

NO. 68058-7-1

IN THE COURT OF APPEALS
OF THE STATE OF WASHINGTON
DIVISION I

STATE OF WASHINGTON,

Appellant,

v.

JENNIFER L. YOUDE,

Respondent.

BRIEF OF APPELLANT

MARK K. ROE
Prosecuting Attorney

SETH A. FINE
Deputy Prosecuting Attorney
Attorney for Appellant

FILED
COURT OF APPEALS DIV I
STATE OF WASHINGTON
2012 JUN 18 PM 12:10

Snohomish County Prosecutor's Office
3000 Rockefeller Avenue, M/S #504
Everett, Washington 98201
Telephone: (425) 388-3333

TABLE OF CONTENTS

I. SUMMARY 1

II. ASSIGNMENTS OF ERROR 2

III. ISSUES 2

IV. STATEMENT OF THE CASE 2

V. ARGUMENT 7

 A. THE RECORD FAILS TO ESTABLISH EITHER
 GOVERNMENTAL MISCONDUCT, OR DEPRIVATION OF A FAIR
 TRIAL, SO AS TO JUSTIFY DISMISSAL UNDER CRR 8.3(B)..... 7

 1. Governmental Misconduct Is Not Established By The Timely
 Filing Of An Objection Made In Good Faith. 7

 2. Since Police Motivation For An Investigation Is Irrelevant To A
 Claim Of Entrapment, The Denial Of Discovery Concerning That
 Motivation Does Not Deprive The Defendant Of A Fair Trial. 10

 B. ABSENT A FACTUAL PREDICATE FOR DEFENSE CLAIMS,
 THERE IS NO CONSTITUTIONAL RIGHT TO DISCOVERY. 17

VI. CONCLUSION 20

TABLE OF AUTHORITIES

WASHINGTON CASES

<u>Bryant v. Joseph Tree, Inc.</u> , 119 Wn.2d 210, 829 P.2d 1099 (1992)	9
<u>Dodge City Saloon, Inc. v. Washington State Liquor Control Bd.</u> , ___ Wn. App. ___, ___ P.3d ___, 2012 WL 1690780 (2012)....	14, 15
<u>State v. Blackwell</u> , 120 Wn.2d 822, 845 P.2d 1017 (1993)..	9, 17, 19
<u>State v. Gonzalez</u> , 110 Wn.2d 738, 757 P.2d 925 (1988)	18
<u>State v. Lively</u> , 130 Wn.2d 1, 920 P.2d 1035 (1996)	12, 14
<u>State v. Martinez</u> , 121 Wn. App. 21, 86 P.3d 1210 (2004)	9
<u>State v. Michielli</u> , 132 Wn.2d 229, 937 P.2d 587 (1997).....	8, 9
<u>State v. Puapuaga</u> , 164 Wn.2d 515, 192 P.3d 360 (2008)	8
<u>State v. Sherman</u> , 59 Wn. App. 763, 801 P.2d 274 (1990).....	9
<u>State v. Smith</u> , 93 Wn.2d 329, 610 P.2d 869, <u>cert. denied</u> , 449 U.S. 873 (1980)	13, 14
<u>State v. Wilson</u> , 149 Wn.2d 1, 65 P.3d 657 (2003).....	8

FEDERAL CASES

<u>Gonzales v. Raich</u> , 545 U.S. 1, 125 S. Ct. 2195, 162 L. Ed. 2d 1 (2005)	16
<u>Weatherford v. Bursey</u> , 429 U.S. 545, 97 S. Ct. 837, 51 L. Ed. 2d 30 (1977)	17

WASHINGTON STATUTES

Laws of 2007, ch. 371	10
Laws of 2010, ch. 284	10
Laws of 2011, ch. 181	10, 11
RCW 69.51A.010(1)	11, 14
RCW 69.51A.010(1)(d)	11, 14
RCW 69.51A.040(2)	10
RCW 9A.16.070	12

FEDERAL STATUTES

21 U.S.C. § 812(c)	16
21 U.S.C. § 841	16

COURT RULES

CR 11	9
CrR 4.7	6
CrR 4.8(b)(4)	9
CrR 8.3	7, 10, 17

CrR 8.3(b)..... 1, 2, 7, 8, 17, 20

I. SUMMARY

The defendant was a purported purveyor of “medical marijuana.” She nonetheless sold marijuana to an undercover police officer, without making any attempt to determine whether he was a medical user. The police provided full discovery concerning all communications between them and the defendant.

