

Updated Lawsuit Filed; Plaintiffs Seek Injunction to Prevent Enforcement Against Federally Compliant Hemp Products

Justice 4 Herb announces amended complaint has been filed in federal court updating and expanding the legal challenge to Hawai'i's hemp enforcement framework.

OAHU, HI, UNITED STATES, February 3, 2026 /EINPresswire.com/ -- Justice 4 Herb announced that



Our goal is to ensure that businesses operating within federal hemp law have a clear and lawful path to continue serving their customers while the courts review the regulatory framework."

Lance Alyas, Founder

an amended [complaint](#) has been filed in federal court updating and expanding the legal challenge to Hawai'i's hemp enforcement framework. The filing also includes a motion seeking preliminary injunctive relief to temporarily prevent enforcement actions against hemp products that comply with federal law while the case proceeds.

According to the complaint, plaintiffs Lance Saher Alyas, individually and doing business as Oahu Dispensary and Provisions LLC, and Kyler Falces-Cachola, individually and doing business as Elevated Enterprises LLC, have brought the action against Anne E. Lopez, in her official capacity as

Attorney General of the State of Hawai'i, and Kenneth S. Fink, in his official capacity as Director of the Hawai'i Department of Health.

The complaint alleges four claims for relief, including: (1) violation of the Supremacy Clause through federal preemption relating to Hawai'i Revised Statutes Chapter 328G and Hawai'i Administrative Rules Chapter 11-37; (2) ultra vires rulemaking by the Department of Health; (3) violation of the dormant Commerce Clause; and (4) violation of procedural due process.

According to the filing, the plaintiffs operate hemp businesses that distribute and sell products compliant with the federal definition of hemp under the 2018 Farm Bill, defined as cannabis containing no more than 0.3 percent delta-9 THC on a dry weight basis. The complaint asserts that state provisions and enforcement practices impose requirements and standards that differ from federal law, creating compliance conflicts for businesses operating in interstate commerce.

The complaint further alleges that current state provisions authorize inspections, seizure,

forfeiture, destruction of inventory, and potential criminal penalties based on state-specific testing methodologies and enforcement standards. Plaintiffs contend that these provisions create what the complaint describes as a credible and imminent threat of enforcement against products that meet federal hemp compliance standards.

Justice 4 Herb states that the legal action seeks judicial review of how these regulations are being applied and their impact on hemp commerce within Hawai'i.

"This updated filing aims to clarify the legal issues surrounding hemp regulation and enforcement," said Lance Alyas, Founder of Justice 4 Herb and a [plaintiff](#) in the action. "Our goal is to ensure that businesses operating within federal hemp law have a clear and lawful path to continue serving their customers while the courts review the regulatory framework."

On the same date as the amended complaint, plaintiffs filed a Motion for Preliminary Injunction seeking to prevent defendants from initiating or pursuing criminal enforcement actions and from implementing final deprivation remedies; including forfeiture or destruction of inventory, under specified provisions of state law as applied to federally compliant hemp products. The requested injunction would remain in effect pending resolution of the case on its merits.

Aaron Nichols, Brand Development for Justice 4 Herb, stated, "This motion seeks temporary relief so businesses are not forced to permanently lose inventory or face enforcement actions while the legal questions are being resolved. The intent is to allow the court process to move forward without causing irreversible business harm."

Justice 4 Herb reports that the initiative continues to work with Hawai'i-based cannabis and hemp businesses, including Oahu Dispensary and Provisions and other island-based hemp retailers affected by the regulatory changes.

Justice 4 Herb states that updates will be provided as the case proceeds through the court system.

For additional information, visit justice4herb.com

Plaintiff: Lance Saher Alyas individually and d/b/a Oahu Dispensary and Provisions LLC doing business as Oahu Dispensary and Provisions LLC and Kyler Falces-Cachola individually and d/b/a Elevacted Enterprises LLC doing business as Elevated Enterprises LLC

Defendant: Anne E. Lopez and Kenneth S. Fink

Case Number: 1:2026cv00035

Filed: January 28, 2026

Court: U.S. District Court for the District of Hawaii

Presiding Judge: WES REBER PORTER

Referring Judge: MICAH WJ SMITH

Nature of Suit: Constitutional - State Statute

Cause of Action: 42 U.S.C. § 1983 Civil Rights Act

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