

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

Splash Farms, Inc., et al. v. State of Oklahoma ex rel. Oklahoma
Medical Marijuana Authority; et al.

Splash Farms · No. 25-CV-512-CDL · Decided February 26, 2026

SUMMARY

The United States District Court for the Northern District of Oklahoma grants in part an emergency motion for preliminary injunction brought by At Joy Growers and its owners. The court enjoins enforcement of an Oklahoma Bureau of Narcotics and Dangerous Drugs Control order to the extent it prevents At Joy from continuing its licensed outdoor marijuana-growing operation, while leaving the shutdown of its indoor growing and processing operations unaffected. The court finds imminent irreparable harm and a sufficient likelihood of success on substantive due process and related constitutional claims.

CASE DETAILS

COURT	United States District Court for the Northern District of Oklahoma
WRITING FOR THE COURT	Christine D. Little
JURISDICTION	United States District Court for the Northern District of Oklahoma
DECIDED	February 26, 2026
DOCKET	25-CV-512-CDL
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for a temporary restraining order and preliminary injunction under Federal Rule of Civil Procedure 65, challenging the revocation of At Joy's Oklahoma Bureau of Narcotics and Dangerous Drugs Control registration. After an evidentiary hearing, the court granted limited preliminary injunctive relief concerning At Joy's outdoor marijuana-growing operation.
STANDARD OF REVIEW	A preliminary injunction requires a showing of likelihood of success on the merits, likely irreparable harm, a favorable balance of equities, and consistency with the public interest. The moving party bears the burden of making a prima facie showing of a probable right and probable danger. Disfavored injunctions receive heightened scrutiny, but the court held that the requested relief was prohibitory rather than

	mandatory because it restored the last uncontested status before the administrative Final Order.
PRECEDENTIAL VALUE	nonprecedential_interlocutory_order
PARTIES	At Joy Growers LLC, Darin Atkinson, Melissa Atkinson, Dan Joy, Jane Joy v. State of Oklahoma ex rel. Oklahoma Medical Marijuana Authority, Oklahoma Medical Marijuana Authority, Oklahoma Bureau of Narcotics and Dangerous Drugs Control, J. Kevin Stitt

TOPICS

injunctions substantive due process procedural due process equal protection administrative law

PRACTICE AREAS

constitutional law civil rights administrative law injunctive relief medical marijuana and health law

QUESTIONS PRESENTED

1. Whether plaintiffs satisfied the requirements for a preliminary injunction protecting At Joy's outdoor-growing operation.
2. Whether the requested injunction was mandatory and therefore subject to heightened scrutiny, or prohibitory relief restoring the last uncontested status.
3. Whether plaintiffs showed a sufficient likelihood of success on their substantive due process claim based on the allegedly arbitrary revocation of a protected business registration.
4. Whether the evidence also supported colorable equal protection and procedural due process claims.
5. Whether failure to seek reconsideration or direct state-court review barred plaintiffs' federal constitutional claims at the preliminary-injunction stage.
6. Whether federal illegality principles barred equitable relief for a state-licensed medical-marijuana business.

HOLDINGS

1. A party seeking a preliminary injunction must demonstrate a likelihood of success on the merits, likely irreparable harm, a favorable balance of equities, and that the injunction serves the public interest.
2. The requested injunction was prohibitory, not mandatory, because it restored the parties' last uncontested position before the OBNDD Final Order became effective as to At Joy's outdoor grow.
3. Plaintiffs demonstrated imminent, certain, great, actual, and non-theoretical irreparable harm absent an injunction.
4. Plaintiffs showed a sufficient likelihood of success on their substantive due process claim because the blanket revocation of At Joy's registration as applied to the outdoor grow was likely an extremely arbitrary deprivation of a protected property interest.

5. The evidence presented colorable claims and supported a sufficient likelihood of success for preliminary-relief purposes on equal protection and procedural due process theories.
6. At the preliminary-injunction stage, defendants did not establish that plaintiffs' failure to seek reconsideration or directly appeal the OBNDD Final Order barred their federal constitutional claims.

KEY QUOTATIONS

“The blanket refusal to renew registration for the outdoor grow based on the lack of a COO, which is not required for that business under Oklahoma law, is not rationally premised on fire safety, and the Court finds it likely comprises an “extremely arbitrary” act depriving Moving Plaintiffs of their constitutionally protected property rights.” (III.B)

“For the avoidance of doubt, this Order does not compel Defendants to issue a new registration, grant a new license, or conduct any new administrative proceeding; it restores only At Joy’s ability to lawfully operate its outdoor grow operation as it did before the Final Order became effective.” (Conclusion, at 27)

FACTUAL BACKGROUND

At Joy operates a medical-marijuana growing and processing business in Oklahoma and held active OMMA licenses for indoor growing, outdoor growing, and processing. OBNDD revoked At Joy’s registration because it lacked certificates of occupancy for two buildings used in indoor operations, even though Oklahoma law did not require a certificate of occupancy for the outdoor-only grow and the Final Order did not identify an outdoor-growing safety violation. Without relief, At Joy faced loss of the 2026 growing season, anticipated sales of approximately \$1.6 million, customer relationships, employees' livelihoods, and other losses the court found difficult to quantify.

