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1/29/87

January 29, 1987

The Clerk of the Court  
United States Court of Appeals  
for the First Circuit  
1606 John W. McCormack  
Post Office and Courthouse  
Boston, MA 02109

In re: Lester Grinspoon, M.D. v. Drug Enforcement  
Administration, No. 86-2007

Dear Sir or Madam:

Pursuant to Rule 17(b) of the Federal Rules of Appellate Procedure, Petitioner Lester Grinspoon, M.D. requests that the administrative agency in the above-entitled case, the Drug Enforcement Administration, transmit to the Court the following portions of the record before the agency in this case:

- (1) written direct testimony and written rebuttal testimony submitted by all parties in the proceeding;
- (2) the transcripts of all hearings sessions conducted by the Administrative Law Judge;
- (3) the Exhibits submitted into the record by all parties to the proceedings;
- (4) the briefs submitted by all parties to the proceedings on Issue No. 1 and Issues Nos. 2 through 7; and
- (5) the two Opinions issued by the Administrative Law Judge in the course of the proceeding.


The reason for this request is that Petitioner has challenged whether the Agency had substantial evidence in the record to support its decision in this case. Thus a review of the entire record will be essential in order for the Court to evaluate Petitioner's contention. Reproduction of the entire

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Administrative Record in the Appendix was not practicable. Therefore, Petitioner respectfully requests that the above identified portions of the record -- which represent all substantive portions of that record -- be transmitted to the Court for the Court's review of the substantial evidence challenge that Petitioner has made.

Thank you for your assistance in this matter.

Sincerely,



Richard Cotton  
Counsel for Petitioner

cc: All Counsel of Record  
The Honorable Francis Young