THROUGH HIS  
MOTHER AND NEXT FRIEND CATHERINE  
HALL, CADEN JACKSON A MINOR BY  
AND THROUGH HIS MOTHER MEGGAN  
JACKSON, AND CHESNEY FORSYTH BY  
AND THROUGH HER MOTHER KARI  
FORSYTH

Plaintiffs,

v.

CASE NO:

ALABAMA MEDICAL CANNABIS  
COMMISSION,  
REX VAUGHN, in his official capacity as  
Member of the Alabama Medical Cannabis  
Commission; SAM BLAKEMORE, in his  
official capacity as Member of the Alabama  
Medical Cannabis Commission; DWIGHT  
GAMBLE, in his official capacity as Member of  
the Alabama Medical Cannabis Commission;  
DR. JIMMIE HARVEY, in his official capacity  
as Member of the Alabama Medical Cannabis  
Commission; JAMES HARWELL, in his official  
capacity as Member of the Alabama Medical  
Cannabis Commission; TAYLOR HATCHETT,  
in her official capacity as Member of the  
Alabama Medical Cannabis Commission; DR.  
ERIC JENSEN, in his official capacity as  
Member of the Alabama Medical Cannabis  
Commission; DR. ANGELA MARTIN in her  
official capacity as Member of Alabama Medical  
Cannabis Commission; CHARLES PRICE, in his  
official capacity as Member of the Alabama  
Medical Cannabis Commission; DR. WILLIAM  
SALISKI, JR., in his official capacity as Member  
of the Alabama Medical Cannabis Commission;  
LOREE SKELTON, in her official capacity as  
Member of the Alabama Medical Cannabis  
Commission; DR. MAC JONES, in his official  
capacity as Member of the Alabama Medical  
Cannabis Commission; and DION ROBINSON,  
in his official capacity as Member of the  
Alabama Medical Cannabis Commission;

Defendants. )  
)

### PETITION FOR WRIT OF MANDAMUS

1. This is an action for a writ of mandamus to compel the members of the Alabama Medical Cannabis Commission (the Commissioners) to perform their ministerial duty to establish a patient and caregiver registry for the dispensing of medical cannabis to patients in need of medical cannabis in the State of Alabama. The Darren Wesley “Ato” Hall Compassion Act, which became law on May 17, 2021, *required* the Alabama Medical Cannabis Commission (the Commission) to establish a patient registry by September 1, 2022. *See* Ala. Code § 20-2A-35(a) (“In order to commence, use, and maintain a reliable system to track all aspects of patient and caregiver qualification *not later than September 1, 2022*, the commission shall establish and administer an integrated, electronic patient and caregiver registry, known as the Alabama Medical Cannabis Patient Registry System . . .” (emphasis added)). But the Commissioners have not established such a registry, stating on the Commission website only that “[t]he Alabama medical cannabis program is under development and is not registering patients or caregivers at this time.” *See* <https://amcc.alabama.gov/patients/> (last visited March 31, 2025).

### PARTIES

2. Plaintiff Dustin Chandler is an adult citizen of Alabama and the parent of the minor child Carly Chandler who has a condition that is treatable with Medical Cannabis.

3. Plaintiff Cristina Cain is an adult citizen of Alabama and the parent of the minor child John Hardy Cain who has a condition that is treatable with Medical Cannabis.

4. Plaintiff Catherine Hall is an adult citizen of Alabama and the parent of the minor child Liam James Hall who has a condition that is treatable with Medical Cannabis.

5. Plaintiff Meggan Jackson is an adult citizen of Alabama and the parent of the

minor child Caden Jackson who has a condition that is treatable with Medical Cannabis.

6. Plaintiff Kari Forsyth is an adult citizen of Alabama and the parent of Chesney Forsyth who has a condition that is treatable with Medical Cannabis.

