

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:

License #/Type:

Designated Licensee:

AMCO Case#:

DBA:

Premises Address:

Mailing Address:

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.

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.

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. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator:

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA:

Date:



THE STATE
of ALASKA
GOVERNOR BILL WALKER

Department of Revenue

TAX DIVISION

Robert B. Atwood Building
550 West 7th Avenue, Suite 500
Anchorage, Alaska 99501-3566
Main: 907.269.6620
Fax: 907.269.6644

November 15, 2018

Marijuana Control Board
Alcohol & Marijuana Control Office
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501

Re: Failure to pay taxes under AS 43.61.010 by licensed marijuana cultivation facilities

Pursuant to Alaska Statutes and Regulations, AS 43.61.030 and 15 AAC 61.020, the Department of Revenue will inform the Marijuana Control Board of licensed cultivators that have failed to pay tax due or file a return as required by law.

As of November 15, 2018, there were 20 licensed cultivation facilities that failed to pay marijuana excise taxes as required under AS 43.61.010 totaling \$392,000. The list below does not include accounts that are currently on payment plans or have past due balances under \$100. If we reported the total number of past due accounts, we would report 32 taxpayers owing a total of \$728,400 – this is 25% of all marijuana taxpayers that owe past due taxes.

The high number of past due accounts is alarming and the Department of Revenue will continue to report the names of the delinquent taxpayers monthly to the Marijuana Control Board through AMCO, excluding the accounts that are currently on payment plans.

Taxpayer Name	MCB Licensee Name	License No.
BRANDEN M. ROYBAL	ALASKA CANNABIS CULTIVATORS	10592
ALASKA CANNABIS PROP	ALASKA CANNABIS PROPAGATION	11651 (Expired)
DAVID J. STRAUB	ALASKA PRECISION	10040
AZDREN POSHKA	ALASKA TASTY CANNABIS, LLC.	11488
JACOB NYMAN	ALASKAN DEVILS LETTUCE	11556
ARCTIC GREENERY, LLC	ARCTIC GREENERY, LLC	10286
BRENNAN NORDEN	BOB'S MORNING BEAR CULTIVATION	10063
DANISH GARDENS, LLC	DANISH GARDENS, LLC	10310
DAVID PARKER	FAT TOPS, LLC	11138
DARREN PHILLIPS	FIBERFLITE	13577
GREEN LEAF, INC	GREEN LEAF	10066
GREENSTAR INC	GREENSTAR, INC.	12872
TIMELESS ADVENTURES, LLC	HERBAL INSTINCTS	10156
PRESTIGE WORLDWIDE MANAGEMENT	KUSHTOPIA	11611
MIKE D. KEISER	LAST FRONTIER JOINT OPERATIONS LLC	11957
LAZY MOUNTAIN HARVEST, LLC	LAZY MOUNTAIN HARVEST LLC	10291 (Expired)
JONATHAN MANSKER	MUSKY OX, LLC	10135
SE MOOG DROOG LLC	SE MOOG DROOG LLC	10814
CASEY J. WILKINS	STONED SALMON FARMS	11605
KRYSTAL DIETRICH	TALKEETNA HERB COMPANY	10004

Kelly Mazzei, Excise Tax Supervisor
Department of Revenue – Tax Division

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: 2/12/19

Licensee: Timeless Adventures, LLC

DBA: Herbal Instincts

License #/Type: #10156 Standard Cultivation

Address: 405 Ream Lane, Fairbanks, AK 99712

AMCO Case #: AM1900267

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 2/11/19 Herbal Instincts licensees self-reported an error made in METRC. Package tag ending in #2274 was incorrectly created from another package ending in #2255 resulting in package #2255 to reflect -175 grams and the harvest to reflect an overage of 175 grams in inventory not physically present. Package #2274 should have been derived from the Harvest Batch directly rather than package #2255. Package #2274 was transferred and accepted by The Green Room retail prior to the error being discovered by Herbal Instincts. This resulted in a need for a "virtual transfer" to be approved.

This is a violation of 3 AAC 306.435 Marijuana inventory tracking system (a) and 3 AAC 306.750 (b) Transportation

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 of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

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 license number in your response.**

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: A. Stonecipher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:



Herbal Instincts <herbalinstinctsak@gmail.com>

Package Creation Error

Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>

Thu, Feb 21, 2019 at 8:15 AM

To: Herbal Instincts <herbalinstinctsak@gmail.com>

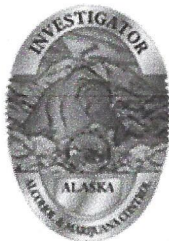
Cc: "Davies, Jason M (CED)" <jason.davies@alaska.gov>

Hi Jessica,

After reviewing everything and speaking with my supervisor, I am going to officially retract your NOV – Case AM1900267 since METRC has outline a better solution than a virtual manifest and no virtual manifest ever occurred. You have the approval from AMCO to adjust your in-house package ending in #2255 back up to "0 quantity" as METRC support has offered as a solution. Please enter good notes and the METRC trouble ticket in when the adjustment is made so there is a quick reference for any other Investigator whom may see the adjustment on a report or in the system.

