

STATE OF NEW YORK  
OFFICE OF CANNABIS MANAGEMENT  
OFFICE OF ADMINISTRATIVE HEARINGS

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**OFFICE OF CANNABIS MANAGEMENT,**

Petitioner,

-against-

**DECISION**  
**Inspection No. - 11420241113008**

**JAMESTOWN CONVENIENCE CORP.**

Respondent.

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Respondent requested a hearing to vacate an order to seal without an emergency hearing on November 27, 2024. The inspection was conducted on November 13, 2024, and the order to seal was issued the same day.

The hearing was scheduled for December 11, 2024, and commenced via WebEx on that date at 10 am.

The Office of Cannabis Management (hereinafter “OCM”) was represented by Sisi Wu, Esq.

The Respondent, Abdul Ahmed, did not appear.

No witnesses were called.

**DECISION**

1. A default judgment was entered in this matter due to the Respondent’s failure to appear at the scheduled hearing. The Office of Administrative Hearings (hereinafter “OAH”) section of OCM, received Respondent’s Administrative Hearing Request and notified the attorney who submitted the Hearing Request on November 27, 2024, via email at the address provided, of the date and time of his hearing. On December 10, 2024, the attorney, Janice Zelmati, informed OAH that she no longer represented Respondent and that Respondent would be representing himself at the hearing. In this email, Zelmati provided the Respondent’s contact information, including his email, both in the body of the email and by “cc’ing” Respondent. Confirmation of receipt of this email was sent by OAH on December 10, 2024, with instructions that a virtual link would be sent the next day so that the Respondent could attend the hearing. Upon the

commencement of the hearing on December 11, 2024, Respondent's failure to appear was noted and an additional email was sent to Respondent requesting his appearance. Ms. Zelmati was also "cc'd" in this email. The hearing was briefly delayed, giving Respondent time to either answer the emails or attend the hearing, but Respondent never appeared, and no communication was ever received from him. As a result of this inaction by Respondent, a default judgment was entered in this matter and the hearing was concluded.

The issues being determined at the hearing held on December 11, 2024, involved whether the order to seal was warranted and properly executed on the Respondent's business, Jamestown Convenience Corp. Further, this hearing was to determine whether the business conducted activities which violated Cannabis Law Art. 6 §125(1) and, therefore, whether OCM was justified in issuing a Notice of Violation and Order to Cease Unlicensed Activity. Finally, if a violation of Cannabis Law occurred, what penalty, under Cannabis Law Art. 6 §132 is warranted.

The default judgment acts to confirm the order to seal, and the order will continue. The judgement also finds that Respondent did violate Cannabis Law by conducting unlicensed sales of cannabis products. Finally, OCM requested the maximum fine under the law, and I impose such a fine in the amount of \$10,000.

**WHEREFORE, PURSUANT TO CANNABIS LAW ARTICLE 6 §138-b (9), THE ORDER TO SEAL, ISSUED ON NOVEMBER 13, 2024, IS HEREBY EXTENDED FOR ONE YEAR FROM THE DATE OF THIS DECISION.**

**FURTHER, THE RESPONDENT IS HEREBY ORDERED TO PAY A \$10,000 FINE UNDER CANNABIS LAW ARTICLE 6 §132 FOR VIOLATIONS UNDER §125, AND AS A PROPORTIONATE PENALTY, FOR THE UNLICENSED SALE OF ILLICIT CANNABIS ON NOVEMBER 13, 2024.**

Dated: December 17, 2024

  
Administrative Law Judge

PLEASE BE ADVISED: Either party may appeal this decision within 30 calendar days of receipt, according to the specific manner described in Regulations at 9 NYCRR 133.25(k). This decision was sent via email on December 17, 2024, to the following:

Sisi Wu, Esq.

Abdul Ahmed

Nickolas Perry

Sheila Wagner

Celena Ditcher