

STATE OF RHODE ISLAND  
CANNABIS CONTROL COMMISSION  
560 JEFFERSON BOULEVARD  
WARWICK, RHODE ISLAND 02886

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In the Matter of:

THCBD, LLC,

Respondent.  
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No.: 24OCR001

DECISION

I. INTRODUCTION

This matter arose pursuant to an Emergency Order to Cease and Desist and Notice of Hearing (“Notice”) issued by the Cannabis Office (“Cannabis Office”) of the Cannabis Control Commission to THCBD, LLC (“Respondent”) on June 27, 2025. Pursuant to R.I. Gen. Laws § 21-28.6-1 *et seq.* and R.I. Gen. Laws § 21-28.11-1 *et seq.*, the Respondent holds a medical marijuana cultivator license and a hybrid cannabis cultivator license.<sup>1</sup> This matter was scheduled for hearing on July 14, 2025 at which time Respondent did not appear. Pursuant to § 2.9 of the 560-RICR-10-05-01, *Administration, Procedures and Enforcement* (“Regulation”), service may be made by first-class mail and service is complete upon mailing when sent to the last known address of the party.<sup>2</sup> The Notice was sent to the Respondent’s last known addresses by first class mail and by email.<sup>3</sup> Since the Respondent was

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<sup>1</sup> The Respondent was initially licensed as a medical marijuana cultivator pursuant to R.I. Gen. Laws § 21-28-6-16, but in 2023, pursuant to R.I. Gen. Laws § 21-28-11-7(b), the Respondent also became licensed as a hybrid cannabis cultivator.

<sup>2</sup> It is noted the Regulation provides the initial notice must be sent to the last known address while other pleadings may be sent by electronic delivery. In this matter, the Notice arose out of an alleged breach of a consent order.

<sup>3</sup> The Notice was sent by first class mail, postage prepaid and email to the Respondent and its owner, directors, and registered agent as well as the two (2) attorneys that represented it in the consent order at issue in this matter. One attorney indicated that it was not representing the Respondent. The undersigned notes that she then emailed the parties including the Respondent’s other attorney to reschedule the hearing date. That attorney indicated that he spoke to the Respondent – after being noticed the hearing would be rescheduled – and that he was not representing the Respondent. The Respondent was notified by email of the new date. Cannabis Office’s Exhibit D (Notice re-sent on June 30, 2025) and F (email chain among parties).

adequately noticed of hearing, a hearing was held before the undersigned on July 14, 2025.<sup>4</sup> Additionally, § 1.23 of the Regulation provides a default judgment may be entered based on pleadings and/or evidence submitted at hearing by a non-defaulting party. The Cannabis Office was represented by counsel who rested on the record.

## **II. JURISDICTION**

The administrative process was held pursuant to R.I. Gen. Laws § 21-28.6-1 *et seq.*, R.I. Gen. Laws § 21-28.11-1 *et seq.*, R.I. Gen. Laws § 42-35-1 *et seq.*, and the Regulation.

## **III. ISSUE**

Whether the Respondent's medical marijuana cultivator license and hybrid cannabis cultivator license should be revoked.

## **IV. MATERIAL FACTS**

Based on the pleadings and undisputed evidence, the facts are as follows:

1. On or about March 28, 2019, the Department of Business Regulation ("Department")<sup>5</sup> issued to Respondent Medical Marijuana Cultivator License Number MMP CV 0117 for the cultivation and wholesale of medical marijuana at a licensed cultivation facility located in Hope Valley, R.I. Thereafter, the Respondent's medical marijuana cultivator license was renewed annually in 2020, 2021, 2022, and most recently on August 17, 2023.

2. Beginning December 20, 2023, and during the pendency of this administrative proceeding, the Respondent has been subject to a quarantine<sup>6</sup> of its entire licensed facility and premises up to and including the date of this filing. Pursuant to the terms of the quarantine, all cannabis inventory, plants, and products must be both physically quarantined at the Respondent's licensed premises and virtually quarantined via the Respondent's self-reported records in Metrc, the State's medical marijuana and adult-use seed-to-sale track-and-trace reporting system.

