

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

<p>CARL OLSEN, Petitioner,</p> <p>v.</p> <p>STATE OF IOWA Respondent.</p>	<p>No. CVCV068508</p> <p><i>MOTION FOR LEAVE TO FILE SECOND MOTION FOR SUMMARY JUDGMENT</i></p>
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Petitioner Carl Olsen respectfully moves the Court for leave to file a second Motion for Summary Judgment.

In support, the Petitioner states:

1. On January 16, 2026 (D0038), the Court cited deficiencies in both the first Motion for Summary Judgment filed by the Petitioner on September 25, 2025 (D0022) and in the Motion to Reconsider filed by the Petitioner on December 22, 2025 (D0034):

In this case, the primary issue that led to the denial of both parties' motions for summary judgment was the lack of undisputed facts identified in support of their respective motions. As such, the court cannot summarily enter judgment when undisputed facts were not cited. The Petitioner now provides the statement of material facts and an affidavit. This is new evidence and should not be considered on reconsideration.

2. On December 12, 2025 (D0033), the Court cited an issue that had not been fully briefed in the First Motion for Summary Judgment filed by the Petitioner on September 25, 2025 (D0022).

At page 8 (D0033):

In his second supplemental brief resisting a prior motion to dismiss (D0013), he does argue there are less restrictive ways of furthering the government's interests. It is puzzling to this court why the Petitioner did not renew this argument on the motions for summary judgment.

3. On January 21, the Respondent sent an email to the Petitioner replying as follows: the Respondent has no objection to this Motion for Leave to File a Second Motion for Summary Judgment; the Respondent repeated again there are no facts in dispute and

there is nothing for a jury to decide in this case; the Respondent reserves the right to file a resistance to a second Motion for Summary Judgment; the Respondent reserves the right to file a second cross Motion for Summary Judgment.

4. Attached to this motion are the Second Motion for Summary Judgment by the Petitioner, a brief in support of the motion, a Statement of Material Facts, and an Affidavit of the Petitioner. Iowa R. Civ. P. 1.981(5) and 1.981(8).

WHEREFORE, the Petitioner, for good cause shown, prays the Court grant Leave to File a Second Motion for Summary Judgment.

Dated March 4, 2026.

Respectfully submitted.

CARL OLSEN

/s/ Carl Olsen

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