

# Appendix - A

## NOT PRECEDENTIAL

### UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

---

No. 19-1106

---

AMRO A. ELANSARI,  
Appellant

v.

UNITED STATES OF AMERICA; COMMONWEALTH OF PENNSYLVANIA;  
PENN STATE DICKINSON SCHOOL OF LAW; CENTRE COUNTY  
COURTHOUSE; STATE COLLEGE POLICE DEPARTMENT; CENTRE  
COUNTY CORRECTIONAL FACILITY; CENTRE COUNTY DISTRICT  
ATTORNEY'S OFFICE; TOWN OF BLOOMSBURG; COLUMBIA COUNTY  
DISTRICT ATTORNEY'S OFFICE; COLUMBIA COUNTY COURTHOUSE

---

On Appeal from the United States District Court  
for the Middle District of Pennsylvania  
(D.C. Civil Action No. 15-cv-01461)  
District Judge: Honorable Malachy E. Mannion

---

Submitted Pursuant to Third Circuit LAR 34.1(a)  
July 28, 2020

Before: SHWARTZ, RESTREPO and GREENBERG, Circuit Judges

(Opinion filed: July 30, 2020)

---

## OPINION\*

---

\* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

14-1

PER CURIAM

Pro se Appellant Amro Elansari appeals from the District Court's dismissal of his claims against a host of parties including the United States, various law enforcement agencies of the Commonwealth of Pennsylvania, and the Pennsylvania State University School of Law based on his belief that any prohibition against marijuana possession, use, or distribution is intrinsically unconstitutional. We will affirm.

I.

We write primarily for the parties who are well-versed in the factual and procedural details of this case; thus, we provide background only as necessary to resolve this appeal.

In 2015, Elansari sued various federal and state government agencies, county courthouses, county courts, and Penn State Law seeking, among other things, an injunction against these parties from enforcing any laws regulating or prohibiting the possession, use, or distribution of marijuana.<sup>1</sup> At that time, Elansari also filed an "Emergency Petition for Ex Parte Preliminary Injunction" to enjoin Defendants from

---

<sup>1</sup> Elansari made other allegations unrelated to his central argument against marijuana regulation including, for example, that the Columbia County District Attorney was liable to him for legal malpractice because the District Attorney is Elansari's personal attorney and, therefore, when the District Attorney declined to prosecute Elansari's unrelated private criminal complaint, the District Attorney committed malpractice. He also alleged that he was given an A- grade instead of an A grade in an unidentified course, then wrongfully denied admission to Georgetown University Law Center.

“Arresting/Incarcerating/Charging/Recreational/Safe Use of Marijuana and all schools from discriminating against students for the same in the interest of due process and liberty and justice for all.” The District Court denied Elansari’s petition, reasoning that Elansari could neither establish a likelihood of success on the merits nor articulate an imminent irreparable injury. Elansari appealed.

We summarily affirmed the District Court’s decision. We concluded that it correctly ruled that Elansari could not show a likelihood of success on his claim that limitation, regulation, or prohibition of marijuana possession, use, or distribution is intrinsically unconstitutional given the well-established proposition that such regulation is supported by a rational basis. Elansari v. United States, 615 F. App’x 760, 762 (3d Cir. 2015) (citing Gonzales v. Raich, 545 U.S. 1, 22 (2005) (rejecting a Commerce Clause challenge to certain laws governing marijuana use and concluding that a rational basis exists to support the laws)). We further affirmed the District Court’s denial of his petition because Elansari failed to establish that any imminent irreparable injury would result in the absence of an injunction. In so concluding, we rejected Elansari’s claim, among others, that without an injunction, unidentified persons suffering from seizures of unknown origin would be denied access to the “instant cure” of marijuana. Even if Elansari established a likelihood of success on the merits and the existence of imminent irreparable harm, we further concluded that the type of injunction demanded by Elansari would not be in the public interest especially considering the extraordinary nature of

injunctive relief. See Winter v. Natural Res. Def. Council, Inc., 555 U.S. 7, 24 (providing that a “preliminary injunction is an extraordinary remedy never awarded as of right”).

