IN THE IOWA DISTRICT COURT FOR POLK COUNTY

CARL OLSEN,
        Petitioner,
 	
        v.
 	
STATE OF IOWA
        Respondent.
	No. CVCV068508
	
	THIRD SUPPLEMENTAL BRIEF IN SUPPORT OF RESISTANCE TO MOTION TO DISMISS

STANDING

The case the respondent cites on page 3 in its motion to dismiss, *LS Power Midcontinent, LLC v. State*, 988 N.W. 2d 316 (Iowa 2023), supports the petitioner's argument for standing. *Id*., at 330 ("To demonstrate sufficient imminence, '[o]nly a likelihood or possibility of injury need be shown'; '[a] party need not demonstrate injury will accrue with certainty, or already has accrued.'")

Mr. Olsen is not willing to be arrested again. Mr. Olsen has not been able to bring a civil action to redress ongoing and irreparable injury. The Religious Freedom Restoration Act (RFRA) gives the state's consent to being sued. Mr. Olsen has no other process to obtain a remedy. By the time consent was given, the state had significantly altered its tolerance for THC the psychoactive component in cannabis and developed a new tolerance for federal crime. Medical use of cannabis is only a federal crime in Iowa because the state refuses to obtain federal registration under 21 U.S.C. § 822(d). The state no longer has a compelling interest in denying exceptions and has never had any excuse for denying due process.

If the civil judicial remedy created by the RFRA, or even an administrative process like the one gutted from Iowa's version of the uniform controlled substances act in 1971, had been available to Mr. Olsen before now, Mr. Olsen would have used it at the first opportunity. The RFRA claim is much stronger now with these significant changes to state cannabis policy.

Dated April 27, 2025.

Respectfully submitted.

CARL OLSEN

/s/ Carl Olsen

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