

# **Costa Mesa and other agencies Arrest and Charge Man for Unlawfully Operating Marijuana Dispensary**

On Friday, Aug. 24, 2018, the Costa Mesa Police Department (CMPD) and Code Enforcement, along with the Bureau of Cannabis Control (BCC), the Department of Consumer Affairs' Division of Investigation-Cannabis Enforcement Unit (DOI-CEU), California Department of Taxes and Fee Administration, and the Orange County District Attorney's Office (OCDA) arrested a man, who was unlawfully operating a marijuana dispensary in Costa Mesa.

Omid Delkash, 47, Newport Beach, was charged today with four misdemeanor counts of unlawful transportation, sale, and furnishing marijuana. He is currently in custody and is being held on \$150,000 bail. He was arraigned today and is scheduled for a pre-trial hearing on Aug. 31, 2018, at 8:30 a.m., Department C-5, Central Justice Center, Santa Ana.

## **Measure X**

In the City of Costa Mesa, Measure X prohibits any type of retail sales of marijuana and/or marijuana products within the city boundaries. Under this ordinance, medical marijuana businesses may not conduct retail activity of any type. It is permissible to conduct wholesale medical marijuana distributing, manufacturing, processing, and transporting, and to establish a laboratory for research and development; however, one must apply for a business license and be approved by the City.

All commercial cannabis activity in California requires a license from one of the state's three cannabis-licensing authorities. Selling cannabis goods without a state license is

a violation of state law. Enforcement of unlicensed commercial cannabis activity may occur at the state and/or local level.

### **Investigation**

Prior to the arrest, in March 2018, the defendant is accused of opening a business, Church of Peace and Glory, at the 1600 block of Irvine Avenue in Costa Mesa. Due to citizen complaints, the CMPD Special Investigations Unit investigated the location for several months starting in May 2018. Costa Mesa Code Enforcement issued the location two citations for unlawfully operating a marijuana dispensary. On May 9, 2018, and June 5, 2018, Delkash is accused of selling marijuana to customers.

On June 14, 2018, the defendant is accused of having a walk-through with Code Enforcement to show they are in compliance and not operating as a marijuana dispensary. Delkash is accused of commercially selling marijuana on the same day as the walk-through. He is also accused of selling marijuana to customers on July 17, 2018.

### **Arrest**

On Aug. 24, 2018, CMPD, BCC, DOI-CEU, and members of OCDA served a search warrant at the Church of Peach and Glory and placed Delkash under arrest without incident. The agencies executed the search warrant and confiscated marijuana, edibles, and tobacco products.

### **Reporting Unlawful Dispensaries**

To report unlawful dispensaries in Costa Mesa, residents can call the Code Enforcement duty officer at (714) 754-5638, Monday through Friday, from 8:00 a.m. to 5:00 p.m. Residents can also report via the City's app "MyCostaMesa," online or through the mobile version on an Apple or Android device.

To file a complaint regarding an entity licensed by the BCC,

click here – Enforcement Online Services. Once the user clicks “File a Complaint,” they will be prompted to select a license type, or they can simply report on unlicensed activity. After filling out the nature of the complaint, the user then reviews and submits the complaint to the BCC for follow up.