Meanwhile, in the District Court, Defendants filed a series of motions to dismiss Elansari’s complaint. Upon consideration of the thorough report and recommendation of a Magistrate Judge, the District Court granted all Defendants’ motions dismissing Elansari’s case with prejudice except for his due process claim against Penn State Law, which the District Court permitted Elansari to replead in an amended complaint.<sup>2</sup> After Elansari filed his amended complaint, Penn State Law moved for summary judgment on Elansari’s due process claim related to his suspension from the law school.<sup>3</sup> Upon

---

<sup>2</sup> As a matter of uncontested fact from the record below, Penn State Law suspended Elansari for two years after finding, at an Honor Code hearing, that he failed to abide by a school directive that he stop communicating with and contacting a particular female classmate who had complained about his behavior toward her. After this hearing, however, Elansari returned to the law school in violation of the terms of his suspension. Penn State Law then filed a petition in state court to enjoin Elansari from further disrupting Penn State Law’s academic instruction. The state court held a full hearing, at which Elansari was present, and the court entered a permanent injunction against Elansari prohibiting him from entering the law school. Elansari was later further restricted from entering onto Penn State University’s campus as a result of his violation of the conditions of his probation from a separate criminal conviction.

<sup>3</sup> Elansari filed many other documents and motions with the District Court including profanity-laden letters containing personal poems, notes about his pet cat, and accounts of online disputes he had with viewers of his Facebook comments, purported amicus briefs sharing his beliefs about unrelated Supreme Court cases, and a motion to join Facebook, Inc. as a defendant in this case.

consideration of another extensive and detailed report and recommendation, the District Court granted summary judgment to Penn State Law. This appeal followed.

In support of his appeal, Elansari submitted a one-page brief proclaiming that “the jig is up” and requesting that marijuana be “legalize[d] . . . right now” because “failure to do so will constitute [] deprivation of rights under color of law . . . and will be reported to the F.B.I.” Appellant’s Br. After we granted Appellees Centre County Court of Common Pleas, Columbia County Courthouse, and State College Police Department’s motions to be excused from filing responsive briefs, and after the United States delivered a letter to this Court explaining that it will rest on the opinion and decision of the District Court, Elansari filed a Motion to Supplement his initial one-page brief along with a copy of his proposed supplemental brief.<sup>4</sup> Because we grant Elansari’s Motion to Supplement, we consider the arguments contained in his supplemental brief in tandem with the terse arguments contained in his original brief.

## II.

The District Court had jurisdiction under 28 U.S.C. § 1331. We have jurisdiction under 28 U.S.C. § 1291.

---

<sup>4</sup> Initially, Elansari filed a profanity-laden supplemental brief. Appellant’s Supp. Br. 2, ECF No. 63 (including vulgar profanity directed at a state court judge and the judges of the Centre County Court of Common Pleas). Later, he filed two “corrected” supplemental briefs with less profanity.

We review the grant of Penn State Law's motion for summary judgment de novo.

Lehman Bros. Holdings, Inc. v. Gateway Funding Diversified Mortg. Servs., L.P., 785

F.3d 96, 100 (3d Cir. 2015). Summary judgment is appropriate where, viewing the evidence in the light most favorable to the respondent, "no genuine dispute exists as to any material fact, and the moving party is entitled to judgment as a matter of law."

Montone v. Jersey City, 709 F.3d 181, 189 (3d Cir. 2013). We also review the grant of

all other Appellee's motions to dismiss de novo. Newark Cab Ass'n v. City of Newark, 901 F.3d 146, 151 (3d Cir. 2018). "To survive a motion to dismiss, a complaint must contain sufficient factual allegations, taken as true, to 'state a claim to relief that is plausible on its face.'" Fleisher v. Standard Ins., 679 F.3d 116, 120 (3d Cir. 2012)

(quoting Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)).

### III.

Given the rigor and detail of the District Court's and the Magistrate Judge's reasoning, and our own decision earlier in this case on Elansari's Emergency Petition for Ex Parte Preliminary Injunction, we need not spend undue time in our analysis now. Indeed, it is no surprise, given our earlier conclusion on Elansari's request for a preliminary injunction—that he could not establish a likelihood of success on the merits—that we now conclude that the District Court correctly decided that Elansari's claims fail on the merits.