The court issued a subpoena duces tecum directing the investigating agency to produce all communications “in regards to medical marijuana and its status on tribal lands.” The agency filed a timely objection to this subpoena. After considering this objection, the court quashed the subpoena. Another judge then dismissed this case under CrR 8.3(b) because the agency had objected to the subpoena.

This dismissal was improper. A governmental agency is not guilty of “misconduct” when it files a timely motion in good faith. Nor did the filing of this motion deny the defendant a fair trial. The discovery that the agency objected to was irrelevant to any valid defense. In particular, the defense of entrapment depends on the subjective predisposition of a defendant to commit a crime. The motive for the police investigation is irrelevant to this defense.

II. ASSIGNMENTS OF ERROR

1. The trial court erred in dismissing the case.
2. The trial court erred in entering the following legal

conclusion:

the assertion of Sovereign [sic] Immunity by the investigating law enforcement agency is equivalent to governmental misconduct as it denies due process and effective assistance of counsel.

III. ISSUES

(1) The trial court issued a subpoena requiring the investigating agency to produce records concerning their motive for investigating the defendant. When the agency objected to the subpoena, the court quashed it. Did the action of the agency in objecting to the subpoena constitute governmental misconduct that deprived the defendant of a fair trial, so as to justify dismissal under CrR 8.3(b)?

(2) Where the defendant presented no evidence of any improper police motivation for the investigation, did the absence of discovery on that issue violate the defendant's constitutional rights?

IV. STATEMENT OF THE CASE

The following facts are set out in an affidavit submitted by the Tulalip Tribes, in connection with their objection to the subpoena directed to them. CP 34-52. The defense has not

disputed any of the facts set out below. See CP 16 (statement of facts in defendant's Motion to Dismiss); 11/18 RP 4 (defendant's argument on motion to dismiss).

In January, 2010, Tulalip Police became aware of a Craigslist ad offering to provide "medical marijuana." The ad said:

If you use medical marijuana and would like a competent, friendly delivery, please email me. I deliver anywhere between Arlington and Olympia two to four times a week. Everything is indoor, hydro, organic and flushed. I don't mind meeting in a convenient place for you. Medicine is free. Donation is accepted for my time.

The ad went on to list five varieties of marijuana. Each was described in terms of the kind of "high" that it produced. For example, "Lavender Kush" was described as "sweet flavored typical kush, indica so body high." The ad also offered to sell "cured hash" and "everclear green dragon." CP 39. (A copy of this ad is set out in Appendix A.)

Officer Wayne Schakel investigated this ad. He is cross-commissioned as a Tulalip Tribes Officer, a Snohomish County Deputy Sheriff, an FBI agent, and a Special Deputy U.S. Marshall. CP 34. Officer Schakel responded to the ad, using the address "flagrantoffender@gmail.com." He said that he would "like to try

some Kush for a change.” He asked for “donation rates.” He signed the message “Wayne.”

The defendant responded to this message by proposing a meeting in Marysville. She listed her prices, which ran from \$50 for an “8th” to \$360 for an ounce. She signed the message “Jen.” After a further exchange of e-mails, Officer Schakel agreed to buy a “quarter” for \$90. The defendant initially proposed a meeting at the IGA or Dairy Queen in Marysville. Officer Schakel suggested instead meeting at the Marysville Walmart (which is located on the Tulalip Reservation). The defendant countered by suggesting the nearby Bank of America (which is also on the Reservation). CP 41-45. (The e-mail exchanges are set out in Appendix B.)

At 6:30 p.m. on February 5, the defendant called Officer Schakel. She told him that she’d be waiting at the Bank of America parking lot in a silver Honda CRV. He agreed to meet her there. He went to the parking lot, approached the Honda, and said, “Hello, Jen.” She handed him a package containing 6 grams of marijuana. He handed her \$90. There was no other conversation. Other officers then arrested the defendant. CP 35-36.

The defendant’s car was searched pursuant to a warrant issued by the Tribal Court. They found over 100 grams of

marijuana. Among these were four packages marked with the first names of different people. There were also five hydrocodone pills and 10 grams of what appeared to be psilocybin mushrooms. CP 36.

