

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

CARL ERIC OLSEN,	*	
	*	
Plaintiff,	*	No. 4-07-CV-00023-JAJ-RAW
	*	
v.	*	MOTION FOR SUMMARY JUDGMENT
	*	TO ENJOIN STATE DEFENDANTS
ALBERTO R. GONZALES, et al.,	*	FROM INTERFERING WITH PLAINTIFF'S
	*	ESTABLISHMENT AND FREE EXERCISE
Defendants.	*	OF RELIGION

MOTION FOR SUMMARY JUDGMENT TO ENJOIN STATE DEFENDANTS FROM INTERFERING WITH THE PLAINTIFF'S ESTABLISHMENT AND FREE EXERCISE OF RELIGION

The Plaintiff respectfully moves the Court to grant summary judgment enjoining the State Defendants from interfering with the Plaintiff's Establishment and Free Exercise of Religion to use Marijuana as his sacrament. There are no material facts in dispute and that the Plaintiff is entitled to a judgment as a matter of law.

The Plaintiff has the right to Communion with his Creator through Assembly and Worship with members of his Faith. That right cannot be denied without evidence of an injury to another person. The mere fact that Iowa made Marijuana illegal does establish an injury where no injury exists.

Wherefore, because the Plaintiff has met his burden of proof under the Compelling Interest Test and the State Defendants have failed to meet their burden of proof under the compelling interest test, the Plaintiff respectfully moves the court to grant summary judgment enjoining the State Defendants from interfering with the Establishment and Exercise of the Plaintiff's Religion.

Respectfully submitted this 2nd day of July, 2007

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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of July, 2007 all of the following Defendants are ECF system registrants and copies of this reply are being distributed to them electronically by the Court pursuant to the Court's Text Order of May 3, 2007 (Docket Entry 32):

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