Although Elansari covers a range of topics in his appellate brief and supplemental brief—all while leveling *ad hominem* attacks on the District Court as well as threats to report the District Court, this Court, and others to the F.B.I. for fraud—Elansari’s appeal centers on two legal issues. First, Elansari argues that the District Court erred in deciding that he cannot show that any limitation, regulation, or prohibition on the possession, use, or distribution of marijuana is unconstitutional. Second, he argues that the District Court erred in deciding that Penn State Law did not violate his due process rights when it initially suspended him for two years and then again suspended him indefinitely. We disagree for the reasons articulated by the District Court in its over one hundred pages of well-reasoned and detailed analysis, but depart from the District Court’s analysis only slightly in connection with Elansari’s substantive due process claim.

We begin with Elansari’s argument that any prohibition on the possession, use, or distribution of marijuana violates the Equal Protection Clause.<sup>5</sup> We agree with the District Court that Elansari’s claim fails under a traditional theory of equal protection because he has not shown that, as an individual who uses, possesses, or distributes

---

<sup>5</sup> To prevail under a traditional equal protection theory, a plaintiff bears the burden of showing that he is a member of a protected class and that the government treated similarly situated persons outside the protected class differently. Keenan v. City of Phila., 983 F.2d 459, 465 (3d Cir. 1992).

To prevail under a class-of-one theory, a plaintiff bears the burden of showing that he “was intentionally treated differently from others similarly situated . . . and that there is no rational basis for the difference in treatment.” Phillips v. Cty. of Allegheny, 515 F.3d 224, 244 (3d Cir. 2008).

marijuana, he is a member of a protected class. We also agree with the District Court that Elansari's claim fails under a class-of-one theory as well because, despite ample opportunity, he has never adduced evidence nor made a credible allegation that he was irrationally and intentionally treated differently by Penn State Law, or any other Appellee, from any similarly situated individual.

Next, we turn to Elansari's argument that the District Court erred in concluding that neither Penn State Law, nor any other Appellee, violated his procedural or substantive due process rights when Penn State Law first suspended him for two years and then suspended him indefinitely.

"To prevail on a procedural due process claim, a litigant must show (1) that the state deprived him of a protected interest in life, liberty, or property and (2) that the deprivation occurred without due process of law." Burns v. Pa. Dep't of Corr., 544 F.3d 279, 285 (3d Cir. 2008) (citing Ky. Dep't of Corr. v. Thompson, 490 U.S. 454, 460 (1989)).

Regarding Elansari's initial two-year suspension, the District Court concluded that he received appropriate procedural due process before his suspension. Indeed, the District Court noted that Elansari admitted that he received notice of the Honor Code hearing to review his alleged violation of a school directive to stop communicating and contacting a female classmate. Elansari admitted that he attended the Honor Code hearing, and that he actively participated in the hearing. Elansari failed to allege any

cognizable deficiency in the process afforded to him before his suspension. Having reviewed the record, we agree with the District Court that Elansari cannot establish a procedural due process violation in connection with his initial two-year suspension from the law school.

Similarly, we agree with the District Court that Elansari cannot establish a procedural due process violation in connection with his indefinite suspension because he has not alleged any cognizable deficiency in the process afforded to him before his second suspension. Elansari's indefinite suspension was imposed by way of the Centre County Court of Common Pleas' grant of Penn State Law's petition for permanent injunction against his presence in the law school. Elansari received notice of the hearing and, indeed, he was an active participant at the hearing.

Finally, as for Elansari's alternate theory that one or both of his suspensions violated his substantive due process rights, we will affirm the District Court's ruling, but on different grounds.

To prevail on a substantive due process claim, a plaintiff must show that she was deprived of a fundamental right through an arbitrary and deliberate abuse of authority. Indep. Enter., Inc. v. Pittsburgh Water and Sewer Auth., 103 F.3d 1165, 1179–80 (3d Cir. 1997).

The District Court concluded that Elansari could not prevail on a substantive due process claim because continued enrollment in a graduate program is not a fundamental

property right protected by substantive due process. We need not resolve that question here because even if we assume that continued enrollment in a graduate program is a fundamental property right, Penn State Law's decision to suspend him was not "beyond the pale of reasoned academic decision-making" or otherwise the result of an arbitrary and deliberate abuse of authority. Regents of Univ. of Mich., v. Ewing, 474 U.S. 214, 228 (1985). Thus, Elansari's substantive due process claim fails.

IV.

Accordingly, we will affirm the judgment of the District Court. Appellant's Motion to File a Supplemental Brief is granted and any other outstanding motions are denied.

# Appendix B

IN THE UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 19-1106

---

Amro Elansari,  
Appellant

v.