The defendant was charged in Snohomish County Superior Court with delivery of a controlled substance. CP 76. On the defendant's motion, and without opposition by the State, the Hon. Richard Okrent issued a subpoena duces tecum directed to the Tulalip Tribes. 8/26 RP 2-3. Among other things, it required them to produce the following:

Copies of any and all communications, whether in writing, by email, text message or other electronic means, between members of the Tulalip Tribal Police Department and other members of that department or of the Tulalip Tribe's legal department in regard to medical marijuana and its status on tribal lands.

CP 71.

The Tribes filed an objection to this portion of the subpoena. The objection stated that it called for the production of privileged information, was unduly burdensome, was likely to compromise other investigations, and exceeded the scope of permitted discovery. CP 68-69, 62-63. A hearing on this objection was held before Judge Okrent. At the hearing, counsel for the Tribes stated

that if the court overruled their objections to the subpoena, they also wanted to address the issue of their sovereign immunity as a Native American tribe. 9/23 RP 11. The court directed supplemental briefing on that issue. 9/23 RP 14.

The Tribes submitted a memorandum that reiterated their argument that the subpoena sought information beyond the scope of CrR 4.7. The memorandum also argued that the subpoena violated the Tribes' sovereign immunity. CP 53-61. The defendant submitted a memorandum arguing the contrary. CP 28-33. After considering these memoranda, the court issued a written ruling quashing the subpoena. The court held that enforcement of the subpoena would compromise the regulation of Tribal police procedures, which is a vital governmental activity of the Tribes. In view of this conclusion, the court found no need to address any of the other issues. CP 21-27.

The defendant then filed a motion to dismiss pursuant to CrR 8.3(b). CP 14-20. She claimed that the Tribes' assertion of sovereign immunity prevented her from investigating a possible entrapment defense. She argued that the lack of discovery left Tribal officers "free to lie about why they targeted Ms. Youde specifically, and medical marijuana more generally." CP 19.

This motion was heard by the Hon. Thomas Wynne. The court granted the motion to dismiss. In its oral ruling, the court said that the Tribes' action violated due process and constituted a denial of effective assistance of counsel. 11/18 RP 10-11. The written order, however, relied on CrR 8.3. The order said that the assertion of sovereign immunity was "equivalent to governmental misconduct as it denies due process and effective assistance of counsel." CP 3.

V. ARGUMENT

A. THE RECORD FAILS TO ESTABLISH EITHER GOVERNMENTAL MISCONDUCT, OR DEPRIVATION OF A FAIR TRIAL, SO AS TO JUSTIFY DISMISSAL UNDER CrR 8.3(b).

1. Governmental Misconduct Is Not Established By The Timely Filing Of An Objection Made In Good Faith.

The trial court relied on CrR 8.3(b) in dismissing this case.

CP 3. That rule provides:

The court, in the furtherance of justice, after notice and hearing, may dismiss any criminal prosecution due to arbitrary action or governmental misconduct when there has been prejudice to the rights of the accused which materially affect the accused's right to a fair trial.

To obtain dismissal under this rule, a defendant must show two things: (1) arbitrary action or governmental misconduct; (2) prejudice affecting the defendant's rights to a fair trial. The court's

decision to dismiss is reviewed for abuse of discretion. State v. Puapuaga, 164 Wn.2d 515, 520-21 ¶ 8, 192 P.3d 360 (2008). An abuse of discretion exists if the court acted on untenable grounds or for untenable reasons. CrR 8.3(b) does not authorize courts to substitute their judgment for that of the prosecutor. State v. Michielli, 132 Wn.2d 229, 240, 937 P.2d 587 (1997). In the present case, neither of the prerequisites for dismissal was satisfied.

To begin with, no governmental misconduct has been shown.

Governmental misconduct ... need not be of an evil or dishonest nature; simple mismanagement is sufficient. Absent a showing of arbitrary action or governmental misconduct, a trial court cannot dismiss charges under CrR 8.3(b).

Id. at 239-40 (citation omitted). “[D]ismissal is an extraordinary remedy to which the court should resort only in truly egregious cases of mismanagement or misconduct.” State v. Wilson, 149 Wn.2d 1, 9, 65 P.3d 657 (2003).

In cases where misconduct has been found, prosecutors either violated court rules or orders or were dilatory in complying with them. For example, the following acts were held to constitute misconduct justifying dismissal: (1) filing new charges three days before trial, with no justification for the delay, Michielli, 132 Wn.2d at

243-44; (2) unjustified delay in complying with a court order requiring discovery, State v. Sherman, 59 Wn. App. 763, 768-70, 801 P.2d 274 (1990); (3) knowingly failing to disclose exculpatory evidence until mid-trial. State v. Martinez, 121 Wn. App. 21, 86 P.3d 1210 (2004). In contrast, a prosecutor's failure to produce records in the possession of the investigating police agency was held not to be misconduct justifying dismissal. State v. Blackwell, 120 Wn.2d 822, 831-33, 845 P.2d 1017 (1993).