PROCEDURAL HISTORY

OBNDD revoked At Joy’s registration by a November 14, 2025 Final Order because At Joy had not submitted certificates of occupancy for two buildings used for indoor growing and processing. Plaintiffs sought emergency relief to prevent the revocation from eliminating their outdoor-growing operation for the 2026 season. The court held an evidentiary hearing on February 17 and 18, 2026, considered testimony and exhibits, and granted a preliminary injunction limited to the outdoor grow.

DISPOSITION

other

CASES CITED

- United States v. Stacy, 156 F.4th 994, 1001, 1013 (10th Cir. 2025)
- Orig. Investments, LLC v. State of Oklahoma, 542 F. Supp. 3d 1230, 1231, 1235, 1237 (W.D. Okla. 2021)
- Lundgrin v. Claytor, 619 F.2d 61, 63 (10th Cir.)
- Penn v. San Juan Hospital, Inc., 528 F.2d 1181 (10th Cir.)
- Continental Oil Co. v. Frontier Refining Co., 338 F.2d 780 (10th Cir.)

- Ciena Corp. v. Jarrard, 203 F.3d 312, 319 (4th Cir.)
- RoDa Drilling Co. v. Siegal, 552 F.3d 1203, 1208 (10th Cir.)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20, 22 (2008)
- Schrier v. University of Colorado, 427 F.3d 1253, 1258-60 (10th Cir.)
- O Centro Espirita Beneficiente Uniao Do Vegetal v. Ashcroft, 389 F.3d 973, 975 (10th Cir.), aff'd, 546 U.S. 418 (2006)
- Dominion Video Satellite, Inc. v. EchoStar Satellite Corp., 269 F.3d 1149, 1155 (10th Cir.)
- Dominion Video Satellite, Inc., 356 F.3d 1260, 1262-64
- Crowther v. Seaborg, 415 F.2d 437, 439 (10th Cir.)
- Reuters Ltd. v. United Press International, Inc., 903 F.2d 904, 907 (2d Cir.)
- Prairie Band of Potawatomi Indians v. Pierce, 253 F.3d 1234, 1250 (10th Cir.)
- Heideman v. South Salt Lake City, 348 F.3d 1182, 1189 (10th Cir.)
- Wisconsin Gas Co. v. FERC, 758 F.2d 669, 674 (D.C. Cir.)
- DTC Energy Group, Inc. v. Hirschfeld, 912 F.3d 1263, 1271 (10th Cir.)
- U.S. Auto Parts Network, Inc. v. United States, 307 F. Supp. 3d 1373, 1377 (Ct. Int'l Trade)
- Harmoni International Spice, Inc. v. United States, 211 F. Supp. 3d 1298, 1307 (Ct. Int'l Trade)
- Tanasse v. City of St. George, No. 97-4144, 172 F.3d 63 (Table), 1999 WL 74020, at *3 (10th Cir.)
- FDIC v. Mallen, 486 U.S. 230, 243 (1988)
- Diné Citizens Against Ruining Our Environment v. Jewell, 839 F.3d 1276, 1281 (10th Cir.)
- Davis v. Mineta, 302 F.3d 1104, 1111 (10th Cir.)
- Eve of Milady v. Impression Bridal, Inc., 957 F. Supp. 484, 487 (S.D.N.Y.)
- Camuglia v. City of Albuquerque, 448 F.3d 1214, 1222-23 (10th Cir.)
- Clark v. City of Draper, 168 F.3d 1185, 1190 (10th Cir.)
- Moore v. Guthrie, 438 F.3d 1036, 1040 (10th Cir.)
- Uhlig v. Harder, 64 F.3d 567, 574 (10th Cir.)
- Barry v. Barchi, 443 U.S. 55, 64 (1979)
- Perry v. Sindermann, 408 U.S. 593, 601 (1972)
- Board of Regents of State Colleges v. Roth, 408 U.S. 564, 577 (1972)
- Club Misty, Inc. v. Laski, 208 F.3d 615, 618 (7th Cir.)
- Price v. Reed, 725 P.2d 1254, 1260 (Okla.)
- Johnson v. Board of Governors of Registered Dentists, 913 P.2d 1339, 1345 (Okla.)
- Hund v. Cuomo, 501 F. Supp. 3d 185, 203 (W.D.N.Y.)
- Collins v. City of Harker Heights, Texas, 503 U.S. 115, 128-29 (1992)
- United States Department of Agriculture v. Moreno, 413 U.S. 528, 534 (1973)
- Romer v. Evans, 517 U.S. 620, 632 (1996)
- Goldberg v. Kelly, 397 U.S. 254, 262 (1970)
- SEC v. Jarkesy, 603 U.S. 109 (2024)

- Conoco, Inc. v. State Department of Health, 651 P.2d 125, 128-32 (Okla.)
- Nexstar Media, Inc. v. Walters, 776 F. Supp. 3d 1053, 1060 n.3 (W.D. Okla.)
- Nken v. Holder, 556 U.S. 418, 435 (2009)
- Northeastern Patients Group v. United Cannabis Patients & Caregivers of Maine, 45 F.4th 542, 560 n.2 (1st Cir.)
- Fourth Corner Credit Union v. Federal Reserve Bank of Kansas City, 861 F.3d 1052 (10th Cir.)
- United States v. McIntosh, 833 F.3d 1163, 1177 (9th Cir.)
- In re Way to Grow, Inc., 597 B.R. 111 (Bankr. D. Colo.)

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