

IN THE IOWA DISTRICT COURT FOR BOONE COUNTY

<p>ADRIA KESTER,</p> <p>Petitioner,</p> <p>v.</p> <p>BOONE COUNTY; BOONE COUNTY SHERIFF’S DEPARTMENT; AND ANDY GODZICKI, in his official capacity as Sheriff of Boone County and Lawful Custodian of Records</p> <p>Respondent.</p>	<p>Case No. CVCV043297</p> <p>PETITION FOR INJUCTIVE RELIEF</p>
---	---

COMES NOW Petitioner Adria Kester, and for cause of action against Respondents, Boone County, Boone County Sheriff’s Department, Andy Godzicki, in his official capacity as Sheriff of Boone County, Iowa and Lawful Custodian, states as follows:

INTRODUCTION

The petitioner is seeking an injunction to prevent the release and disclosure of law enforcement investigative records pursuant to two separate Freedom of Information Act requests under Iowa Code Chapter 22. In total, the requested records comprise the complete law enforcement investigative file stemming from her arrest for operating while intoxicated on November 4, 2025. One of the requesting parties appears to be an individual who has identified herself as an “Independent Media” and has requested the records "for purposes of legal analysis, oversight, and transparency in a matter of public interest in the decision-making and accountability of law-enforcement." The other request only seeks “body camera footage of members of the sheriff’s office interaction with Adria Kester when she was conscious during and after her arrest

on Nov. 4, 2025.” However, the criminal matter has been fully resolved by way of a written guilty plea in which the Petitioner plead guilty as charged and was sentenced according to the parameters of the law. No allegations of misconduct by any members of law enforcement have been alleged nor have any other allegations of misconduct or impartial treatment been alleged.

These records contain medical information and other private information for which she possesses both constitutional and statutory rights to privacy under State and Federal law. Moreover, the disclosure of these records are not in the public interest, and the disclosure of these records would substantially and irreparably injure the Petitioner. As such, the Petitioner is seeking injunctive relief from this court. This Petition for injunction is supported by Affidavits of Ms. Kester and Denise Stadter which are attached hereto and incorporated here in by reference as Exhibits 1 and 2 respectively.

I. PARTIES AND JURISDICTION

1. Adria Kester is an individual residing in Boone County, Iowa who is the subject of the law enforcement records at issue and will be substantially and irreparably injured by their public release.
2. Andy Godzicki is the duly elected Sheriff of Boone County, Iowa, having his primary office located in Boone County Iowa and the lawful custodian of the records that are the subject of this petition and he is named in his official capacity.
3. Boone County Sheriff’s Office, is the active Boone County Law enforcement agency responsible for protecting and serving the citizens of Boone County Iowa through the active investigation and enforcement of local, state, and federal laws, having their

- primary officer located in Boone County, Iowa and are also considered the lawful custodian of the requested records.
4. Boone County Iowa is a recognized legal entity having their principle place of business located in Boone County, Iowa and are responsible for the oversight of the Boone County Sheriff's Department and considered a lawful custodian of the requested records.
 5. This Court has jurisdiction over this matter pursuant to Iowa Code sections 22.5 and 22.8. Petitioner is a person who would be aggrieved and adversely affected by the examination, copying, or release of the records at issue and is expressly authorized to seek an injunction under Iowa Code sections 22.5 and 22.8(4)(e).
 6. Venue is proper in Boone County, the county of the lawful custodian's principal place of business and where the request to release the records was directed.
 7. No other petition for injunction addressing these issues has previously been presented to or denied by any other court.

II. BACKGROUND AND FACTS

8. On or about November 4, 2025, Petitioner was arrested by the Boone County Sheriff's Office in connection with an incident that resulted in a formal criminal charge of operating while intoxicated-first offense in violation of Iowa law.
9. During the course of the investigation, the Petitioner was subjected to medical examinations and questions by medical personnel, she was subjected to a search

warrant which compelled her to produce a specimen of her blood for chemical testing, that blood was tested and revealed confidential and protected health information.

