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1 In this special action, the Court is asked to decide whether two  
2 provisions of the Medical Marijuana Act—A.R.S. § 36-2802(D) and A.R.S. § 36-  
3 2811(A)—apply as a defense to two DUI charges under A.R.S. § 28-1381(A)(1) and  
4 A.R.S. § 28-1381(A)(3). Having heard oral argument, and considering the pleadings  
5 and arguments, the Court concludes for the reasons stated on the record that the  
6 two provisions do not create a defense to the two charges.

7 Therefore, Petitioners requested relief is granted.

8 Based on the foregoing,

9 **IT IS ORDERED** accepting jurisdiction of the State's Petition for Special Action.

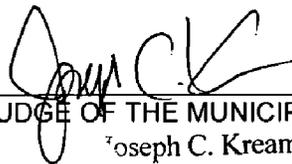
10 **IT IS ORDERED** granting relief and dissolving the stay when the Order is signed.

11 **IT IS ORDERED** vacating the ruling of the Phoenix Municipal Court.

12 **IT IS ORDERED** remanding this matter to the Phoenix Municipal Court for all further  
appropriate proceedings.

13 **IT IS ORDERED** signing this minute entry as a formal Order of the Court.

14 DONE THIS 2 day of Oct., 2013.

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17 JUDGE OF THE MUNICIPAL COURT  
Joseph C. Kreamer

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