U.S.A., et al.  
Appellees

---

*Appeal from the United States District Court for the  
Eastern District of Pennsylvania, Docket No. 2:19-CV-3609-MEM  
From The Order Dated September 9, 2019*

---

## SUPPLEMENTAL BRIEF OF APPELLANT

---

Dated: June 3, 2019

**Amro Elansari**

Amro Elansari  
Law Student - Pro Se  
[amroelansari@gmail.com](mailto:amroelansari@gmail.com)  
325 Penwyllt Court  
Exton, PA 19341  
Liberty And Justice For All

B 1

## **TABLE OF CONTENTS**

<b><i>Table of Authorities</i></b>	<b>2</b>
<b>I. STATEMENT OF JURISDICTION / STANDARD OF REVIEW</b>	<b>3</b>
<b>II. STATEMENT OF ISSUES PRESENTED FOR REVIEW</b>	<b>4</b>
<b>III. STATEMENT OF THE CASE</b>	<b>5</b>
<b>IV. SUMMARY OF ARGUMENT</b>	<b>10</b>
<b>V. ARGUMENT</b>	<b>11</b>
<b>VI. CONCLUSION</b>	<b>14</b>

**B-2**

## **TABLE OF AUTHORITIES**

### **Cases:**

Elansari v. U.S.A. No. 15-2843 (3d Cir. 2015)	5
Elansari v. Com. of Pennsylvania (3L18-CV-01123)	6, 9
Harry v. Marchant, 237 F.3d 1315, 1317 (11th Cir. 2001).	3
Stump v. Sparkman 435 U.S. 349 (1978)	4, 9, 10, 12, 14
U.S. v. Ciavarella, No 18-1498 (3d Cir. 2018)	10

### **Statutes:**

U.S. Const. Amnd. 14	6
18 U.S.C. § 242 - Deprivation of Rights Under Color of Law	6
28 U.S.C. §1331	3
28 U.S.C. § 1291	3

**B-3**

## **I. STATEMENT OF JURISDICTION AND STANDARD OF REVIEW**

Subject matter jurisdiction is proper under 28 U.S.C. §1331 because this action involves claims brought raising federal questions involving the 14th Amendment of the U.S. Constitution as it applies to the constitutional rights of the Plaintiff to be free from fraud and the judicial authority in this matter exceeding their jurisdiction as prescribed by law. Appellate jurisdiction is proper under 28 U.S.C. § 1291 since this appeal is taken from a final order issued in the United States District Court for the Eastern District of Pennsylvania.

Motion to dismiss complaint for failure to state a claim. Review is de novo. The court accepts all allegations of the complaint as true and construes the facts in the light most favorable to the plaintiff. Harry v. Marchant, 237 F.3d 1315, 1317 (11th Cir. 2001).

B-4

**II. QUESTIONS PRESENTED FOR REVIEW**

1. Did the U.S. District Court prejudice the arguments of the Plaintiff with regards to the constitutionality of cannabis given current and relevant facts as of 2016 onward in violation of the Plaintiff's due process rights to have their arguments heard?

(Suggested Answer: Yes)

2. Is the prohibition of cannabis unconstitutional?

(Suggested Answer: For more than one reason, Yes)

3. Was the Plaintiff's suspension from Penn State Law wrongful as unequal treatment?

**REVERSE AND REMAND for further proceedings.**

B-5

### III. STATEMENT OF THE CASE

Plaintiff recognizes the substantial inaccuracy with the representation of cannabis a substance that is 'dangerous' and 'without any accepted medicinal value' simultaneously with the substantial legalization of cannabis taking place throughout the U.S. at the time and the Plaintiff's use of cannabis to mitigate pain and soreness associated with wrestling regularly to be a violation of the constitutional rights of the people to be free from the deprivation of life / liberty / and or property without the due process of law.

Plaintiff seeks to address this by raising awareness about the issue and challenge the constitutionality of this prohibition given facts and science as they have emerged as recent as 2012 onwards towards 2016 and onwards towards even the present moment of 2020.

A series of events, including (1) the Plaintiff's purposeful smoking of a marijuana cigarette at a Bloomsburg University Graduation Ceremony in 2014 in front of 2,000 people and police officers - to take the misdemeanor paperwork arrest and summons to the court - to challenge the constitutionality of the prohibition of cannabis - in its various ways - through the Columbia County Court System in Bloomsburg, Pennsylvania.