3. On January 22, 2024, the Department issued an Order to Show Cause Why Licenses Should Not be Revoked or Otherwise Sanctioned, Appointment of Hearing Officer, and Notice of Pre-Hearing Conference in response to the Respondent appealing the virtual quarantine imposed by the

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<sup>4</sup> Pursuant to a delegation of authority from the Cannabis Control Commission. Notice; R.I. Gen. Laws § 21-28.11-4(g)(3) (P.L. 2025, ch. 278, § 3); and § 1.3(17) of the Regulation.

<sup>5</sup> Effective May 1, 2025, all powers, duties and responsibilities with respect to the regulation, administration and enforcement of the Edward I. Hawkins and Thomas C. Slater Medical Marijuana Act, R.I. Gen. Laws § 21-28.6-1 *et seq.*, and the Rhode Island Cannabis Act, R.I. Gen. Laws § 21-28.11-1 *et seq.*, transferred from the Department to the Cannabis Control Commission and the Cannabis Office. R.I. Gen. Laws § 21-28.11-10.1(g) and (h).

<sup>6</sup> The Virtual Quarantine order was issued by the Department on December 20, 2023.

Department and its notice of license revocation.<sup>7</sup>

4. On October 21, 2024, the Department inspectors observed, through remote video surveillance, that a large quantity of the Respondent's medical marijuana and adult use cannabis had been removed from the vault room at the Respondent's licensed premises in violation of a quarantine imposed on the Respondent's entire facility as a result of an investigation and pending administrative proceeding captioned *In the Matter of THCBD, LLC*, DBR No. 24OCR001. The physical and virtual quarantine was affirmed by the Hearing Officer in *Order Re: Appeal and Stay Request of Virtual Quarantine* dated May 1, 2024.

5. On May 21, 2025, the parties entered into a Consent Order ("Consent Order") whereby the Respondent agreed, *inter alia*, to destroy nearly all cannabis plants, products and materials located at its licensed premises. Pursuant to the terms of the Consent Order, said destruction was required to take place no later than July 15, 2025 under the supervision of the Cannabis Office.

6. On June 26, 2025, at approximately 4:55 a.m., the Respondent sent an email to Peter Squatrito, Chief Inspector at the Cannabis Office, stating that the Respondent was prepared to proceed with the destruction later that same day.

7. On June 26, 2025, at approximately 8:30 a.m., Inspector Jacob Crisafulli of the Cannabis Office observed, via remote access to the Respondent's video surveillance, a white U-Haul truck back into the garage bay located at the Respondent's premises.

8. At approximately 8:48 a.m., Chief Inspector Squatrito sent an email to Respondent stating that no cannabis should be removed from the Respondent's premises to the U-Haul truck.

9. At approximately 9:00 a.m., Inspectors Kevin Kretchman, Chris Mahoney and Steven Frusher of the Cannabis Office arrived at the Respondent's licensed premises to proceed with the scheduled destruction. Upon arrival at said premises, they observed approximately 20 large plastic bags containing cannabis inside the U-Haul truck. They proceeded to the perimeter of the premises.

10. Inspector Crisafulli then reported that an individual, who could not be identified at the time, was driving away in the U-Haul truck, in violation of the Quarantine Order and of the Consent Order whereby the Respondent agreed to destroy nearly all cannabis plants, products and materials located at its licensed premises.

11. Inspectors Kretchman and Frusher followed the U-Haul truck in their state vehicle to a nearby road and summoned police.

12. Inspectors Kretchman and Frusher then observed the owner of THCBD, LLC, Anthony Walker ("Walker") park the U-Haul truck at the side of the road and proceed on foot into a nearby wooded area, where he was eventually apprehended by Richmond Police. Walker was arrested for possession of cannabis with intent to distribute.

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<sup>7</sup> This order to show cause was amended on May 15, 2025.

13. The U-Haul truck containing the bags of cannabis was towed and impounded at the direction of Richmond Police.

14. On June 26, 2025, Chief Inspector Peter Squatrito, Inspector Kretchman and Erica Ferrelli, Chief of Strategic Planning, Monitoring, and Evaluation for the Cannabis Office, entered the Respondent's licensed premises and proceeded into the employee breakroom. There, they observed an extension cord hanging from the ceiling. When Inspector Kretchman moved one of the ceiling tiles, he observed a large number of plastic bags containing cannabis in the ceiling of the breakroom.

