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FOR IMMEDIATE RELEASE

Matthew Roman, M.D. files lawsuit against Acting Attorney General, Matthew Whitaker; Deputy Director and Head of the U.S. Bureau of Alcohol Tobacco Firearms and Explosives, Thomas E. Brandon; Director of the Federal Bureau of Investigation, Christopher Wray; and the United States of America

Dr. Roman seeks to end the prohibition of gun ownership for state-sanctioned, medical cannabis patients as codified by 18 U.S.C. § 922(g)(3), 18 U.S.C. § 922(d)(3), and 27 C.F.R. § 478.11.

PHILADELPHIA, PA, November 15, 2018 – Dr. Matthew Roman, Medical Cannabis Doctor, who is certified by the Commonwealth of Pennsylvania to recommend medical cannabis to qualifying patients, filed suit on November 15, 2018 against Acting Attorney General Matthew Whitaker; Deputy Director and Head of the U.S. Bureau of Alcohol Tobacco Firearms and Explosives Thomas E. Brandon; Director of the Federal Bureau of Investigation Christopher Wray; and the United States of America, in the United States District Court for the Eastern District of Pennsylvania, seeking to end the prohibition of gun ownership for state-sanctioned, medical cannabis patients as codified by 18 U.S.C. § 922(g)(3), 18 U.S.C. § 922(d)(3), and 27 C.F.R. § 478.11.

Dr. Roman is a medical cannabis cardholder and patient, and is properly registered as such with the Commonwealth of Pennsylvania. Dr. Roman uses state-sanctioned medical cannabis for the purpose of treating his post traumatic stress disorder. Dr. Roman believes that overprescribing of opioids by today's physicians has created an epidemic of narcotic dependence and drug diversion, and that medical cannabis is a valid solution to this nationwide problem. He believes that his choice to pursue treatment via Pennsylvania's Medical Cannabis Program should not prohibit him from possessing a firearm in his home for the purpose of self-defense, a right recognized by the United States Supreme Court in the seminal case of *District of Columbia v. Heller*, 554 U.S. 570, 128 S. Ct. 2783, 2797, 2821 (2008).

Dr. Roman's claims arise from 18 U.S.C. § 922(g)(3), 18 U.S.C. § 922(d)(3), and 27 C.F.R. § 478.11, which collectively prohibit users of marijuana from possessing firearms, even in their own homes. In 2017, the U.S. Bureau of Alcohol Tobacco Firearms and Explosives took the prohibition one step further to emphasize that state-sanctioned, medical cannabis patients could not possess a firearm. Question 11(e) of ATF Form 4473 reads as follows:

“Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance? **Warning: The use or possession of marijuana remains unlawful under Federal law regardless of whether it has been legalized or decriminalized for medical or recreational purposes in the state where you reside.**”

Because cannabis is listed as a Schedule 1 narcotic under the Controlled Substances Act, Dr. Roman - and other medical marijuana patients - are prohibited from exercising their fundamental Constitutional right to own a firearm for self-defense in their homes. This is the case not only in Pennsylvania, but in all 33 states which have state-sanctioned, medical cannabis programs.

Dr. Roman asserts that the prohibition imposed by 18 U.S.C. § 922(g)(3), 18 U.S.C. § 922(d)(3), and 27 C.F.R. § 478.11 constitute violations of the Second and Fifth Amendments of the United States Constitution, and that federal law provides no effective, administrative remedy to challenge the denial of a firearm purchase on the basis that the buyer is a user of medical marijuana.

In pursuing his lawsuit, Dr. Roman retained the services of Sacks Weston Diamond, LLC, and Joshua Prince, Esq. of Firearms Industry Consulting Group, a Division of Civil Rights Defense Firm P.C. Dr. Roman, and his attorneys, filed this lawsuit in order to challenge the Federal Government's prohibition on medical cannabis vis-à-vis the Second Amendment right to bear arms.

"The majority of states in this country now recognize the medical value of marijuana," said John Weston, one of Dr. Roman's lawyers. "The federal government would do everyone a favor by recognizing the obvious, and removing marijuana from Schedule 1. Until it does so, the courts of this country, as they have always been, are the only way for citizens to guard their Constitutional rights."

The government denies Dr. Roman the right to defend himself in his home, so long as his medical condition is treated with state-sanctioned, medical cannabis. Because the right to possess a firearm in one's home, for the purpose of self-defense, is guaranteed by the Second Amendment, Dr. Roman asks the Court to declare that 18 U.S.C. § 922(g)(3), 18 U.S.C. § 922(d)(3), and 27 C.F.R. § 478.11 violate the United States Constitution.