Here, the investigating agency objected to a subpoena. The Criminal Rules specifically provide for such objections. CrR 4.8(b)(4). There has been no claim that the objection was untimely. There was clearly a good-faith basis for the objection. The judge who had issued the subpoena decided to quash it, and the later judge did not question that ruling. CP 21-27; 11/18 RP 7. In a different context, the Supreme Court has recognized that sanctions should not be used "to chill an attorney's enthusiasm or creativity in pursuing factual or legal theories." Bryant v. Joseph Tree, Inc., 119 Wn.2d 210, 219, 829 P.2d 1099 (1992). (discussing sanctions under CR 11). The timely, good-faith filing of a procedural objection is neither "misconduct" nor "arbitrary action."

Consequently, such an objection cannot support dismissal of a prosecution under CrR 8.3.

2. Since Police Motivation For An Investigation Is Irrelevant To A Claim Of Entrapment, The Denial Of Discovery Concerning That Motivation Does Not Deprive The Defendant Of A Fair Trial.

Even if the Tribes' objection could be considered "misconduct," that would not be sufficient to justify the dismissal. There would still have to be "prejudice to the rights of the accused which materially affect the accused's right to a fair trial." CrR 8.3. The defendant claimed that the lack of discovery interfered with her ability to raise a defense of entrapment. CP 19. To evaluate this claim, it is necessary to consider how an entrapment defense might apply in the present case.

The defendant purported to be a supplier of "medical marijuana." Under the Medical Use of Marijuana Act, a "designated provider" had an affirmative defense to any violation of state law relating to marijuana. Former RCW 69.51A.040(2).¹ To come

¹ At the time of the alleged crime, medical marijuana was governed by Laws of 2007, ch. 371. All references to the medical marijuana statute in this brief reflect this 2007 version. Since then, the statute has been amended twice. Laws of 2010, ch. 284; Laws of 2011, ch. 181. The 2011 amendment changed the name to "medical cannabis."

within this defense, the defendant had to satisfy the following definition:

“Designated provider” means a person who:

- (a) Is eighteen years of age or older;
- (b) Has been designated in writing by a patient to serve as a designated provider under this chapter;
- (c) Is prohibited from consuming marijuana obtained for the personal, medical use of the patient for whom the individual is acting as designated provider; and
- (d) Is the designated provider to only one patient at any one time.

RCW 69.51A.010(1).²

The defendant has acknowledged that she may be precluded from relying on this defense because Officer Schakel was not a qualified patient. CP 17. The problem, however, goes much deeper than that. The officer never even claimed to be a user of medical marijuana. The defendant was never designated in writing to serve as a designated provider to the officer. Furthermore, the defendant's ad and the evidence recovered from her car strongly suggest that she was providing marijuana to more than one person, in violation of RCW 69.51A.010(1)(d).

² The 2011 Legislature enacted amendments to this definition, but the Governor vetoed them. Laws of 2011, ch. 181, § 201. Consequently, the definition quoted above remains in effect.

Because the defendant cannot rely on the statutory “designated provider” defense, she sought to rely on a defense of entrapment. CP 17. Entrapment is likewise an affirmative defense. State v. Lively, 130 Wn.2d 1, 920 P.2d 1035 (1996). The defense is defined by RCW 9A.16.070:

(1) In any prosecution for a crime, it is a defense that:

(a) The criminal design originated in the mind of law enforcement officials, or any person acting under their direction, and

(b) The actor was lured or induced to commit a crime which the actor had not otherwise intended to commit.

(2) The defense of entrapment is not established by a showing only that law enforcement officials merely afforded the actor an opportunity to commit a crime.

This statute incorporates a “subjective test” for entrapment – that is, it focuses on whether the defendant was predisposed to commit the crime. This contrasts with an “objective test” used by some other courts, which focuses on the conduct of the State. Lively, 130 Wn.2d at 10 n. 2. The Supreme Court has rejected the suggestion that the good faith of the investigating officers is relevant to entrapment:

It has never been supposed that the jury must be instructed to weigh public policy or good faith in reaching its decision on whether the defense of entrapment has been made out. Rather, under Washington law its deliberations are to be directed to

the question of whether the criminal design originated in the mind of law enforcement officials who lured or induced the defendant to commit a crime which he otherwise had not intended to commit.

