

Joseph D. Elford  
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XXXX, 2008

XXXX (name of City Attorney of locality that refuses to return property)  
City Attorney  
City of XXX  
XXXXX (Address)  
XXXX, CA XXXXX

**Re: People v. XXXX, Case No. XXXX**

Dear XXXXX:

I am an attorney for Americans for Safe Access, an Oakland-based non-profit, which advocates on behalf of medical marijuana patients. I was contacted by medical marijuana patient XXXX XXXX (Patient Name) regarding the seizure of his medical marijuana on or about XXXX (Date of Seizure). I write to you to assist Mr./Ms. XXXX in his/her efforts to secure the return of approximately XXX grams of marijuana and/or XXX plants seized from him on that date.

The issue of the return of Mr./Ms. XXXX's medicine has already been litigated in the Superior Court. After Mr./Ms. XXXXX demonstrated that s/he lawfully possessed the marijuana at issue for his medical use, pursuant to the Compassionate Use Act (Health & Safety Code § 11362.5), the court, by the attached order dated XXXX (Date of Order), ordered the XXXXX Police Department/County Sheriffs to return the approximately XXX grams of marijuana and/or XXX plants seized from Mr./Ms. XXXX.

Despite this order, Mr./Ms. XXXX was orally informed on XXXX (Date of Police Rejection) by the XXXXX Police Department/County Sheriffs that it would not return the XXX grams of marijuana and/or XXX plants seized from him. I am requesting that you inform me of the Department's official position regarding whether it will comply with the attached order and, if it will not, the reason for noncompliance.

While I would prefer to resolve this matter amicably, I would like to inform you that we are prepared to initiate contempt proceedings in the Superior Court if the City of XXXX

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**Headquarters**

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**General Information**

WEB: [www.AmericansForSafeAccess.org](http://www.AmericansForSafeAccess.org)  
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does not soon notify me of its intent to honor the attached court order for the return of property. If we are required to litigate this matter by way of a contempt proceeding, we will be seeking costs and attorney's fees pursuant to subsection 1218(a) of the Code of Civil Procedure.

Your earliest attention to this matter is most appreciated.

Sincerely,

Joseph D. Elford  
Chief Counsel  
Americans for Safe Access  
(415) 573-7842

Attachment