

STATE OF RHODE ISLAND
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER, BLDG. 68-1
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND 02920

Business Regulation
Office of Cannabis Regulation

FEB 04 2022

RECEIVED

IN THE MATTER OF
DORIAN FERREIRA,
RESPONDENT.

DBR No. 20MM12

CONSENT AGREEMENT

The Department of Business Regulation, Office of Cannabis Regulation ("Department") and Dorian Ferreira ("Respondent") (collectively "the Parties") hereby consent and agree that:

1. Respondent resides at [REDACTED], Providence, Rhode Island ([REDACTED]) and [REDACTED]
2. On September 2, 2020, [REDACTED]
[REDACTED]
[REDACTED]
3. On September 3, 2020, the Rhode Island State Police ("RISP") executed a search warrant at 41 Almy Street, Providence, and found approximately one and two-tenths (1.2) pounds of dried usable marijuana, two hundred eighty-eight and one-half (288.5) grams of marijuana associated with THC honey butane oil, two (2) firearms, ten thousand seven hundred and fifty-six dollars (\$10,756.00) in cash, and various packaging materials and equipment. That same day, Respondent was arrested on charges of Possession with Intent to Deliver Marijuana, Possession of a Controlled Substance (Honey Butane Oil), Conspiracy, and two counts of Possession of a Firearm while Committing a Crime of Violence.¹
4. On October 15, 2020, the Department issued Respondent an *Order to Show Cause Why Medical Marijuana Tags Should Not Be Revoked, and Why Cease and Desist Order Should Not Issue and Administrative Penalty Be Imposed; Notice of Hearing and Appointment of Hearing Officer* ("Order").
5. The appointed Hearing Officer conducted several remote pre-hearing conferences where the Parties discussed the issues in the above-captioned administrative matter.

¹ As of the execution of this Consent Agreement, Respondent's criminal charges have not yet been resolved.

6. Respondent now argues that his possession of the one and two-tenths (1.2) pounds of dried usable marijuana described in paragraph three (3) of this consent agreement was [REDACTED] [REDACTED] should be considered as a mitigating factor in his disciplinary treatment.
7. Based on the totality of the FOREGOING, the Department believes it has sufficient cause to pursue administrative action against the Respondent in accordance with R.I. Gen. Laws § 21-28.6-9(e)(1), the *Rules and Regulations Related to the Medical Marijuana Program Administered by the Office of Cannabis Regulation at the Department of Business Regulation*, 230-RICR-80-05-1 (the "MMP Regulations"), §§ 1.12(L) and (M) and 1.13(C) and (D), the *Rules of Procedure for Administrative Hearings*, 230-RICR-10-00-2, § 2.4(B) and the Administrative Procedures Act § 42-35-1 *et seq.* for violation of §§ 21-28.6-4 and 21-28.6-15 and Regulation § 1.12(D).
8. In an effort to affect a timely and amicable resolution of the issues raised in this Consent Agreement without an administrative hearing, the Department and the Respondent enter into this Consent Agreement solely for the purpose of avoiding the burdens and expenses of litigation. The Parties agree to resolve the matter based upon the satisfaction of the following terms and conditions:
- a. On or before **February 4, 2022**, Respondent will pay an administrative penalty in the amount of five thousand dollars (\$5,000.00) made payable to the "Rhode Island General Treasurer" for violations of the Act and Regulation heretofore described in paragraphs two (2), three (3) and seven (7);
 - b. Concurrently with the execution of this Consent Agreement, Respondent will surrender [REDACTED] to the Department and provide to the Department a verification letter stating his assent to the surrender of [REDACTED];
 - c. [REDACTED]

[REDACTED]

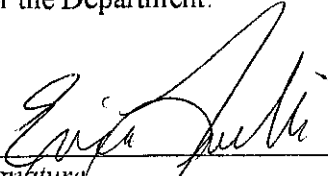
Respondent.

- d. Any future evaluation of Respondent's criminal history and its relationship to prospective licensure by the Department shall be conducted pursuant to and in accordance with R.I. Gen. Laws § 28-5.1-14, and nothing in this Consent Agreement shall be construed as an automatic prohibition against Respondent's prospective licensure.
9. The parties agree that this Consent Agreement and its terms represent the final determination of this matter.
10. *Waiver of Hearing and Appeal.* By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1, *et seq.*
11. *Enforcement.* If the Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein, the Respondent will be in violation hereunder and the Department shall be entitled to immediately take enforcement or other action in accordance with applicable law.
12. *Compliance; Laws.* Compliance with the terms of this Consent Agreement does not relieve the Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other governmental agency.

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Signature Page

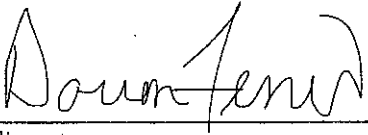
For the Department:



Signature
Date: 2-7-2022

Ms. Erica Ferrelli
Senior Economic and Policy Analyst
Office of Cannabis Regulation

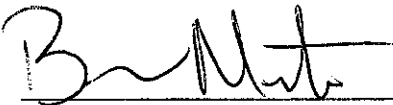
Respondent:



Signature
Date: 2-2-22

Mr. Dorian Ferreira

Respondent's Counsel:



Signature
Date: 2-2-22

Bethany Macktaz, Esq.