State v. Smith, 93 Wn.2d 329, 350, 610 P.2d 869, cert. denied, 449 U.S. 873 (1980).

In the present case, any defense of entrapment would have to be based on evidence of the transaction between the investigating officer and the defendant. The issue would be whether the defendant was induced by police to commit a crime, or whether they merely gave her an opportunity to do so. *With regard to this issue, the investigating agency provided full discovery.* They submitted the full text of the officer's e-mail communications with the defendant. CP 41-45. The officer also filed a declaration setting out a detailed account of his personal interaction with her. CP 35-36. The defendant has not claimed that there was any inadequacy in the discovery concerning interactions between her and the police.

Rather, the defendant claims that there is a factual dispute concerning the motive of the police for conducting the investigation. Officer Schakel said that he was following up on a tip that a person was selling drugs on the Reservation. CP 35. The defendant

claims that she “must be allowed to investigate whether the Tulalip Police acted to specifically target medical marijuana providers and what motivated such action.” CP 17. This issue, however, has nothing to do with any defense of entrapment. As already pointed out, that defense is subjective, not objective. Lively, 130 Wn.2d at 10. Whether the investigating officer acted in good or bad faith is irrelevant. Smith, 93 Wn.2d at 350. Since the officer’s reasons for the investigation were unknown to the defendant, they have no bearing on her subjective willingness to commit the crime.

The defendant described herself as “an individual who was acting within the laws of our state” in offering to provide medical marijuana. CP 17. This description is highly questionable. As already pointed out, her ad strongly suggests that she was willing to commit a crime by delivering to multiple customers. CP 39; see RCW 69.51A.010(1)(d). Even if her description were accurate, however, it would not establish entrapment. To the contrary, police are entitled to investigate whether businesses are complying with legal limitations on their conduct.

This point was addressed in Dodge City Saloon, Inc. v. Washington State Liquor Control Bd., ___ Wn. App. ___, ___ P.3d ___, 2012 WL 1690780 (2012). There, the Board conducted a

compliance check on a nightclub that served liquor, by sending an underage investigator to attempt to gain entrance. When the investigator was allowed entrance, the Board commenced license enforcement proceedings. In defending against those proceedings, Dodge City claimed that they were entrapped. This court rejected that claim:

Entrapment occurs not when the police resort to subterfuge in apprehending a criminal after the fact, but when they induce a law-abiding person to engage in criminal conduct that he would not otherwise have committed. [N]othing in the record supports a finding that the Liquor Board and its officers induced Dodge City to invite the underage [investigator] into the bar. [The investigator] used his own identification card that clearly showed he was under the age of 21. And nothing in the record shows that Dodge City would not have invited any other person under the age of 21 to enter. . .

Id. ¶ 22. Even though the Board had no pre-existing evidence that Dodge City was admitting underage patrons, they were entitled to investigate whether this would occur. Doing so did not constitute entrapment.

In the present case, even accepting the defendant's portrayal of the circumstances, her situation is no better than that of the nightclub owner in Dodge City. The defendant was advertising that she would deliver "medical marijuana." Delivering marijuana

violates Washington law unless the seller complies with certain conditions. Even if there is no evidence that someone is violating those conditions, police are entitled to investigate whether she is willing to do so. Carrying out such an investigation does not constitute entrapment.

Furthermore, it is not true that from the viewpoint of tribal police, the defendant was carrying out a legal business. Officer Schakel is commissioned as a federal officer as well as a deputy sheriff. CP 34. Federal drug laws bar the sale of marijuana, with no exemption for medical use. 21 U.S.C. § 841, 812(c); see Gonzales v. Raich, 545 U.S. 1, 125 S. Ct. 2195, 162 L. Ed. 2d 1 (2005). Accordingly, from the point of view of a federal officer, the defendant was advertising her willingness to commit a crime. The officer could properly investigate whether this willingness extended to commission of a crime within the geographical area for which he was responsible.

Ultimately, however, the officer's motives do not matter. Whether an investigation is carried out for a good or a bad reason, the defense of entrapment is the same. If the defendant was induced to commit a crime that she would not have otherwise committed, she has a valid defense. Otherwise, she does not.

