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Sent via Electronic Delivery

4/25/2025

Moton Hopkins, Jr.
[redacted]

Re: Application for *Pigford/BFL* MMTC License

Dear Mr. Hopkins, Jr.:

On March 25, 2022, the Department received Moton Hopkins Sr.'s (Hopkins) application for a *Pigford/BFL* MMTC license under section 381.986(8)(a)2.b., Florida Statutes. The Department provided notice of its intent to deny Hopkins' application by letter dated September 20, 2022 (Denial Letter). In the Denial Letter, the Department identified the following bases for denial:

> First, you advised us in your September 5 letter that Mr. Hopkins has passed away and provided proof by way of death certificate. The Department cannot award a license to a deceased person. Moreover, any interest Mr. Hopkins' had in the MMTC application ceased upon Mr. Hopkins' death, as the licensure qualifications are personal to Mr. Hopkins and do not flow to third parties.
>
> Second, and notwithstanding Mr. Hopkins' death, the applicant failed to demonstrate that the following owners, officers, board members, or managers have passed a background screening as required by section 381.986(8)(b)8., Florida Statutes, and Emergency Rule 64ER21-16 and incorporated Application Instructions: Dr. Kelly King, manager (Background Screening Determination).

The Department's Denial Letter based on Hopkins' death was challenged by petition filed on October 11, 2022, and by amended petition filed on November 9, 2022. The amended petition challenging the Denial Letter was adjudicated adversely to petitioners by Final Order.

Additionally, the Department's Background Screening Determination was challenged by petition. The petition challenging the Department's Background Screening Determination was resolved by stipulated Final Order in favor of Dr. King. Thus, the death of the applicant, Hopkins, remained as the final and only basis for licensure denial.

During the 2024 legislative session, the Florida Legislature enacted Chapter 2024-246, Laws of Florida. Pursuant to section 11, paragraph (3)(b) of that law, the Department must consider all deficiencies with an applicant's application to be cured if the sole remaining deficiency cited is:

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> The applicant died after March 25, 2022. In the case of the death of applicant under this paragraph, the department must issue the license to the heirs of the applicant.

Hopkins died after March 25, 2022. Thus, by letter dated November 22, 2024, the Department requested the designation of the specific Hopkins heir to be issued the MMTC license. On February 21, 2025, you submitted the required attestations designating yourself as the heir to receive the MMTC license. The three attestations you submitted are attached as Exhibit A.

Accordingly, the sole remaining basis for the denial of Hopkins' application for MMTC licensure is resolved and cured. Therefore, you are issued license MMTC-2025-0028 pursuant to Chapter 2024-246, Laws of Florida.

As a licensed MMTC, you must maintain compliance with all applicable requirements of section 381.986, Florida Statutes, and Department of Health rules, emergency rules, and regulations. Your date of licensure, or "final approval for licensure," is the date of this letter.

Pursuant to Emergency Rule 64ER22-1, you must provide the required financial assurance on or before May 9, 2025, at 5:00 pm (eastern), which is 10 business days from the date of your final approval for licensure. The financial assurance must be delivered as provided in Emergency Rule 64ER22-1.

You are reminded that you may not begin to cultivate, process, or dispense marijuana until you submit requests for authorizations from the Department, as required by Emergency Rule 64ER21-10, and receive such authorizations.

Should you have any questions, please contact ommulicenseoperation@flhealth.gov.

Sincerely,

Christopher Kimball

Christopher Kimball
Director
Office of Medical Marijuana Use

CC: [redacted]

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NOTICE OF RIGHTS

A party whose substantial interest is affected by this agency action may petition for an administrative hearing pursuant to sections 120.569 and 120.57, Florida Statutes. A petition must be filed in writing and must be in conformance with Rule 28-106.201, 28-106.2015, or 28-106.301, Florida Administrative Code, as applicable. The petition must be in writing and received by the Agency Clerk for the Department within 21 days from receipt of this notice. The petition must be submitted by one of the following delivery methods:

By Mail:
Agency Clerk, Florida Department of Health
4052 Bald Cypress Way, BIN #A-02
Tallahassee, Florida 32399-1703;

By Hand Delivery:
Agency Clerk, Florida Department of Health
2585 Merchants Row Blvd.
Prather Building
Tallahassee, Florida;

By facsimile: 850-413-8743; or

By E-Filing: https://agency_clerk-fdh.mycusthelp.com/WEBAPP/_rs/supporthome.aspx?&lp=3

Mediation is not available.

Failure to file a petition within 21 days shall constitute a waiver of the right to a hearing on this agency action. If this notice becomes a Final Order, an adversely affected party is entitled to judicial review pursuant to section 120.68, Florida Statutes. The Florida Rules of Appellate Procedure govern review proceedings. Review is initiated by filing, within 30 days of the date of the Final Order, a Notice of Appeal with the appropriate Court of Appeal in the appropriate District Court, accompanied by the filing fees required by law, and filing a copy of the Notice of Appeal with the Agency Clerk, Department of Health.

