

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,)	
Plaintiff)	
)	Criminal No. SAG-19-CR-0500
V.)	
)	
JONATHAN WILLIAM WALL,)	
Defendant)	

REPLY IN SUPPORT OF DEFENDANT’S MOTION TO DISMISS INDICTMENT ON
EQUAL PROTECTION GROUNDS

NOW COMES the Defendant, Jonathan William Wall, by counsel, and states as follows:

Five more States legalized recreational and/or medicinal marijuana while this Motion was being briefed: Arizona, Mississippi, New Jersey, Montana, and South Dakota. The plant is now available to 21 million more Americans than it was prior to November 3rd, 2020, when more than 19 states plus Washington, D.C., had either fully legalized the plant to the point of being a multi-billion dollar economy or taking the first steps toward entering that economy by decriminalizing it so that its possession carries no legal penalties. In short, marijuana is now legally available to more than 100 million Americans or approximately 30 percent of the population. This does not include states where marijuana possession is no longer being prosecuted.

It is likely that, within four years, or perhaps four months, that the crime for which the Government is prosecuting Mr. Wall will no longer even be a crime due both to the Equal Protection violation that is only becoming more stark with every possible election and a new Department of Justice that will very likely relegate marijuana prosecutions to the lowest priority if not stop them altogether.

Decorated Vietnam Veteran and Senator John Kerry, famously posed to the Senate Subcommittee on Foreign Relations in 1971: who will be the last person to die for a mistake, with regard to the Vietnam War.

The instant case posits something similar: who will be the last American to be deprived of their life and liberty for marijuana?

WHEREFORE, the Defendant respectfully requests that the Indictment be dismissed on grounds that it violates the Equal Protection Guarantees of the 14th Amendment.

Respectfully submitted this 24th day of November 2020

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CERTIFICATE OF SERVICE

I hereby certify that on November 24, 2020, I electronically filed the within document with the Clerk of the Court using the CM/ECF system which will send notification of such filing(s) to all counsel of record.

/s/ Jason Flores-Williams
Jason Flores-Williams