It is doubtful that, under the facts presented to the trial court, the defendant has any valid claim of entrapment. If she does, however, she is free to present it to a jury. She has been given full discovery of all facts relevant to such a claim. The investigating agency's refusal to provide discovery on irrelevant matters does not materially affect her right to a fair trial. Consequently, even if that refusal could be characterized as "misconduct," it does not justify dismissal under CrR 8.3(b).

B. ABSENT A FACTUAL PREDICATE FOR DEFENSE CLAIMS, THERE IS NO CONSTITUTIONAL RIGHT TO DISCOVERY.

In the order of dismissal, the trial court said that the action of the investigating agency "denies due process and effective assistance of counsel." CP 3. Such denial might be considered an independent basis for dismissal, apart from CrR 8.3. The court was, however, mistaken. There was no violation of the defendant's constitutional rights.

In general, there is no constitutional right to discovery in criminal cases. Weatherford v. Bursey, 429 U.S. 545, 559, 97 S. Ct. 837, 51 L. Ed. 2d 30 (1977). A defendant does, however, have a right to disclosure of evidence that is favorable to the defendant and material to guilt or punishment. Blackwell, 120 Wn.2d at 828.

The mere *possibility* that an item of evidence might help the defense does not give rise to a right of discovery. State v. Gonzalez, 110 Wn.2d 738, 750, 757 P.2d 925 (1988).

Blackwell involved a situation analogous to the present case. The defendant there was charged with assaulting a police officer. He claimed that the arrest may have been racially motivated. To investigate this claim, he sought disclosure of the arresting officer's personnel records. When the investigating agency refused to produce the records, the trial court dismissed the case.

On appeal, the defendant argued that the lack of discovery violated his constitutional rights. The Supreme Court rejected this argument. To establish a right to discovery, "[a] defendant must advance some factual predicate which makes it reasonable likely the requested [documents] will bear information material to this or her defense. A bare assertion that a document 'might' bear such fruit is insufficient." Blackwell, 120 Wn.2d at 830. Since the defendant had provided no factual support for his claims, he had no constitutional right to discovery.

The situation in the present case is similar. The defendant claimed a general right "to investigate whether the Tulalip Police acted to specifically target medical marijuana providers and what

motivated such action.” CP 17. As discussed above, the police motivation for the investigation is irrelevant to any valid defense. Even if it were relevant, however, the defendant has the burden of establishing some factual predicate supporting her claims. She failed to meet this burden. As in Blackwell, a mere assertion that documents *might* support a defense is insufficient.

With regard to due process requirements, the identity of the investigating agency makes no difference. If the Tribes’ assertion of sovereign immunity truly prevented the defendant from receiving a fair trial, he could be entitled to dismissal. This is not, however, the situation in the present case. There is no constitutional right to discovery of any evidence that *might* support a possible defense. The defendant has presented no factual predicate for her speculation that the police investigation had an improper motivation. Furthermore, even if that fact were somehow established, it would be irrelevant to any claim of entrapment. Dismissal is not justified by the refusal of a police agency – tribal or non-tribal – to produce irrelevant evidence. To the extent that the trial court relied on a constitutional violation as a basis for dismissal, such reliance was erroneous.

VI. CONCLUSION

The facts of this case do not support dismissal under CrR 8.3(b). The order of dismissal should be reversed and the case remanded for trial.

Respectfully submitted on June 15, 2012.

MARK K. ROE
Snohomish County Prosecuting Attorney

By: 

SETH A. FINE, WSBA # 10937
Deputy Prosecuting Attorney
Attorney for Appellant

[seattle craigslist](#) > [seattle](#) > [for sale / wanted](#) > [health and beauty](#) [email this posting to a friend](#)

Avoid scams and fraud by dealing locally! Beware any deal involving Western Union, Moneygram, wire transfer, cashier check, money order, shipping, escrow, or any promise of transaction protection/certification/guarantee. [More info](#)

please [flag](#) with care:

[miscategorized](#)

[prohibited](#)

[spam/overpost](#)

[best of craigslist](#)

Need Medical MJ? - \$420 (Mt Vernon to Olympia)

Date: 2010-02-04, 11:04PM PST

Reply to: sale-wcs8z-1586823208@craigslist.org (Errors when replying to ads?)