15. Inside the ceiling of the breakroom, Inspector Kretchman also observed an opening to an attic space adjacent to the Respondent's licensed premises, where inspectors observed additional bags of cannabis, two (2) scales, and dead rodents.

16. Following the inspection on June 26, 2025 and up to the time of the issuance of the Notice, the Respondent ceased providing the Cannabis Office with remote access to its video surveillance, in violation of *Operational Requirements for Cannabis Establishments*, 560-RICR-10-10-2.13(H)(l)(e).

Cannabis Office's Exhibits A (report for the June 26, 2025 inspection of Respondent's premises); B (Richmond Police Department press release regarding the aforementioned arrest and that 250 pounds of cannabis was seized); C (June 26, 2025 email from inspector to Respondent not to use U-Haul truck); and D (Notice).

## V. DISCUSSION

### A. Legislative Intent

The Rhode Island Supreme Court has consistently held that it effectuates legislative intent by examining a statute in its entirety and giving words their plain and ordinary meaning. *In re Falstaff Brewing Corp.*, 637 A.2d 1047 (R.I. 1994). If a statute is clear and unambiguous, "the Court must interpret the statute literally and must give the words of the statute their plain and ordinary meanings." *Oliveira v. Lombardi*, 794 A.2d 453, 457 (R.I. 2002) (citation omitted). The Supreme Court has also established that it will not interpret legislative enactments in a manner that renders them nugatory or that would produce an unreasonable result. See *Defenders of Animals v. DEM*, 553 A.2d 541 (R.I. 1989) (citation omitted). In cases where a statute may contain ambiguous language, the Rhode Island

Supreme Court has consistently held that the legislative intent must be considered. *Providence Journal Co. v. Rodgers*, 711 A.2d 1131, 1134 (R.I. 1998). The statutory provisions must be examined in their entirety and the meaning most consistent with the policies and purposes of the legislature must be effectuated. *Id.*

### **B. Standard of Review for an Administrative Hearing**

It is well settled that in formal or informal adjudications modeled on the Federal Administrative Procedures Act, the initial burdens of production and persuasion rest with the moving party. 2 Richard J. Pierce, *Administrative Law Treatise* § 10.7 (2002). Unless otherwise specified, a preponderance of the evidence is generally required in order to prevail. *Id.* *Lyons v. Rhode Island Pub. Employees Council 94*, 559 A.2d 130 (R.I. 1989) (preponderance standard is the “normal” standard in civil cases). This means that for each element to be proven, the fact-finder must believe that the facts asserted by the proponent are more probably true than false. *Id.* When there is no direct evidence on a particular issue, a fair preponderance of the evidence may be supported by circumstantial evidence. *Narragansett Electric Co. v. Carbone*, 898 A.2d 87 (R.I. 2006).

### **C. Relevant Statutes and Regulation**

R.I. Gen. Laws § 21-28.6-1 *et seq.*, R.I. Gen. Laws § 21-28.11-1 *et seq.*, and *Cannabis Establishment Applications, Licensing and Renewals*, 560-RICR-10-10-1 (“Licensing Regulation”) set forth the requirements to maintain and renew a cultivator license and a hybrid license.

R.I. Gen. Laws § 21-28.6-9 provides in part as follows:

Enforcement. \*\*\*

(e) (1) Notwithstanding any other provision of this chapter, if the director of the department of business regulation, or his or her designee, has cause to believe that a violation of any provision of this chapter or the regulations promulgated thereunder has occurred by a licensee or registrant under the department's jurisdiction . . . or is otherwise violating any provisions of this chapter, the director, or his or her designee, may, in accordance with the requirements of the administrative procedures act . . . :

(i) With the exception of patient and authorized purchaser registrations, revoke or suspend any license or registration issued under chapter 26 of title 2 or this chapter.

