

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>MOTION FOR JUDICIAL NOTICE Iowa R. Evid. 5.201</p>
------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------

Petitioner Carl Olsen respectfully asks this Court to take Judicial Notice of the following:

1. Registration Waiver, Controlled Substances Act (CSA)¹, Pub. L. No. 91-513, 84 Stat. 1236, 1253 (October 27, 1970), Section 302(d), 21 U.S.C. § 822(d)², a copy of Section 302(d) is attached to this motion.
2. Exception for Religious use of Peyote, 21 C.F.R. § 1307.31³, authorized by 21 U.S.C. § 822(d), a copy of 21 C.F.R. § 1307.31 is attached to this motion.
3. Peyote Exception, 36 Fed. Reg. 7801-7802, Apr. 24, 1971, authorized by 21 U.S.C. § 822(d), a copy of 36 Fed. Reg. 7801-7802 is attached to this motion.
4. Registration Waiver, Uniform Controlled Substances Act⁴, Section 302(d), a copy of Section 302(d) is attached to this motion.
5. Registration Waiver, 1971 Iowa Drug Abuse Study Committee⁵, Section 302(4), a copy of Section 302(4) is attached to this motion.
6. Registration, Iowa Uniform Controlled Substances Act, 1971 Acts Chapter 148, Section 302, Iowa Code § 124.302⁶, a copy of Section 302 is attached to this motion.

¹ <https://www.govinfo.gov/content/pkg/STATUTE-84/pdf/STATUTE-84-Pg1236.pdf>

² <https://www.govinfo.gov/link/uscode/21/822>

³ <https://www.ecfr.gov/current/title-21/part-1307/section-1307.31>

⁴ <https://www.uniformlaws.org/committees/community-home/librarydocuments?communitykey=9873a9bf-7335-4be7-855d-b17c9e8ff3dd>

⁵ <https://www.legis.iowa.gov/docs/publications/IP/255497.pdf>

⁶ <https://www.legis.iowa.gov/docs/code/124.302.pdf>

Foundation: Section 302(d) of the United States Controlled Substances Act (USCSA), § 302(d) of the Uniform Controlled Substances Act (UCSA), and § 302(4) of the Uniform Controlled Substances Act as revised and recommended by the Iowa Drug Abuse Study Committee in 1971 all include a registration waiver, the same registration waiver that authorizes the federal peyote exemption, 21 C.F.R. § 1307.31.

The Iowa Controlled Substances Act omits the registration waiver from § 302. Section 302 has six subsections in the USCSA, in the UCSA, and in the act recommended by the Drug Abuse Study Committee, but § 302 of the Iowa Uniform Controlled Substances Act (IUCSA) only has five subsections.

Relevance: The relevance of this evidence is that it shows the least restrictive means of accommodating a religious exception in the IUCSA is an act of the legislature. The federal accommodation for religious use of peyote is a regulation authorized by 21 U.S.C. § 822(d), not in a statute. At the federal level, the least restrictive means of enforcing the federal act is an administrative regulation, 21 C.F.R. § 1307.31. At the Iowa level, the least restrictive means of enforcing the act is an amendment to the act, not an administrative regulation.

Dated June 10, 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)