Of course, please keep this email and all documents related to the adjustment. Let me know if METRC needs more than this email as an approval from us allowing for the adjustment.

Have a wonderful weekend!



Amanda Stonecipher
Special Investigator I
Enforcement Unit
Alcohol & Marijuana Control Office
1648 S. Cushman St., Ste 203
Fairbanks, AK 99701
Office (907) 451-2748
Cell (907) 987-6656
amanda.stonecipher@alaska.gov

From: Herbal Instincts [mailto:herbalinstinctsak@gmail.com]**Sent:** Wednesday, February 20, 2019 12:58 PM**To:** Stonecipher, Amanda M (CED) <amanda.stonecipher@alaska.gov>**Subject:** Package Creation Error

Amanda,

In speaking with METRC, in regards to the package error, they said that I could adjust the package to zero and make a note regarding the administrative error with AMCO approval. Since there is nothing wrong with the package that is currently at The Green Room, they stated that it is not necessary (although could be an option) to create a virtual manifest but they can't give me approval to adjust the package and advised emailing you. How would you like me to proceed with correcting this error?

Received by AMCO 9/5/19

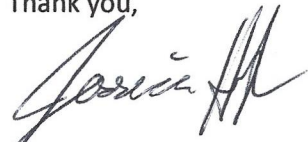
September 4, 2019

To Whom it May Concern,

Regarding the Notice of Violation issued 11/16/2018, in September 2018 we fell delinquent on our Marijuana taxes due to crop failure. We worked with the Department of Revenue to create a payment plan for taxes that were due in September, October and November 2018. We began making payments in January 2019 toward this payment plan and have been on time with all other tax payments since that time. We are on track for completing our payment agreement by the end of the year. Please find the payment agreement and payment history attached.

Regarding the Notice of Violation issued 2/12/2019 please see the attached e-mail from Amanda Stonecipher officially retracting the NOV. An administrative error was made which initially was understood to require a virtual transfer. However, it was able to be corrected alternatively. The Notice of Violation was initially created prior to resolving the administrative error.

Thank you,

A handwritten signature in black ink, appearing to read 'Jessica Huff', with a stylized flourish at the end.

Jessica Huff, Owner
Timeless Adventures, LLC
DBA Herbal Instincts



THE STATE
of **ALASKA**

GOVERNOR
MIKE DUNLEAVY

Department of Revenue

TAX DIVISION

State Office Building
333 Willoughby Avenue, 11th Floor
PO Box 110420
Juneau, Alaska 99811-0420
Main: 907.465.2320
Fax: 907.465.2375

www.tax.alaska.gov

December 27, 2018

Letter ID: L0575627264

TIMELESS ADVENTURES, LLC
DBA: HERBAL INSTINCTS
405 REAM LN
FAIRBANKS AK 99712-3530

Informal Payment Agreement

EIN/SSN: [REDACTED]
Tax Type(s): Marijuana Tax

Dear TIMELESS ADVENTURES, LLC

As you requested, an informal payment agreement has been established for repayment of taxes, interest and penalties due for tax period(s) 9/30/2018, 10/31/2018, and 11/30/2018. A minimum payment of [REDACTED] must be received in our office no later than January 30, 2019. Compounded interest is currently accruing at 8% quarterly.

Installment Amount: [REDACTED]

Account balance as of **December 27, 2018**

Tax
Penalty
Interest
Balance Due

[REDACTED]

Payment of this installment must be received by the Department of Revenue on or before January 30, 2019. Please send your payment with a copy of this letter or pay online by going to online-tax.alaska.gov. Please be advised that if timely payment is not received by the department, this agreement will be terminated and collection proceedings as stated below will commence.

Failure to make payments per this agreement will result in the department taking enforcement actions such as the filing of state tax liens, the levy of accounts and receivables, as well as the seizure of both real and personal property in amount sufficient to satisfy your liabilities to the Department of Revenue. If you are authorized to conduct business under a license issued by the State of Alaska, that license will be suspended per AS 43.10.045. until the account has been paid in full or other arrangements are agreed to by the state.

If you have any questions or concerns, please contact the Accounting and Collections Group at 907.465.2385 or dor.tax.collections@alaska.gov.

