

COURT OF APPEALS, STATE OF
COLORADO

Colorado State Judicial Building
Two East 14th Avenue
Denver, Colorado 80203

Boulder County District Court
Honorable D.D. Mallard, District Court Judge
Trial Court Case Number 06CR1758

**THE PEOPLE OF THE STATE OF
COLORADO,**
Plaintiff-Appellee,

v.

STACY CLENDENIN,
Defendant-Appellant.

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COURT USE ONLY

Case No: 2008CA624

SUPPLEMENTAL CITATIONS PURSUANT TO C.A.R. 28(j)

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These supplemental citations consist of new regulations promulgated by the Colorado State Board of Health on July 20, 2009, effective August 30, 2009. They pertain to the issue raised in this appeal regarding the definitions and meanings of the phrases “primary care-giver” and “significant responsibility for managing the well-being of a patient,” contained in the Colorado Constitution, Article XVIII § 14.

In the new regulations, 5 CCR 1006-2, Medical Use of Marijuana (attached), promulgated after the filing of the Reply Brief in this appeal, the Board of Health defined “significant responsibility for managing the well-being of a patient,” as meaning “assisting a patient with daily activities, including but not limited to transportation *or* housekeeping *or* meal preparation *or* shopping *or* making any necessary arrangement for access to medical care or services *or* provision of medical marijuana.” (emphasis added).

Administrative regulations are presumed valid. Stone Environmental Engineering Services v. Colorado Department of Health, 762 P.2d 737, 739 (Colo. App. 1988).

Date: August 13, 2009

Respectfully submitted,

Robert J. Corry, Jr.

Certificate of Service

Above designated counsel certifies that on the above date a true copy of the above **SUPPLEMENTAL CITATIONS PURSUANT TO C.A.R. 28(j)** was served by delivery through the U.S. Mail on the following:

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