10. At the time of her arrest the Petitioner was a licensed attorney in the State of Iowa and the acting Chief Judge of the Second Judicial District.
11. On December 2, 2025, Petitioner entered a guilty plea to operating while intoxicated first offense and was sentenced in Boone County Case number OWCR117045 in the Iowa District Court for Boone County. *See* D0016.
12. The Petitioner is no longer the acting Chief Judge of Iowa however she is still employed through the judiciary and has maintained her license to practice law. *See* Exhibit 1.
13. The criminal matter is fully resolved and no appeal is pending.
14. The criminal complaint, trial information, guilty plea, and sentence constitute the entirety of the public record arising from the underlying incident.
15. No body camera footage, officer narrative reports, booking footage, blood test results, forensic analysis, search warrant materials, or other investigative records have ever been publicly released or disclosed, and those records exist solely within the Sheriff's Office file.
16. On April 24, 2026, Julia Hayes, identifying herself as "Independent Media" submitted a public records request to the Boone County Sheriff's Office under Iowa Code chapter 22 seeking all records associated with Petitioner's arrest.

17. The request stated it was made "for purposes of legal analysis, oversight, and transparency in a matter of public interest in the decision-making and accountability of law-enforcement."
18. "Independent Media" is not a registered business entity, a credentialed press organization, or a recognized journalistic enterprise in Iowa or elsewhere.
19. The request identifies only generalized interests in transparency and legal analysis without articulating any specific accountability concern materially advanced through release of the records at issue.
20. On May 5, 2026, counsel for the Boone County Sheriff (Matt Speers) notified Petitioner's counsel by email that the Sheriff has reviewed and redacted the requested file and intends to release those materials no sooner than Wednesday, May 13, 2026, at 4:30 P.M. No redaction log was produced identifying which information was redacted from the documents intending to be released.
21. Respondent's counsel acknowledged that Petitioner may pursue injunctive relief before that deadline in which the filing of said petition would halt the voluntary disclosure of the requested materials by the sheriff until there has been a judicial determination on that petition.
22. The records the Sheriff intends to release include the following categories of materials:
 - a. Body camera footage from Deputy Braunschweig;
 - b. Photos and video footage from Deputy Larson;
 - c. Video footage from Sergeant McCrea;

- d. Sally port booking video recorded inside the jail facility at the time of Petitioner's booking;
 - e. Radio audio and 911 call recordings;
 - f. Petitioner's blood test results;
 - g. A retrograde analysis report -- a forensic pharmacology document extrapolating Petitioner's blood alcohol content backward in time -- prepared in connection with the prosecution;
 - h. The arrest report;
 - i. The incident report;
 - j. The 8-10 Larson report;
 - k. The complaint;
 - l. The search warrant application; and
 - m. The search warrant log.
23. The requested materials are not isolated records capable of independent evaluation and together, they constitute a comprehensive audiovisual, documentary, and forensic reconstruction of Petitioner's arrest, physical condition, compelled testing, custodial processing, and investigative assessment.
24. A second request for information was submitted to the Boone County Sheriff on May 6, 2026, by Tyler Jett and this request was seeking "body camera footage of members of the sheriff's office interaction with Adria Kester when she was conscious during and after her arrest on Nov. 4, 2025."

25. Each of these requests seek materials which contain information that if disclosed would publicly release information about Petitioner's medical condition(s) and other personally sensitive information and would cause her irreparable harm. *See* Exhibits 1 and 2.
26. There is an ongoing confidential investigation in which the disclosure of these materials may influence or otherwise jeopardize and/or destroy the confidential nature and purpose of those proceedings. *See* Exhibit 1.

III. INJUNCTIVE RELIEF IS AVAILABLE TO THE PETITIONER.

27. Requests for records under Chapter 22 can be defeated by showing the records or information sought are confidential under Iowa Code Section 22.7 or by having the district court "exercise discretion" under Iowa Code Section 22.8 which is "an equitable relief valve" to the disclosure requirements of Chapter 22. *Burton v. University of Iowa Hosps. & Clinics*, 566 N.W.2d 182, 188 (Iowa 1997).
28. Iowa Code Section 22.5 provides that "the provisions of this chapter and all rights of persons under this chapter may be enforced by mandamus or injunction, whether or not any other remedy is also available."
29. Iowa Code Section 22.7 lists over seventy types of records and/or information which the legislature has identified as being confidential and therefore not subject to disclosure under as part of Chapter 22 request.