Plaintiff graduated from Bloomsburg in 2013 and was studying at Penn State Law in 2013-2014 - when they returned to Bloomsburg to visit friends still in the area and then perform the marijuana arrest protest / constitutionality challenge process. But in 2014-2015 when the Plaintiff returned to Penn State Law for their second year, the Plaintiff was prejudiced by the students at the school in various ways for their actions outside of the classroom that had no impact or relevance to the school whatsoever.

B-6

(2) Plaintiff was purposefully, upon recognition of the medicinal need for cannabis and the inability of most people to receive this - begins selling cannabis to people that come to them asking for cannabis and unable to find from other sources (a) reasonably and (b) safely. Reports of 17 year olds shot and killed in West Chester over 7 grams of marijuana (\$100 worth) (Noah Santiago - 2015 - signifies this). Plaintiff is arrested in the Penn State area for selling cannabis - although when the Plaintiff began selling cannabis - they knew if they ever were arrested that they would challenge the constitutionality of the prohibition as a defense and their honest intent to justify a situation where people were in need of help would be the justification for their actions which were in no way seriously harmful such as other aggravating offenses such as robbery, assault, or even selling and trafficking Cocaine, PCP, Crack, Heroine, and other seriously harmful substances that can take the live of a person in a very short time.

Surprising to the Plaintiff are his peers at the law school and in Bloomsburg who become so intoxicated on alcohol that they vomit and splurge all over themselves in public and seeing this as humour - and this is all legal and sold in alcohol distribution locations consistently all throughout this experience between 2012-2018 - which really surprised the Plaintiff as to the true intent and purpose of the law.

The Plaintiff saw the representation of cannabis as a dangerous substance simultaneously while it is not - and legal in so many places - and simultaneously while alcohol and tobacco were legal and taking the lives of as many as 400,000 Americans per year - to be false - fraudulent.

And fraud - the misrepresentation of truth - especially in the context of Court and the legal system - would clearly be a violation of the due process of rights of the people.

B-7

And the representation of pot as a dangerous substance, while it is nothing like crack cocaine or heroin, and simultaneously while alcohol and tobacco are legal - being fraudulent - could in no way be in rational furtherance of any legitimate government interest. In fact - this works against public safety.

Even more, than the prohibition of cannabis not being sufficient enough to pass rational basis - there may be strict scrutiny rights with regards to the medical use of cannabis as well as it has become so widely accepted in the most recent years - the legalization of cannabis by Pennsylvania in 2016 and implementation of distribution locations in 2018 resulting in the 2020 pa medical cannabis program selling cannabis to Pennsylvanians who need it this very day - is evidence of - and certainly this was among the points to consider in the matter as well.

Even more is the evidence that pot laws have indeed been disproportionately impacting against minorities who face as high as a 3x likelihood of being arrested for pot despite same rates of usage as non minorities according to the ACLU shows a disproportionate impact racially with regards to the enforcement of the law -

And even more is the evidence showing that the pot laws came from a discriminatory intent to begin with with evidence cited as cannabis making "Black's think they are as good as White's" being used in the initial justification for the law being provided - making this strict scrutiny as well -

So the misunderstanding in this case is that the Plaintiff though he had a sure-win case in this matter - whereas those around them did not seem to see it in this matter.

But the problem and issue is that those around the Plaintiff never provided the Plaintiff with an opportunity to speak or represent each of these specific points.

B-8

Judge Mannion specifically - when this case began - indicated that the constitutionality of cannabis prohibition was decided in 2001 with some Oakland Cannabis case that did not even address the same points that the Plaintiff mentioned above - and cited Gonzales v. Raich - a **commerce clause case** - to justify their position.

Then they precluded the Plaintiff from raising the issue of constitutionality of the prohibition of cannabis completely throughout the entire course of the delayed litigation.

WITHOUT - consideration of the new facts and evidence that has emerged including science and reports and so many developments and advancements - that the Plaintiff risked their career and livelihood to represent to the court - completely without consideration -

Gonzales v. Raich (2005) was a Supreme Court Commerce Clause case - and although the prohibition of cannabis was not found unconstitutional under the commerce clause - it was specifically remanded for consideration under due process issues - after which the matter was resolved before it returned to the Supreme Court for Consideration -

So - aside from the prohibition of cannabis - the level of prejudice demonstrated by Judge Mannion and the U.S. District Court is unfathomable.

The level of prejudice demonstrated by Judge Mannion / U.S. District Court - are the same levels of prejudice that have caused millions of people to protest and riot in the most recent days over the death of George Floyd in Minneapolis.

You crazy - racist - prejudicial - white people - are just nuts. You have a mental illness. You are racist. And you are twisted. And you have this disease / illness of keeping the status quo and not listening to reason. You see an African American in Court and you sentence him longer than a person of your own color. You take away their opportunities for education, investment,

growth, and you use them for their labor for minimum wages. You do this regularly and it is your history. I thought that America changed with Martin Luther King Jr. and the President Obama, but I was completely wrong. The fact that the judge wouldnt even give me a chance to speak my case - in this matter and others - shows how prejudicial and worthless the American system really is.

God of Abraham and Moses protect me from these wrongdoers.

Bottom line - the representation of cannabis as a dangerous substance with no medicinal value is fraudulent.

Fraud is a violation of the due process rights of people.

Whether you know it - or not - the Fraud Litigation Manual in Pennsylvania attached here in indicates that fraud can be performed with reckless disregard of the truth.

I really believe that all judges, lawyers, and politicians know that pot is not dangerous, and so does every reasonable person, as indicated by the Gallup Poll supporting legalization.

And so I stand by my letter one year ago - that this is fraud - and the continued representation of this will result in me, Amro Elansari, reporting you to the F.B.I. and Department of Justice for fraud and the criminal deprivation of rights under color of law.

I don't know if it will have any effect - because i tried reporting this to the F.B.I. before as a wrongful deprivation of the rights of people - to no effect - they didn't even listen.

Cannabis will be legal and records will be expunged anyway - as in other states - and as it is being discussed here.

But the inequality towards minorities - makes it unconstitutional

The fraudulent representation - reckless disregard of the truth - makes it unconstitutional

3-10

And if you really believe in your American system - liberty and justice for all - and that all people are created equal - and that people have a right to be free from fraud and inequality under the constitution - you will AT LEAST - remand this case for further consideration - if not just legalize cannabis by declaring its prohibition given current science and knowledge unconstitutional.

It's not the perfect brief - and I'm not the perfect lawyer yet - but this is as straightforward of an argument as it can be - in as efficient of a time as possible. I certainly wanted to provide this Court with at least some guidance so they can issue their opinion based on something substantive.

But technically - my original brief is sufficient for victory -

Cannabis laws disproportionate impact on minorities - unconstitutional

Cannabis legalization as medicine - misrepresentation - unconstitutionality -

The American People Deserve Better - The American People Deserve Truth

You define America with your decision in this case -

You defined American with your decisions in the previous matters - they haven't been well - and they have resulted in the protests and riots you see before you this very moment.

B-11

#### IV. SUMMARY OF ARGUMENT

The lower court improperly prejudiced the arguments of the Plaintiff erroneously in the matter pertaining to the constitutionality of cannabis and this matter must be remanded.

The prohibition of cannabis is unconstitutional for more than one reason, including its fraudulent misrepresentation in various ways as being a substance that is life-taking such as heroin or crack and very dangerous as well as not medicinal, simultaneously while alcohol and tobacco which take life are legal - in the rational furtherance of which legitimate government interest? Public safety? That representation is false and made with such reckless disregard to the truth to constitute fraud.

The disproportionate impact and racial prejudice associated with the prohibition of cannabis is also a reason supporting its unconstitutionality.

Plaintiff succeeds against USA and Pennsylvania with regards to their prohibitions of cannabis -

Plaintiff was unequally treated by students at Penn State Law - the administration failed to provide an equal educational environment - Plaintiff protested by violating the one sided directive issued by the Dean - arguing that it was one-sided - unfair - unlawful - void - etc. While the law school can paint their story in any way they like - my intent has always been fair and reasonable protest as well as sorting through in the legal system. And my patience for 5 years + throughout this process signifies my commitment to the law - this issue - and the rights of others - as lawyers are truly supposed to be.

It is argued that this case should be remanded - if not fully decided immediately right here in this instant Court right on the spot to speed matters up.

**B-12**

## V. ARGUMENT

The Constitution Amendment XIV guarantees that people will not be deprived of life - liberty - or property - without the due process of law.

The prohibition of cannabis is a deprivation of life - liberty - and / or property - without the due process of law.

