

OCT 20, 2022 01:35 PM

Mandy Harrison
Mandy Harrison, Clerk
McIntosh County, Georgia

IN THE SUPERIOR COURT OF MCINTOSH COUNTY

STATE OF GEORGIA

SYMPHONY MEDICAL, LLC,

Plaintiff,

v.

**FFD GA HOLDINGS, LLC,
THERATRUE GEORGIA, LLC,
NATURES GA, LLC,
TREEVANA REMEDY, INC., and
GEORGIA ACCESS TO MEDICAL
CANNABIS COMMISSION
Defendants.**

**Civil Action
File No. SUV2022000109**

ORDER OF DISMISSAL

The above-captioned case came before this Court on the 20th day of October, 2022. The parties, by and through counsel of record, presented oral argument on certain motions pending before the Court which concern a Complaint filed by Plaintiff on September 21, 2022. The Court finds as follows:

Plaintiff is an unsuccessful applicant for a Class 2 license under Georgia’s Hope Act. On September 16, 2022, Administrative Law Judge Stephanie M. Howell affirmed a decision by the Georgia Medical Cannabis Commission (“GMCC”) which awarded licenses to other applicants. Plaintiff filed this action on September 21, 2022 seeking judicial review under O.C.G.A. § 50-13-1 et seq, the Administrative Procedure Act (“APA”). Plaintiff also requested an emergency stay, which the Court granted until further proceedings could be had.

Based upon the matters presented in this proceeding, including the record and oral argument of counsel, the Court concludes as a matter of law that the APA is not applicable in this case. As such, this Court lacks subject matter jurisdiction to address Plaintiff’s Complaint.

WHEREFORE, Plaintiff's Complaint is hereby DISMISSED and the Emergency Order of Stay issued on September 21, 2022 is hereby VACATED.

SO ORDERED this 20 day of October, 2022.



Robert L. Russell, III
Chief Judge, McIntosh County Superior Court
Atlantic Judicial Circuit