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EXHIBIT A

ACKNOWLEDGEMENT AND STATEMENT OF UNDERSTANDING

I, Moton Hopkins, Jr., hereby represent and warrant that I am an heir of Moton Hopkins, Sr., an individual who applied for licensure as a medical marijuana treatment center (MMTC) pursuant to section 381.986(8)(a)2.b., Florida Statutes, and Emergency Rule 64ER21-16. I further attest to the following:

- I am one of three individuals identified as an heir of Moton Hopkins, Sr., according to the Florida Probate Code. The statements and representations submitted to the Florida Department of Health on March 25, 2022, in the MMTC application are hereby made consistent to agree that there are three heirs of Mr. Hopkins, Sr.
- Also as an heir of Mr. Hopkins, Sr., I am designated as legal nominee by the full compliment of heirs, to receive the MMTC license issued pursuant to chapter 2024-246, Laws of Florida, to the heirs of Moton Hopkins, Sr.
- Under the terms of a settlement and consent order, there are no other heirs of Moton Hopkins with a valid claim of entitlement as the awardee of the MMTC license made available pursuant to chapter 2024-246, Laws of Florida.
- I will protect, administer, defend, and hold the Department of Health harmless from any and all claims by other persons alleging to be heirs of Moton Hopkins, Sr. with purported entitlement to be awarded the MMTC license made available pursuant to chapter 2024-246, Laws of Florida.

Name (Printed): **Moton Hopkins, Jr.**

Name (Signature): Moton Hopkins

Date: 17 February 2025

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Acknowledgement and Statement of Understanding

I, Moton Hopkins Jr., hereby represent and warrant that I am an heir of Moton Hopkins Sr. (Mr. Hopkins Sr.), an individual who applied for licensure as a medical marijuana treatment center (MMTC) pursuant to section 381.986(8)(a)2.b., Florida Statutes, and Emergency Rule 64ER21-16. I further attest to the following:

- I am one of three heirs of Mr. Hopkins Sr.
- I have been designated by the heirs of Mr. Hopkins Sr. to receive the MMTC license pursuant to Chapter 2024-246, § 11(3)(b), Laws of Fla.
- There are no other heirs of Mr. Hopkins Sr. with a valid claim of entitlement to the MMTC license made available pursuant to Chapter 2024-246, Laws of Florida.
- I will protect, defend, and hold the Florida Department of Health harmless from any and all claims by other persons alleging to be heirs of Mr. Hopkins Sr. with purported entitlement to the MMTC license made available pursuant to chapter 2024-246, Laws of Florida.

Name (Printed): Moton Hopkins, JR

Name (Signature): Moton Hopkins JR

Sworn to and subscribed before me by means of [ ] physical presence or [ ] online notarization, this 20 date of February 2025, by Moton Hopkins Jr.

ABIGAIL CORTEZ
Notary Public, State of Texas
Comm. Expires 05-07-2028
Notary ID 134889566

Notary Public

Commissioned Name: Abigail Cortez

My Commission Expires: May 7, 2028

Personally Known _____ OR Produced Identification ✓

Type of Identification Produced Texas Drivers License

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ACKNOWLEDGEMENT AND STATEMENT OF UNDERSTANDING

I, Moton Hopkins, Jr., in my official capacity at the personal representative in the Estate of [redacted] hereby represent that [redacted] and her heirs and assigns, are heirs of Moton Hopkins,, Sr., an individual who applied for licensure as a medical marijuana treatment center (MMTC) pursuant to section 381.986(8)(a)2.b., Florida Statutes, and Emergency Rule 64ER21-16. In the aforementioned capacity, I further attest to the following:

- [redacted], and her heirs and assigns, is one of three individuals identified as an heir of Moton Hopkins, Sr., according to the Florida Probate Code. The statements and representations submitted to the Florida Department of Health on March 25, 2022, in the MMTC application are hereby made consistent to agree that there are three heirs of Mr. Hopkins, Sr.
- Although [redacted] s an heir of Mr. Hopkins, Sr., pursuant to section 733.603 and 733.608, Florida Statutes, I am authorized to elect that the Estate of [redacted] is not the heir designated to receive a Florida MMTC license issued pursuant to chapter 2024-246, Laws of Florida.
- Pursuant to my authority as personal representative in the Estate of [redacted] under the Florida Probate Code, I hereby designate that I further serve as the legal nominee of the Estate of [redacted] before the Florida Department of Health and, pursuant to this authority, I waive any and all rights and claims of the Estate of [redacted] o be awarded the MMTC licensure issued pursuant to chapter 2024-246, Laws of Florida, based on the application of Moton Hopkins, Sr. Under this nomination, the MMTC license is to be awarded to Moton Hopkins, Jr. (myself) as an individual heir. I do not disclaim or waive any rights of the Estate of [redacted] as an heir of Moton Hopkins, Sr.

Name (Printed): **Moton Hopkins, Jr.** In his official capacity as the personal representative in the Estate of [redacted]

Name (Signature): Moton Hopkins Jr

Date: