

Supreme Court rejects pot case against Colorado

Gives no reason for dismissing Wyoming and Nebraska's challenge against Colorado

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The U.S. Supreme Court on Monday decided not to hear a case brought by Oklahoma and Nebraska seeking to overturn Colorado's legalization of recreational marijuana.

DENVER – Marijuana legalization continues in Colorado – for now – after the U.S. Supreme Court on Monday decided not to hear a challenge brought by neighboring states.

The Attorney generals for Oklahoma and Nebraska filed a Supreme Court case in December 2014, after the states expressed fears that marijuana from Colorado was crossing their borders.

The case rested on the Supremacy Clause of the U.S. Constitution, which essentially states supremacy of federal law over state law.

But the Supreme Court – without an explanation – chose not to hear the case.

The decision means Colorado's regulated marijuana marketplace can continue, but likely only temporarily. Groups remain committed to overturning the 2012 voter-approved law, and Nebraska and Oklahoma can bring the challenge to a lower court.

"The Supreme Court has not decided that Colorado's unconstitutional trade of marijuana industrialization is legal, and the Court's decision to not hear the case does not stop additional challenges to Colorado's state law in federal district court," Nebraska Attorney General Doug Peterson said in a statement.

Nebraska and Oklahoma petitioned the Supreme Court directly because the case involves a dispute between states.

Mason Tvert, spokesman for the Marijuana Policy Project said that the 10th amendment and reserved powers guarantees that "States have every right to regulate the cultivation and sale of marijuana."

