

STATE OF ALASKA  
MARIJUANA CONTROL BOARD

In the matter of )  
Raspberry Roots, LLC )  
DBA Raspberry Roots )  
501 Raspberry Road, Suite 101 )  
Anchorage, AK 99518, )  
Respondent )  
\_\_\_\_\_ )                    Accusation No. 2019-06

**ACCUSATION**

Petitioner, Erika McConnell, Director of the Marijuana Control Board, acting in her official capacity and upon information and belief, alleges as follows:

**INFORMATION**

1. Respondent, Raspberry Roots, LLC ,DBA Raspberry Roots, is the holder of a Retail Marijuana Store license, located at 501 Raspberry Road, Suite 101, Anchorage, Alaska, license number 10097.
2. According to MCB records, Raspberry Roots, LLC, is owned 45% by Kim Kole and 55% by Jerry Workman. Prior to March 8, 2019, when a transfer of controlling interest was effectuated, Raspberry Roots, LLC, was owned 100% by Kim Kole.
3. The license was first issued to Raspberry Roots, LLC, on April 11, 2018.
4. Kim Kole was approved to provide a marijuana handler permit education course on April 27, 2016, and reapproved on July 10, 2019.

**COUNT 1**

5. Petitioner incorporates paragraphs 1-4 of this accusation as if fully set forth in

Count 1.

6. On April 30, 2018, the respondent trained two new employees, allowing them to handle marijuana and make sales although they did not have handler permits. The two employees applied for their handler permits on May 1, 2018. A notice of violation was issued on May 3, 2018, and provided to the board at the June 2018 meeting. The respondent did not provide a response to the NOV. (See Attachment A)

7. The above-described action, consisting of allowing an employee to be on the licensed premises of the retail marijuana store and sell marijuana at the retail marijuana store without a handler permit, violates 3 AAC 306.320 and 3 AAC 306.700, which is grounds for discipline under 3 AAC 306.810(b).

**Wherefore**, in accordance with AS 17.38.121(b)(3) and 3 AAC 306.840, petitioner asks:

8. That the Marijuana Control Board find that the respondent, Raspberry Roots, LLC, dba Raspberry Roots, committed the acts alleged above.

9. That the Marijuana Control Board issue a civil fine of \$10,000 to Raspberry Roots, LLC, dba Raspberry Roots, license number 10097;

10. For such other relief as the Marijuana Control Board considers appropriate.

Dated at Anchorage, Alaska, this 22nd day of October, 2019.



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Erika McConnell, Director  
Marijuana Control Board

# Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5/3/18

License #/Type: 10097/Retail

Licensee: Raspberry Roots, LLC

Address: 501 Raspberry Road, Anchorage, AK 99518

DBA: Raspberry Roots

AMCO Case #: AB18-475

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On May 1 2018 at the AMCO office Shampayne Moore and Journey Malaikini were talking together about how many sales they had made at Raspberry Roots on April 30 2018. They were at the AMCO office to get their Marijuana Handler Permits and did not have handler permits on April 30. I spoke to Kim Kole, licensee for Raspberry Roots, on 5/2/18. She stated that she was training Shampayne and Journey on April 30. She stated that they had handled marijuana and made sales on the point of sales machine. This is in violation of 3AAC306.320 Marijuana Handler Permit Required.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

\*Please send your response to the address below and include your Marijuana Establishment License Number in your response.

Alcohol & Marijuana Control Office  
ATTN: Enforcement  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, Alaska 99501  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: J. Rukes

SIGNATURE: 

Delivered VIA: In-Person

Received by: 

SIGNATURE: 

Date: 5/22/18