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R.I. Gen. Laws § 21-28.11-18 provides in part as follows:

Enforcement. (a)(1) Notwithstanding any other provision of this chapter, if the commission has cause to believe that a violation of any provision of chapters 21-28.6 or 21-28.11 or any regulations promulgated thereunder has occurred by a licensee that is under the commission's jurisdiction pursuant to chapters 21-28.6 or 21-28.11, \*\*\* the commission may, in accordance with the requirements of the administrative procedures act, chapter 35 of title 42:

(i) With the exception of patients and authorized purchasers, revoke or suspend a license or registration[.]

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R.I. Gen. Laws § 21-28.6-16 provides in part as follows:

Licensed medical marijuana cultivators. \*\*\*

(b) Licensing of medical marijuana cultivators — Department of business regulation authority. The department of business regulation shall promulgate regulations governing the manner in which it shall consider applications for the licensing of medical marijuana cultivators, including regulations governing:

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(5) Procedures for suspending, revoking, or terminating the license of cultivators who or that violate the provisions of this section or the regulations promulgated pursuant to this subsection.

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(d) The department of business regulation shall promulgate regulations that govern how many marijuana plants, mature and immature; how much wet marijuana; and how much usable marijuana a licensed medical marijuana cultivator may possess. Every marijuana plant possessed by a licensed medical marijuana cultivator must be accompanied by a valid medical marijuana tag issued by the department of business regulation pursuant to § 21-28.6-15 or catalogued in a seed-to-sale inventory tracking system in accordance with regulations promulgated by the department of business regulation.

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(l) Persons issued medical marijuana cultivator licenses shall be subject to the following:

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(5) If a licensed medical marijuana cultivator or cultivator cardholder violates any provision of this chapter or regulations promulgated hereunder as determined by the department of business regulation, his or her card and the issued license may be suspended and/or revoked.

*Operational Requirements for Cannabis Establishments*, 560-RICR-10-10-2 (“Operational Regulation”)<sup>8</sup> sets forth various requirements for operating a cannabis establishment.

Section 2.9(A) and (B) provides in part as follows:

Cannabis Seed-to-Sale Tracking System

A. Upon direction by the Commission and in accordance with R.I. Gen. Laws §§ 21-28.11-5(b)(12), 21-28.6-12(g)(3), and 21-28.6-16(d) each licensed cannabis establishment shall be required to utilize the state approved cannabis seed-to-sale tracking system to document and monitor compliance with the Cannabis Act, the Medical Marijuana Act and all regulations promulgated thereunder. Applicable licensees may be required to pay costs associated with use of the cannabis seed-to-sale tracking system which may be assessed on an annual, monthly, per use, or per volume basis and payable to the state or to its approved vendor.

B. All information related to the acquisition, propagation, cultivation, transfer, manufacturing, processing, testing, storage, destruction, wholesale and/or retail sale of all cannabis plants and inventory possessed by licensees and/or distributed at retail to consumers in accordance with the Cannabis Act, the Medical Marijuana Act and these regulations must be kept up to date in the cannabis seed-to-sale tracking system, including but not limited to:

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Section 2.10 provides in part as follows:

Tagging of Plants and Cannabis Inventory. Unique identifier tags shall be placed in a manner to clearly display their association with a particular plant, plant material, or cannabis product as approved by the Commission.

Section 2.13(D)(1)(g) provides as follows:

Remote access to a continuous live feed video on a real time basis must be available at all times to licensed cannabis establishment personnel specifically designated by management and to the Commission. All video surveillance records and recordings must be made available to the Commission upon request. Commission staff or designees will hold video surveillance records and recordings of point of sale areas confidential except for authorized release in accordance with applicable law.

Section 2.13(H)(1)(e) provides as follows:

All surveillance recordings must be kept for a minimum of sixty (60) calendar days. Video recordings shall not be destroyed if the licensed cannabis establishment knows or should have known of a pending criminal, civil or administrative investigation or any other proceeding for which the recording may contain relevant information.

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<sup>8</sup> The Operational Regulation was effective on May 1, 2025 (along with the other Commission regulations) and replaced the Department regulation which had the same requirements about tracking of cannabis, cleanliness, and video recordings.



Section 2.22(A) provides in part as follows:

Each licensed cannabis establishment shall be maintained in a safe, sanitary, and clean manner, with all operations in the cultivation, receiving, inspecting, transporting, segregating, preparing, manufacturing, packaging, and storing of cannabis and cannabis products conducted in accordance with adequate sanitation principles, as detailed below.

