

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

CARL OLSEN, Petitioner, v. STATE OF IOWA Respondent.	No. CVCV068508 <i>MOTION FOR WAIVER OF JURY TRIAL AND WAIVER OF DAMAGES</i>
---	---

Petitioner Carl Olsen respectfully moves the Court for waiver of jury trial and waiver of damages.

In support, the Petitioner states:

1. On April 30, 2025, the Court scheduled Jury Trial (Docket No. 0015) to commence on August 10, 2026, Expected Length of Trial : 3 DAYS, The amount in controversy exceeds \$10,000.
2. The Petitioner has not asked for a jury trial.
3. The Respondent has not asked for a jury trial.
4. The Petitioner has not asked for damages.

On Wednesday, January 7, 2026, at 10:38 AM, the Respondent answered an inquiry from the Petitioner asking if the Respondent was going to resist the Motion for Reconsideration (Docket No. 0034) filed by the Petitioner on December 22, 2025. The Respondent stated as follows:

Good morning Mr. Olsen. Both of us have asked the court to rule on the legal ramifications of mostly undisputed facts. Unfortunately, the court has declined to do that. Frankly, I think there is plenty in our respective filings for the court to declare one or the other of us the winner on our legal arguments. If I file something in response to your recent filings it will likely be a straightforward statement that your filings again demonstrate why this case is ripe for the court to decide the case as a matter of law.

The Petitioner agrees with the Respondent.

There are no disputed facts and the Court should decide the legal questions as a matter of law. The Petitioner claims First Amendment civil rights protection. The Respondent has not shown any compelling interest in imprisoning the Petitioner for the use of the cannabis plant for religious worship in the privacy of his own home, Iowa Code § 124.401(5)(b). The Petitioner is not claiming a right to share cannabis with, or distribute cannabis to, any other person. The Petitioner is not claiming any damages.

The statute has been amended to allow use of THC by persons with qualifying medical conditions, § 124.401(5)(c), and by the general public, § 124.204(7), violating the Fourteenth Amendment Equal Protection clause rights of the Petitioner. The Respondent has no legal authority to grant a religious exemption to the Petitioner as a lesser restrictive means of enforcing the statute, violating the Fourteenth Amendment Due Process clause civil rights of the Petitioner.

There are no disputed facts for a jury to decide. This case is ripe for the Court to decide the case as a matter of law.

Dated January 9, 2026.

Respectfully submitted.

CARL OLSEN

/s/ Carl Olsen

CARL OLSEN, Pro Se
130 E. Aurora Ave.
Des Moines, IA 50313
Phone: 515-343-9933
Email carl@carl-olsen.com

Copy to:

Jeffrey Peterzalek
Deputy Attorney General
Department of Justice
Hoover State Office Building, 2nd Floor
Des Moines, IA 50319
by
ECF System Participant (Electronic Service)