

[Home](#) [News](#) [Sport](#) [Radio](#) [TV](#) [Weather](#) [Languages](#) UK version **International version** | [About the versions](#) [Low graphics](#) | [Accessibility help](#)[WATCH](#) **One-Minute World News****News services**

Your news when you want it

**News Front Page**[Africa](#)[Americas](#)[Asia-Pacific](#)[Europe](#)[Middle East](#)[South Asia](#)[UK](#)[Business](#)[Health](#)[Science/Nature](#)[Technology](#)[Entertainment](#)[Also in the news](#)[Video and Audio](#)[Have Your Say](#)[In Pictures](#)[Country Profiles](#)[Special Reports](#)**RELATED BBC SITES**[SPORT](#)[WEATHER](#)[ON THIS DAY](#)[EDITORS' BLOG](#)**LANGUAGES**

Last Updated: Thursday, 15 March 2007, 11:41 GMT

[E-mail this to a friend](#)[Printable version](#)

US upholds medical marijuana ban

A US federal appeals court has ruled that a California woman who uses marijuana to ease a number of ailments can be prosecuted on federal charges.



Eleven US states allow medical marijuana on doctors' orders

Angel Raich pre-emptively sued the government for the right to use cannabis when legal drugs had failed.

Her doctor testified that she could die if she stopped taking marijuana. She has an inoperable brain tumour.

The Supreme Court ruled two years ago that federal drug laws override those in 11 states allowing medical cannabis.

Eleven states, including California, allow the drug's use if doctors recommend it.

'Pain relief'

"Today I found out I'm basically a dead man walking," said Ms Raich, a 41-year-old mother of two in Oakland, California.

As well as the brain tumour, she has scoliosis, chronic nausea and other medical problems.

She said she takes marijuana every two hours to ease her pain and boost her appetite and said she would continue to do so.

"Today the court said I don't have the constitutional right to basically stay alive," she said.

The three-judge appeals panel acknowledged that although support for the medical use of marijuana was growing, the US was not yet at the point where "the right to use medical marijuana is 'fundamental' and 'implicit in the concept of ordered liberty'."

Ms Raich said she would lobby Congress to change the 1970 Controlled Substances Act that bans marijuana.

[E-mail this to a friend](#)[Printable version](#)**SEE ALSO**[US can bar medical cannabis use](#)
06 Jun 05 | [Americas](#)[Doctors 'recommend cannabis use'](#)
19 Mar 05 | [Health](#)[Cannabis rethink 'not a reversal'](#)
19 Mar 05 | [UK](#)[Cannabis mental health risk probe](#)
29 Jan 05 | [Health](#)**RELATED INTERNET LINKS**[Medical Marijuana ProCon.org](#)[Marijuana Law Reform](#)[US Drug Enforcement](#)[Administration](#)

The BBC is not responsible for the content of external internet sites

TOP AMERICAS STORIES[Venezuela restores Colombia ties](#)
[Snow storms batter Canada and US](#)[Bolivia to defend coca leaf at UN](#)[News feeds](#)**MOST POPULAR STORIES NOW**[MOST E-MAILED](#)[MOST READ](#)[Camera 'looks' through clothing](#)[Day in pictures](#)[Rain and high winds battering UK](#)[Your pictures of the UK storms](#)[How to grow your own wheat](#)[Most popular now, in detail](#)

FEATURES, VIEWS, ANALYSIS



Spain divided
Post-election call for unity unlikely to end bitter rivalry



Day in pictures
Some of the most striking images from around the world



Wheat-a-fix
Can you beat price rises and grow wheat in your back garden?

PRODUCTS & SERVICES

[E-mail news](#)

[Mobiles](#)

[Alerts](#)

[News feeds](#)

[Podcasts](#)

MMVIII

Most Popular Now | The most read story in North America is: Camera 'looks' through clothing

[Back to top ^^](#)

[Help](#) | [Privacy and cookies policy](#) | [News sources](#) | [About the BBC](#) | [Contact us](#) |