The Bill of Rights - right to fair trial - due process - counsel - free speech - are all intended to protect against one of the worst fears of freedom - unjust and unlawful imprisonment.

The Government can put speed limits - limit alcohol sales - regulate commerce - do whatever it wishes in these contexts - but to place a person under criminal arrest is among one of the absolute greatest rights there can possibly exist in the American system.

And yet - such an absolute fundamental right - being taken away for pot - cannabis - marijuana - is such a frivolous and unreasonable reason to infringe upon such a fundamental right -

And while there is justification for crack - cocaine - heroine - certainly the same does not exist for cannabis. And certainly not while alcohol and tobacco are legal. And certainly not with the science and information about the medicinal use of cannabis - now used medicinally in 32 states.

Any American seeing such a set of facts should / could / would agree that the taking away of a person's liberty - for pot - something that people have plenty of now that it is legal in Pennsylvania, New Jersey, and Delaware (medicinally) - certainly has been a mistake.

The Bill of Rights guarantees the right to a fair trial and the right to be heard - so people do not go to jail by mistake - or unfairly.

B-13

But then again - America was founded in life - liberty - and due process - and equality - while engaging in slavery - and segregation as recent as the 1950's - and with racism through this pot law through this very day -

The question in this case is what type of America do you want to be from here on. Do you want to continue with the racism and inequality and reckless disregard of the truth (fraud) - or do you want to uphold your oath to the Constitution.

## **VI. CONCLUSION**

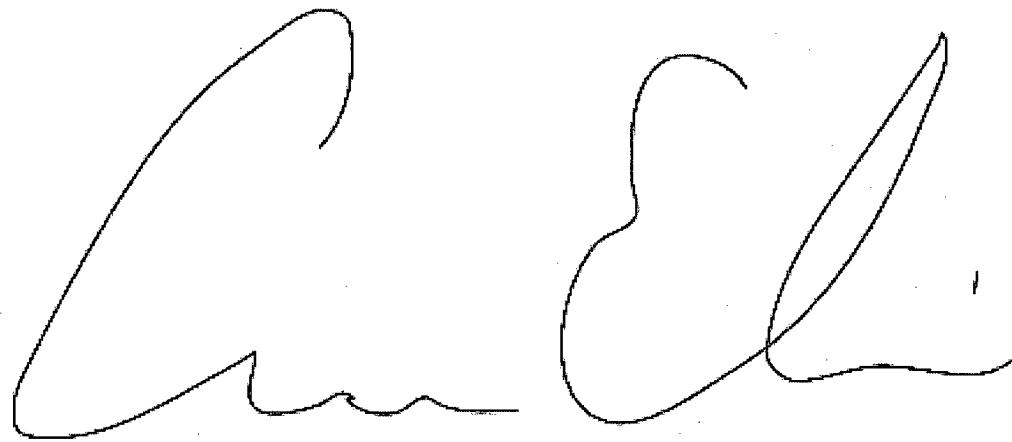
Please uphold your oath to the Constitution by at least remanding this case for further proceedings - reconsideration on the Plaintiff's constitutionality claims as well as the declaration of the laws prohibiting cannabis and the continuous unlawful deprivation of rights by the Appellant States, USA and Pennsylvania, through the continued arrest, prosecution, conviction, incarceration, and criminal record representation for pot - a substance nearly anyone who is educated knows is not as dangerous as alcohol - tobacco - cocaine - heroin - crack - etc - and does in fact have medicinal value and use in the US - the representation of otherwise is false / fraud / violation of due process - and the unequal impact this has had on minorities also makes it unconstitutional - declaring the Plaintiff correct in their intentions - at the minimum.

I certainly do apologize to the citizens involved on both sides of the matter - to the Court - the Law School - students involved - officers involved - etc - because I do understand they were trying their best to uphold law and order from their perspective - and so I do recognize that nothing is perfect. But we, as an American, can certainly do better. I'm willing to admit my mistakes and make changes and my patience throughout the 5 years+ of this litigation is testament to this factually.

**B-14**

REVERSE AND REMAND.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Amro Elansari". The signature is fluid and cursive, with a large, stylized 'A' on the left and a more compact 'Elansari' on the right.

Dated: June 3, 2019

---

Amro Elansari  
Liberty And Justice For All

A handwritten file number "B-15" in black ink, centered at the bottom of the page.