30. On the other hand, Iowa Code section 22.8(1) authorizes the district court to “grant an injunction restraining the examination, including copying, of a specific public record or a narrowly drawn class of public records.”
31. This section provides that “a hearing *shall* be held on a request for injunction upon reasonable notice as determined by the court to persons requesting access to the record which is the subject of the request for injunction” thereby mandating that the court set a hearing on this petition. *See In re Det. Fowler*, 784 N.W.2d 184, 187 (Iowa 2010) (“in a statute, the word ‘shall’ generally connotes a mandatory duty.”; *Vaccaro v. Polk Cnty.*, 983 N.W.2d 54, 60 (Iowa 2022)(“we have held that the party opposing release [of records under Chapter 22] is entitled to a hearing first.”).
32. An injunction may be issued upon a showing, by clear and convincing evidence, that (a) that examination would clearly not be in the public interest, and (b) that examination would substantially and irreparably injure any person. Iowa Code § 22.8(1) and (3).
33. Both Iowa Code Section 22.7 and 22.8, along with other confidentiality protections and considerations are at issue in the instant proceeding which preclude the disclosure of the requested information.

IV. THE REQUESTED RECORDS ARE NOT SUBJECT TO DISCLOSURE BECAUSE THEY CONTAIN PROTECTED INFORMATION OR ARE CONFIDENTIAL.

A. The Constitutional Right to Privacy Prevents Disclosure.

34. Citizens are constitutionally protected by a “zone of privacy” which generally involves the “individual interest in avoiding disclosure of personal matters” and “the interest in

- independence in making certain kinds of important decisions.” *Whalen v. Roe*, 429 U.S. 589, 599-600 (1977); *Ferguson v. City of Charleston*, 532 U.S. 67 (2001).
35. This constitutionally protected privacy right applies to medical information. *McMaster v. Iowa Bd. of Psychology Examiners*, 509 N.W.2d 754, 759 (Iowa 1993).
 36. The United States Supreme Court has also recognized “any compelled intrusion into the human body implicate significant, constitutionally protected privacy interests.” *Missouri v. McNeely*, 569 U.S. 141, 159 (2013).
 37. As such, when someone is seeking constitutionally protected information a balancing test is utilized weighing “the privacy interest...against such public interests as the societal need for information.” *McMasters*, 509 N.W.2d at 759.
 38. When applying this balancing test, the burden rests on the party requesting the information “to establish the need for intrusion on a person’s right of privacy.” *Id.*
 39. When applying the balancing, there is no societal interest that would outweigh the invasion of the Petitioner’s constitutional privacy interests.
 40. The public is aware of the general nature and circumstances of the offense substantiating the charge through the filing of the criminal complaint and the trial information.
 41. The Petitioner plead guilty to the offense as charged taking full responsibility for her actions and she was sentenced in accordance with the law.
 42. There are no allegations that she received favorable treatment or that there was any misconduct that occurred during the course of the investigation or litigation.

43. All of the Petitioner's court proceedings were open to the public for scrutiny when they occurred.
44. In short, there is nothing the public would gain by disclosing the requested information and the Petitioner's constitutional privacy interest outweighs the societal need for information.
45. Thus, to the extent that disclosure of the requested information would violate the Petitioner's "zone of privacy" utilizing the above balancing test, then the constitutional right to privacy must give way to the right of disclosure under Chapter 22. *Varnum v. Brien*, 763 N.W.2d 862 (Iowa 2009) (concluding that statutory mandates must yield to constitutional protections)

B. Federal Law Prevents Disclosure.

i. The American's With Disability Act Precludes Disclosure.

46. Title II of the American's with Disability Act (ADA) provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participating in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. § 12132.
47. Similarly, 28 C.F.R. § 35.130(b)(3)(i) prohibits a public entity from utilizing "criteria or methods of administration" that have the effect of subjecting individuals with disabilities to discrimination.
48. Nor may a public entity "utilize criteria or methods of administration" which have the purpose or effect of defeating or substantially impairing accomplishment of the

objectives of the public entity's program with respect to individuals with disabilities.

28 C.F.R. § 35.130(b)(3)(ii)

49. The petitioner suffers from a medical disability covered by the American's with Disabilities Act.
50. Evidence of this disability is contained within the requested documents to be released that were obtained while the Sheriff's office was performing a "service" for the Petitioner. *Gorman v. Barch*, 152 F.3d 907 (8th Cir. 1998) (holding the ADA applies to the "arrest, booking, and transportation" of suspects)
51. Additionally, the Sheriff's office is also attempting to perform a "service" by disclosing this information pursuant to the Chapter 22 request.
52. The disclosure of this information would be discriminatory because of the stigma and harm that would follow the public disclosure of a disability or medical crisis and would pose an "irreparable injury". 28 C.F.R. § 35.130(b)(3).
53. More importantly, the disclosure of this information would substantially impair the accomplishments of the Sheriff's department—the rehabilitation of the Petitioner and/or the protection of the public. 28 C.F.R. § 35.130(b)(3)(ii).
54. As such, application of the ADA protections in this case would preclude disclosure of the requested information.

ii. Federal Protections Under FOIA Provide a Framework for Analysis which Prevent Disclosure.

