

[D.M. v. 23rd Judicial Dist., 283 M.D. 2023 \(Pa. Commw. Ct. Aug. 21, 2024\).](#) Judge Wojcik authored opinion.

Holding: The Court held that D.M., a veteran, and the Pennsylvania Cannabis Coalition lacked standing to challenge the Berks County Treatment Court Policy restricting medical marijuana use, dismissing their petition.

Analysis: The Court found that D.M. was denied admission to both Veterans Treatment Court and Mental Health Treatment Court not because of his medical marijuana use, but due to his schizophrenia and psychosis diagnoses and his firearms offense, which resulted in his ineligibility. The Court reasoned that because invalidating the Policy would not have altered his status, he was not personally aggrieved. Further, the Court held that the Cannabis Coalition also lacked standing, as it represented dispensaries rather than patients and its claim of financial harm from reduced sales was too remote to establish a substantial, direct, and immediate interest. The Court granted the Judicial District's application for summary relief, denied Petitioners' cross-application, and did not reach the merits of whether the Policy conflicted with the Medical Marijuana Act.

Background: The case arose after D.M., a U.S. Air Force veteran certified for medical marijuana to treat service-related conditions, applied for admission to Veterans Treatment Court following criminal charges. His applications were denied, first for noncompliance with treatment requirements and later based on mental health diagnoses. He was also found ineligible for Mental Health Treatment Court due to a firearms offense. Together with the Cannabis Coalition, he sought to invalidate the Policy's restrictions on medical marijuana.