

COURT OF APPEALS OF ARKANSAS, DIVISION 1

Dragan Vicentic, Licensee, D/B/A Green Springs Medical, LLC v.
Arkansas Alcoholic Beverage Control Board

2026 Ark. App. 170 (Ark. Ct. App. 2026) · No. CV-25-140 · Decided March 11, 2026

SUMMARY

The Arkansas Court of Appeals affirmed the revocation of Green Springs Medical LLC’s medical-marijuana dispensary license by the Arkansas Alcoholic Beverage Control Board. The court held that substantial evidence supported findings of inventory, sanitation, labeling, advertising, and expired-testing-date violations, and that the agency followed lawful procedures, including providing notice that the penalty could include license revocation.

CASE DETAILS

COURT	Court of Appeals of Arkansas, Division 1
WRITING FOR THE COURT	Casey R. Tucker; Klappenbach, C.J.; Hixson, J.
JURISDICTION	Arkansas Court of Appeals, Division 1
DECIDED	March 11, 2026
DOCKET	CV-25-140
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a Garland County Circuit Court order affirming the Arkansas Alcoholic Beverage Control Board's decision revoking Green Springs Medical LLC's medical-marijuana dispensary license.
STANDARD OF REVIEW	Under the Arkansas Administrative Procedure Act, the court reviews the agency's decision rather than the circuit court's decision. It determines whether substantial evidence supports the agency's decision and whether the decision violates the APA, is arbitrary or capricious, or constitutes an abuse of discretion. Substantial evidence is relevant evidence that a reasonable mind might accept as adequate to support the agency's conclusion. The court will not overturn an agency's interpretation of its own regulation unless it is clearly wrong.
PRECEDENTIAL VALUE	published
PARTIES	Dragan Vicentic, Licensee, D/B/A Green Springs Medical, LLC v. Arkansas Alcoholic Beverage Control Board

TOPICS

judicial review of agency action

administrative law

agency adjudication

standard of review

medical licensing

PRACTICE AREAS

administrative law

medical marijuana licensing

appellate procedure

health law

QUESTIONS PRESENTED

1. Whether substantial evidence supported the ABC's revocation of GSM's dispensary license.
2. Whether the ABC revoked GSM's license through unlawful procedure by imposing a sanction greater than the proposed settlement fine without adequate notice.

HOLDINGS

1. Substantial evidence supported the Board's determination that GSM committed multiple regulatory violations constituting grounds for revocation, and the decision was not arbitrary, capricious, or an abuse of discretion.
2. The ABC followed lawful procedures and provided adequate notice that a hearing could result in an increased sanction, including suspension or revocation, rather than merely the proposed settlement fine.

KEY QUOTATIONS

“The pertinent question before us is “whether there is relevant evidence that a reasonable mind might accept as adequate to support the agency’s conclusion. The issue is not whether the appellate court would have made a different decision but whether reasonable minds could conclude as the agency did.”” (at 6)

“In sum, there is no evidence that GSM was punished for not accepting the proposed fine of \$28,100; the rules do provide for an increase in punishment above that proposed in the offer of settlement, and the ABC did provide notice that the punishment could be increased up to and including license revocation.” (at 9)

FACTUAL BACKGROUND

Green Springs Medical LLC operated a medical-marijuana dispensary in Hot Springs, Arkansas. ABC inspections in March and August 2023 found substantial inventory discrepancies, failure to conduct required comprehensive inventories, unsanitary processing conditions, prohibited marijuana-consumption imagery, and products with expired or missing testing information. Despite receiving notice that products with expired testing dates should not be sold, GSM sold more than 1,800 such products. The ABC director revoked GSM's license, and the Board affirmed after a hearing.

PROCEDURAL HISTORY

The ABC Enforcement Division offered GSM a settlement involving a \$28,100 fine. GSM requested a hearing, after which the ABC director revoked its license based on multiple regulatory violations. GSM appealed to the

Board, which affirmed the revocation. The Garland County Circuit Court affirmed the Board's decision, and GSM appealed to the Arkansas Court of Appeals.

DISPOSITION

affirmed

CASES CITED

- Ark. Bev. Retailers Ass'n, Inc. v. Moore, 369 Ark. 498, 256 S.W.3d 488 (2007)
- Baldwin v. Ark. Dep't of Transp., 2025 Ark. App. 114, 708 S.W.3d 793
- Collie v. Ark. State Med. Bd., 370 Ark. 180, 258 S.W.3d 367 (2007)
- Nash v. Ark. Elevator Safety Bd., 370 Ark. 345, 259 S.W.3d 421 (2007)

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