

# U.S. court rules against medical marijuana

**The 9th U.S. Circuit Court of Appeals ruled Wednesday that an individual's right to medical marijuana does not supersede the Controlled Substances Act.**

Presiding over the San Francisco court, U.S. Circuit Court of Appeals Judge Harry Pregerson voted against plaintiff Angel Raich's claim on Wednesday, saying a medical need does not allow an individual to violate the law, the Oakland (Calif.) Tribune said.

"Nothing in the common law or our cases suggests that the existence of a necessity defense empowers this court to enjoin the enforcement of the Controlled Substances Act as to one defendant," he said.

The legal case began in October 2002 when Raich and Diane Monson attempted to safeguard their medical marijuana use by suing the government.

Raich's attorney told the paper that the case may soon be headed to the U.S. Supreme Court, where they would ask for a review of the appeal court's decision.

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