Section 2.16(A)(1) requires that "[a]ny vehicle used in the transportation of cannabis or cannabis products must be approved for use by the Commission."

**D. Whether Respondent is in Violation of the Statute and Consent Order**

Pursuant to Section 1.23 of the Regulation, the Respondent is declared to be in default for failing to appear at the hearing. Pursuant to Section 1.23 of the Regulation, the allegations in the Notice are found to be true.

On May 21, 2025, the parties entered into the Consent Order whereby Respondent agreed, *inter alia*, to destroy nearly all cannabis plants, products and materials located at its licensed premises. Pursuant to the terms of the Consent Order, said destruction was required to take place no later than July 15, 2025 under the supervision of the Cannabis Office. The Respondent was to destroy its cannabis on its premises. Instead, in contravention of the Consent Order and the supervision and direction from the Cannabis Office, the Respondent loaded cannabis into a truck and left the premises with the truck. It was undisputed that the truck contained approximately 250 pounds of cannabis, and the Respondent's owner was arrested. In addition, in contravention of the Consent Order, the Respondent secreted cannabis in the ceiling and attic of the premises.

During the course of the Respondent's violations of the Consent Order, it committed numerous statutory and regulatory violations. It violated R.I. Gen. Laws § 21-28.6-16(d) and § 2.9(A) and (B) and § 2.10 of the Operational Regulation by failing to comply with the inventory tracking and tracing requirements by moving and hiding cannabis that was to be destroyed. It violated § 2.16(A)(1) of the Operational Regulation by using an unauthorized vehicle when it used the U-Haul to move the



cannabis. It violated regulatory requirements about cleanliness and sanitation including § 2.22 of the Operational Regulation by moving and hiding the cannabis. It violated regulatory requirements about security by moving and hiding the cannabis including § 2.13(D) and (H) of the Operational Regulation in relation to cutting off video access to its premises.

**E. Whether the Respondent's License Should be Revoked**

The Consent Order resolved numerous and serious statutory and regulatory violations in order for the Respondent to stay licensed but less than a month after the execution of Consent Order, the Respondent violated the Consent Order and the relevant statutes and regulations. The Respondent's numerous and egregious violations demonstrate an inability to comply with the licensing requirements for its cannabis licenses including the requirements for the tracking and tracking inventory system.

Pursuant to R.I. Gen. Laws § 21-28.6-16, R.I. Gen. Laws § 21-28.6-9, R.I. Gen. Laws § 21-28.11-18, a medical marijuana cultivator license and a hybrid cannabis cultivator license may be revoked for violations of the statute and regulations. The Respondent's failure to comply with the Consent Order and its egregious statutory and regulatory violations of secreting cannabis and attempting to move and to hide unregulated and untagged cannabis slated for destruction as well as its inability to comply with the basic and fundamental conditions of licensing justifies the revocation of the Respondent's medical marijuana cultivator license and hybrid cannabis cultivator license.

The Consent Order provided for the payment by the Respondent of an administrative penalty as authorized by R.I. Gen. Laws § 21-28.6-9, R.I. Gen. Laws § 21-28.11-18, and § 1.18 of the Regulation.<sup>9</sup> While the Respondent's violation of the Consent Order in relation to the secreting and destruction of the cannabis and its various statutory and regulatory violations merit the revocation of the Respondent's medical marijuana cultivator license and hybrid cannabis cultivator license, the

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<sup>9</sup> This was § 1.13(D)(1) of the predecessor regulation.

administrative penalties the Respondent agreed to pay have not been waived or otherwise suspended by this action. The Respondent still owes the penalties as set forth in the Consent Order.

## **VI. FINDINGS OF FACT**

Based on the foregoing, the undersigned makes the following findings of fact:

1. On June 27, 2025, the Notice was issued to the Respondent by the Cannabis Office.
2. A hearing was scheduled for July 14, 2025 at which time the Respondent did not appear.

As the Respondent was adequately notified, the hearing was held with the Cannabis Office resting on the record.