Received by AMCO 9/5/19

REMITTANCE COPY
Return this copy with installment payment

December 27, 2018

TIMELESS ADVENTURES, LLC
DBA: HERBAL INSTINCTS
405 REAM LN
FAIRBANKS AK 99712-3530

EIN/SSN: [REDACTED]
Tax Type: Marijuana Tax

Informal Payment Agreement

Installment due date: **January 30, 2019**

Minimum Installment Amount:

[REDACTED]

Installment Amount remitted: \$ _____

Mail installment payment to:

Department of
Revenue
TAX DIVISION
Accounting and Collections
PO Box 110420
Juneau, Alaska 99811-0420

Or make a payment online by going to: online-tax.alaska.gov

Alcohol & Marijuana Control Office

Initiating License Application

8/20/2019 8:54:47 AM

License Number: 10156**License Status:** Active-Operating**License Type:** Standard Marijuana Cultivation Facility**Doing Business As:** HERBAL INSTINCTS**Business License Number:** 1044959**Designated Licensee:** Cristopher Konopka**Email Address:** herbalinstinctsak@gmail.com**Local Government:** Fairbanks North Star Borough**Community Council:****Latitude, Longitude:** 64.877466, -147.080840**Physical Address:** 405 Ream Lane
Fairbanks, AK 99712
UNITED STATES**Licensee #1****Type:** Entity**Alaska Entity Number:** 10030989**Alaska Entity Name:** Timeless Adventures, LLC**Phone Number:** 907-202-4500**Email Address:** herbalinstinctsak@gmail.com**Mailing Address:** 405 Ream Lane
Fairbanks, AK 99712
UNITED STATES**Entity Official #1****Type:** Individual**Name:** Cristopher Konopka**SSN:** [REDACTED]**Date of Birth:** [REDACTED]**Phone Number:** 907-202-4500**Email Address:** Cristopher_Konopka@yahoo.com**Mailing Address:** 405 Ream Lane
Fairbanks, AK 99712
UNITED STATES**Entity Official #2****Type:** Individual**Name:** Jessica Huff**SSN:** [REDACTED]**Date of Birth:** [REDACTED]**Phone Number:** 907-202-2545**Email Address:** Jessicahuff7@gmail.com**Mailing Address:** 405 Ream Lane
Fairbanks, AK 99712
UNITED STATES**Entity Official #3****Type:** Entity**Alaska Entity Number:** 10036773**Alaska Entity Name:** Tanana Herb Company, LLC**Phone Number:** 907-388-8023**Email Address:** tananaherbcompany@gmail.com**Mailing Address:** P.O. Box 81772
Fairbanks, AK 99708
UNITED STATES**Entity Official #4****Type:** Individual**Name:** Leslea Nunley**SSN:** [REDACTED]**Date of Birth:** [REDACTED]**Phone Number:** 907-388-8023**Email Address:** tananaherbcompany@gmail.com**Mailing Address:** 2008 Perkins Drive
Fairbanks, AK 99709
UNITED STATES**Note:** No affiliates entered for this license.



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications

What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Timeless Adventures, LLC	License Number:	10156		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Herbal Instincts				
Premises Address:	405 Rxam Ln				
City:	Fairbanks	State:	AK	ZIP:	99712

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Cristopher Kanopka
Title:	owner

Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.



I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.



I certify that a notice of violation has **not** been issued for this license.



Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).





Form MJ-20: Renewal Application Certifications

Section 4 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Signature of licensee



Notary Public in and for the State of Alaska

Printed name of licensee

My commission expires: May 30 2022Subscribed and sworn to before me this 5th day of September, 2019.



Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications**What is this form?**

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Timeless Adventures, LLC	License Number:	10156
License Type:	Standard Marijuana Cultivation Facility		
Doing Business As:	Herbal Instincts		
Premises Address:	405 Ream Ln		
City:	Fairbanks	State:	AK
		ZIP:	99712

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Jessica Huff
Title:	Owner

Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

JH

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

JH

I certify that a notice of violation has **not** been issued for this license.

--

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

JH



Form MJ-20: Renewal Application Certifications

Section 4 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

H

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

H

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

H

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

H

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

H

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

H

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

H

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

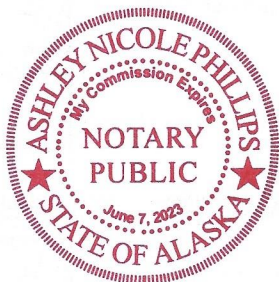
Jessica Huff
Signature of licensee

Ashley Phillips
Notary Public in and for the State of Alaska

Jessica Huff
Printed name of licensee

My commission expires: 06/07/2023

Subscribed and sworn to before me this 30th day of August, 2019.





Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
marijuana.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications

What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 – Establishment Information

Enter information for the licensed establishment, as identified on the license application.

Licensee:	Timeless Adventures, LLC	License Number:	10156		
License Type:	Standard Marijuana Cultivation Facility				
Doing Business As:	Herbal Instincts				
Premises Address:	405 Ream Ln				
City:	Fairbanks	State:	AK	ZIP:	99712

Section 2 – Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Lester Nunley
Title:	Member

Section 3 – Violations & Charges

Read each line below, and then sign your initials in the box to the right of any applicable statements:

Initials

I certify that I have **not** been convicted of any criminal charge in the previous two calendar years.

I certify that I have **not** committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.

I certify that a notice of violation has **not** been issued for this license.

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).



Form MJ-20: Renewal Application Certifications

Section 4 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.

I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.

I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.

I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.

I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.

I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.

I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Signature of licensee

Notary Public in and for the State of Alaska

Printed name of licensee

My commission expires: 06/07/2023

Subscribed and sworn to before me this 30th day of August, 2019.