If you use medical marijuana and would like a competent, friendly delivery, please email me. I deliver anywhere between Arlington and Olympia two to four times a week. Everything is indoor, hydro, organic and flushed. I don't mind meeting in a convenient place for you. Medicine is free. Donation is accepted for my time. Donation request listed below. I will never short you on your meds. I have the utmost care for your safety and security and respect your time and do my best to not keep you waiting. Vacuum-sealed upon request.

Silver Hammer = Nice flavor, a good fuzzy head high ---Grape God = my favorite right now. Grapefruit x God's Treat. Fantastic - a fast and hard high, kind of like the first time you ever got high and it felt trippy. ---

Lavender Kush = sweet flavored typical kush, indica so body high. ---

Master Kush x WW gives a good body high ---

BWL = Big Bud x White Widow x Northern Lights. Smooth smoke, equal body/head high.

EWS = Early Wonder Skunk. Hashy, skunk smell and sweet skunk flavor, great high.---

Also have cured hash for \$25 a gram and ½ oz bottles of everclear green dragon for \$50 or 1 oz for \$90.

keyword: mmj, marijuana, weed, 420, bud, pot, medical marijuana

Location: Mt Vernon to Olympia

it's NOT ok to contact this poster with services or other commercial interests

PostingID: 1586823208

Copyright © 2010 craigslist, inc. [terms of use](#) [privacy policy](#) [feedback forum](#)



jose cool <flagrantoffender@gmail.com>

MMJ delivered today (Marysville to Seattle)

17 messages

KR <flagrantoffender@gmail.com>

Sat, Jan 30, 2010 at 4:44 PM

To: sale-kpfyv-1573385383@craigslist.org

Just saw your ad, are you delivering today? I'd like to try some Kush for a change. what are your donation rates?

Thank you
Wayne

425-346-2854

MaryJ <medicalmaryj420@gmail.com>

Sat, Jan 30, 2010 at 5:01 PM

To: KR <flagrantoffender@gmail.com>

Hi Wayne,

My next delivery day is Monday. If you need something sooner and you're willing to drive to Marysville, I could meet you tonight or tomorrow. 8th = \$50, Quarter = \$90, Half = \$180, Oz = \$360.

Thanks,
Jen

[Quoted text hidden]

this message was remailed to you via: sale-kpfyv-1573385383@craigslist.org

KR <flagrantoffender@gmail.com>

Sat, Jan 30, 2010 at 5:08 PM

To: MaryJ <medicalmaryj420@gmail.com>

Thanks for the quick reply, jen.
my cars down for a few days, so i'll have to try you next week, if that's okay

Wayne

[Quoted text hidden]

MaryJ <medicalmaryj420@gmail.com>

Sat, Jan 30, 2010 at 5:12 PM

To: KR <flagrantoffender@gmail.com>

Sorry about your car. Sure, just let me know! Peace.

Jen

[Quoted text hidden]



jose cool <flagrantoffender@gmail.com>

MMJ in Marysville

1 message

MaryJ <medicalmaryj420@gmail.com>
To: sale-xxnwx-1578584052@craigslist.org

Mon, Feb 1, 2010 at 10:26 PM

**** CRAIGSLIST ADVISORY --- AVOID SCAMS BY DEALING LOCALLY
** Avoid: wiring money, cross-border deals, work-at-home
** Beware: cashier checks, money orders, escrow, shipping
** More Info: <http://www.craigslist.org/about/scams.html>**

Hi there,

Here are the current strains of medical marijuana I provide along with donation request:

Silver Hammer = A favorite. Nice, smooth flavor, awesome head high - 55/8th, 100/quarter, 200/half, 400/oz

Grape God = Another favorite. Grapefruit x God's Treat. Fantastic - a fast and hard high, kind of like the first time you ever got high and it felt trippy. 55/8th, 100/quarter, 200/half, 400/oz

Lavender Kush = sweet flavored typical kush, indica so body high. 50/8th, 90/quarter, 180/half, 360/oz

Master Kush x WW gives a good body high and is 50/8th, 90/quarter, 180/half, 360/oz

BWL = Big Bud x White Widow x Northern Lights. Smooth smoke, equal body/head high. 50/8th, 90/quarter, 180/half, 360/oz

EWS = Early Wonder Skunk. Hashy, skunk smell and sweet skunk flavor, great high. 50/8th, 90/quarter, 180/half, 360/oz.

I can meet you at IGA or Dairy Queen in Marysville at your convenience.