3. Pursuant to § 1.23 of the Regulation, the Respondent is declared to be in default for failing to appear at the hearing and the allegations in the Notice are found to be true.
4. The facts contained in Section IV and V are incorporated by reference herein.

## **VII. CONCLUSIONS OF LAW**

Based on the facts presented:

1. The Cannabis Control Commission has jurisdiction over this matter pursuant to R.I. Gen. Laws § 21-28.11-1 *et seq.*, R.I. Gen. Laws § 21-28.6-1 *et seq.*, R.I. Gen. Laws § 42-35-1 *et seq.*, and the Regulation.
2. The Respondent violated R.I. Gen. Laws § 21-28.6-16(d) and § 2.9(A) and (B); § 2.10; § 2.13(D) and (H); § 2.16(A)(1); and § 2.22 of the Operational Regulation.
3. The Respondent violated the Consent Order.

## **VIII. RECOMMENDATION**

Pursuant to R.I. Gen. Laws § 21-28.6-1 *et seq.*, R.I. Gen. Laws § 21-28.11-1 *et seq.*, the Respondent's medical marijuana cultivator license and hybrid cannabis cultivator license (license No. MMP CV 0117) shall be revoked effective immediately.

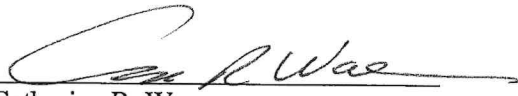
Furthermore, the Respondent shall immediately restore the Cannabis Office's remote access to its video surveillance and ensure that all surveillance recordings for a 60-day period are maintained and made available for review by the Cannabis Office pursuant to § 2.13(H)(1)(e) of the Operational Regulation.

The Respondent must permit entry by the Cannabis Office at the licensed premises.

The Respondent shall take immediate action, at Respondent's own expense, to secure the licensed premises and any cannabis located at the premises until further instructed by the Commission, the Cannabis Office, or law enforcement.

The Respondent owes the administrative penalties pursuant to the Consent Order.

Dated: August 1, 2025

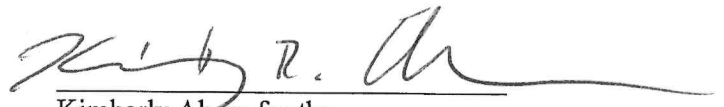
  
Catherine R. Warren  
Presiding Officer

#### **FINAL ORDER**

I have read the Hearing Officer's Recommended Order in this matter, and I hereby take the following action with regard to the Recommendation:

X ADOPT  
       REJECT  
       MODIFY

Dated: 8/7/25

  
Kimberly Ahern for the  
Cannabis Control Commission  
Chairperson

### NOTICE OF APPELLATE RIGHTS

THIS DECISION CONSTITUTES A FINAL ORDER OF THE CANNABIS CONTROL COMMISSION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

### CERTIFICATION

I hereby certify on this 8<sup>th</sup> day of August, 2025 that a copy of the within Decision and Notice of Appellate rights was sent by first class mail, postage prepaid and certified mail, return receipt requested to the following:

THCBD, LLC  
49 Mechanic Street  
Hope Valley, R.I. 02832

and by first class mail, postage prepaid and electronic delivery to the following:

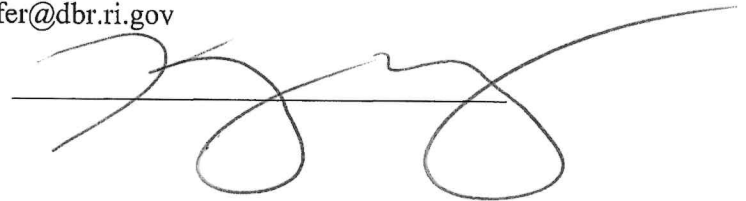
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and by electronic delivery to the following: Suzannah Skolnik, Esquire and Hannah Pfeiffer, Esquire, Cannabis Control Commission, 560 Jefferson Boulevard, Warwick, R.I. 02886 at Suzannah.F.Skolnik@ccc.ri.gov and Hannah.Pfeiffer@dbri.ri.gov

A handwritten signature in black ink, appearing to be "Jeff Padwa", written over a horizontal line.