7. Plaintiffs bring this petition for mandamus in the name of the State of Alabama to uphold the Compassion Act's requirement that the Commission establish a patient and caregiver registry and to secure performance by Defendants of this duty owed to the public. Plaintiffs also bring this petition in their individual capacities because they have suffered specific injuries as a result of the Commissioners' failure to establish the patient and caregiver registry and seek to vindicate their own private rights.

8. The Alabama Medical Cannabis Commission is an agency of the State of Alabama created by the Compassion Act to license medical cannabis cultivators, processors, transporters, dispensaries, and integrated producers. Defendants, as alleged below, are all Commissioners of the Commission.

### **JURISDICTION AND VENUE**

9. Plaintiffs seek a writ of mandamus and commence this action by petition brought under Alabama Code § 6-6-640. This Court therefore has jurisdiction over this petition.

10. Venue is proper in the Circuit Court of Montgomery County, Alabama because the Commission's principal place of business is located in Montgomery County.

### **FACTUAL BACKGROUND**

11. The Darren Wesley "Ato" Hall Compassion Act was passed with the intent of making medical cannabis available to treat patients in Alabama for whom other treatments were ineffective. The Legislature recognized that there are some conditions for which medical cannabis may be the only effective treatment. *See* Ala. Code § 20-2A-2.

12. The Compassion Act requires the Commission "to commence, use, and

maintain a reliable system to track all aspects of patient and caregiver qualification *not later than September 1, 2022*.” Ala. Code § 20-2A-35(a) (emphasis added). There is nothing discretionary about the Commission’s duty to establish a patient and caregiver registry.

13. But the Commission has not established such a registry, stating on its website only that “[t]he Alabama medical cannabis program is under development and is not registering patients or caregivers at this time.” *See* Alabama Medical Cannabis Commission, <https://amcc.alabama.gov/patients/> (last visited March 31, 2025).

14. The Commission has failed to comply with numerous laws in its administration of the Alabama’s medical cannabis program. On information and belief, the Commission has committed numerous violations of the Alabama Open Meetings Act and the Alabama Administrative Procedure Act (AAPA), and those violations have delayed the development of Alabama’s medical cannabis program.

15. But while the Commission’s violations of the Open Meetings Act and the AAPA have been egregious, there can be no medical cannabis in Alabama without a patient registry that has actual patients.

16. The Commissioners’ failure to establish a patient registry with actual patients has delayed the availability of medical cannabis to patients just as surely as the Commission’s repeated refusal to follow the Open Meetings Act and the AAPA.

**COUNT ONE**  
**(Petition for Writ of Mandamus)**

17. Plaintiffs adopt and incorporate the previous paragraphs as if specifically alleged in this paragraph.

18. The Commissioners were under a mandatory non-discretionary duty to create and maintain a patient and caregiver registry by September 1, 2022.

19. Under the Compassion Act, the creation of a patient registry is a ministerial

act that the Commissioners have no discretion to avoid.

20. The Commissioners have failed to perform their nondiscretionary, ministerial duty to create a patient registry by September 1, 2022.

21. Plaintiffs have a clear legal right to enforce the Compassion Act for the reasons explained in this petition.

22. The Commissioners have failed to perform their duties under the Compassion Act.

23. Mandamus is the only adequate remedy available to Plaintiffs.

24. This Court has jurisdiction to adjudicate this mandamus petition.

FOR THESE REASONS, Plaintiffs respectfully that the Court will grant this petition for writ of mandamus and order the Commissioners to perform the ministerial act of creating a patient registry.

Respectfully submitted,

/s/ James S. Ward

JAMES S. WARD

**OF COUNSEL:**

JAMES S. WARD

WARD & COOPER, LLC

2100A SOUTHBRIDGE PARKWAY

SUITE 645

BIRMINGHAM, AL 35209

PHONE: (205) 871-5404

EMAIL: JWARD@WARDCOOPERLAW.COM

**CERTIFICATE OF SERVICE**

I hereby certify that on April 25<sup>th</sup>, 2025, the foregoing has been served upon all counsel of record via this Court's electronic filing.

/s/ James S. Ward

OF COUNSEL