Peace,
Jen

this message was remailed to you via: sale-xxnwx-1578584052@craigslist.org

KR <flagrantoffender@gmail.com>

Fri, Feb 5, 2010 at 2:22 PM

To: MaryJ <medicalmaryj420@gmail.com>

Jen, can we get something going today?
Thanks
Wayne
425-346-2854

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>

Sat, Feb 6, 2010 at 12:55 PM

To: flagrantoffender@gmail.com

Hi Wayne, just got your message. I can meet you tonight between 6:30 & 7:30. Would that work?
Jen

-----Original Message-----

Date: Friday, February 05, 2010 2:22:32 pm
To: "MaryJ" <medicalmaryj420@gmail.com>
From: "KR" <flagrantoffender@gmail.com>
Subject: Re: MMJ delivered today (Marysville to Seattle)

Jen, can we get something going today?
Thanks
Wayne
425-346-2854

On Sat, Jan 30, 2010 at 5:12 PM, MaryJ <medicalmaryj420@gmail.com> wrote:

> Sorry about your car. Sure, just let me know! Peace.

> Jen

>

> ----- Original Message -----

> *From:* KR <flagrantoffender@gmail.com>

> *To:* MaryJ <medicalmaryj420@gmail.com>

> *Sent:* Saturday, January 30, 2010 5:08 PM

> *Subject:* Re: MMJ delivered today (Marysville to Seattle)

>

> Thanks for the quick reply, jen.

> my cars down for a few days, so i'll have to try you next week, if that's

> okay

>

> Wayne

>

> On Sat, Jan 30, 2010 at 5:01 PM, MaryJ <medicalmaryj420@gmail.com> wrote:

>

>> Hi Wayne,

>>

>> My next delivery day is Monday. If you need something sooner and you're

>> willing to drive to Marysville, I could meet you tonight or tomorrow. 8th =

>> \$50, Quarter = \$90, Half = \$180, Oz = \$360.

>>

>> Thanks,

>> Jen

>>

>> ----- Original Message -----

>> *From:* KR <flagrantoffender@gmail.com>

>> *To:* sale-kpfyv-1573385383

KR <flagrantoffender@gmail.com>

Sat, Feb 6, 2010 at 1:06 PM

To: "medicalmaryj420@gmail.com" <medicalmaryj420@gmail.com>

yeah, that sounds good, I'll probably be shopping at Walmart around that time.

If you can call me, we'll set something up.

Thanks again

Wayne

425-436-2854

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>

Sat, Feb 6, 2010 at 1:10 PM

To: flagrantoffender@gmail.com

which Walmart?

[Quoted text hidden]

KR <flagrantoffender@gmail.com>

Sat, Feb 6, 2010 at 1:13 PM

To: "medicalmaryj420@gmail.com" <medicalmaryj420@gmail.com>

In Marysville.

Will that work for you?

Wayne

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>

Sat, Feb 6, 2010 at 1:24 PM

To: flagrantoffender@gmail.com

yes, should i email or text you when ii'm close?

[Quoted text hidden]

KR <flagrantoffender@gmail.com>

Sat, Feb 6, 2010 at 1:44 PM

To: "medicalmaryj420@gmail.com" <medicalmaryj420@gmail.com>

Sounds good, Jen, how bout you text me when you are coming my way?

Thanks

Wayne

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>

Sat, Feb 6, 2010 at 2:09 PM

To: flagrantoffender@gmail.com

how much would you like?

[Quoted text hidden]

KR <flagrantoffender@gmail.com>

Sat, Feb 6, 2010 at 2:12 PM

To: "medicalmaryj420@gmail.com" <medicalmaryj420@gmail.com>

can you do a half tonight?

I think you said 80 bucks?

Wayne

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>
To: **flagrantoffender@gmail.com**

Sat, Feb 6, 2010 at 3:24 PM

A half is 180.

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>
To: **flagrantoffender@gmail.com**

Sat, Feb 6, 2010 at 3:24 PM

[Quoted text hidden]

KR <flagrantoffender@gmail.com>
To: "medicalmaryj420@gmail.com" <medicalmaryj420@gmail.com>

Sat, Feb 6, 2010 at 3:29 PM

oops, i meant a quarter, I found your previous email 90 sounds good.
See you tonight.
Wayne

[Quoted text hidden]

medicalmaryj420@gmail.com <medicalmaryj420@gmail.com>
To: **flagrantoffender@gmail.com**

Sat, Feb 6, 2010 at 5:54 PM

Let's meet at the Bank of America by Walmart, I'll be there in 30 min.

[Quoted text hidden]