55. Protections under the Federal Freedom of Information Act set the national standard for when and how private information should be disclosed.
56. For example under exemption 7(C) of the federal Freedom of Information Act, the United States Supreme Court has recognized that the family of a decedent has a protected privacy interest in the release of death scene photos and that unless the privacy interest is outweighed by the public interest in disclosure then there can be no disclosure in order to protect the privacy interest. *Nat'l Archives & Records Admin. V. Favish*, 541 U.S. 157 (2004) (precluding disclosure under the federal FOIA because the privacy interest of the family outweighed the public need to have the information); *DOJ v. Reporters Comm. for Free Press*, 489 U.S. 749 (1989) (recognizing a common law right of individuals to “control information concerning his or her person” and denying the request to disclose personal rap sheets under exemption 7(C))
57. As such, “where there is a privacy interest protected by Exemption 7(C) and the public interest being asserted is to show that responsible officials acted negligently or otherwise improperly in the performance of their duties, the requester must establish more than a bare suspicion in order to obtain disclosure” by “producing evidence that would warrant a belief by a reasonable person that the alleged Government impropriety might have occurred.” *Id.* at 174.
58. A similar approach has been utilized to protect personal privacy under exemption 6 of the federal FOIA statute. *United States Dep't of State v. Wash. Post Co.*, 456 U.S. 595 (1982) (concluding that “when disclosure of information which applies to a particular individual is sought from Government records, courts must determine whether release

- of the information would constitute a clearly unwarranted invasion of that persons' privacy interest.”)
59. Under each of these exemptions there is a recognized right to protect individuals from unwarranted invasion of that person's privacy and this approach should guide the court's interpretation and analysis for protecting privacy rights when requests for personal information are sought by the public under Chapter 22.
60. Moreover, these examples create a specific situation in which the federal law provides greater protections to individuals and therefore preempts any State law that does not provide similar protections
- iii. Because the Sheriff's Office receives federal funding and they are subject to losing that funding if they violate the ADA, the disclosure requirements of Chapter 22 are not applicable.**
61. Iowa Code Section 22.9 provides a bridge between federal law and state law so that Federal law supersedes Iowa Code Chapter 22 if the disclosure of information would impact federal funding or services to the agency. *Press-Citizen Co. v. Univ. of Iowa*, 817 N.W.2d 480 (Iowa 2012).
62. The Sheriff's office receives federal financial assistance and as such they are subject to losing financial funding by disclosing ADA protected information. *See generally* 29 U.S.C § 794 and 28 C.F.R. § 794.
63. Given that the Sheriff's office is subject to funding and/or service loss if they disclose ADA protected information, the Iowa code Section 22.9 acts as a kill switch to prevent the enforcement of any request for information under Chapter 22.

C. Iowa Law Precludes Disclosure.

i. The records and/or information sought are statutorily designated as confidential.

64. Iowa Code Section 22.7(5) provides that “peace officer investigative reports, privileged records, or information specified in section 80G.2” are confidential.
65. The confidential protections provided under Iowa Code Section 22.7(5) do not end simply because an investigation closes. *Mitchell v. City of Cedar Rapids*, 926 N.W.2d 222, 225 (Iowa 2019) (“police investigative reports do not lose their confidential status when the investigation closes.”)
66. In a similar vein, Iowa Code Section 22.2 protects “hospital records, medical records, and professional counselor records of the conditions, diagnosis, or treatment of a patient” as confidential.
67. And “when the records at issue fall within a categorical exemption in section 22.7...no balancing of interests is necessary for such an exemption” because “the legislature has performed its own balancing and made the police choice to protect such records categorical.” *Mitchell*, 926 N.W. 2d at 234.
68. Additionally, Iowa Code section 622.10 imposes a statutory medical confidentiality on “all knowledge and information gained by the physician in the observation and personal examination of the patient in the discharge of his duties.” *State v. Elderkamp*, 541 N.W.2d 877, 881 (Iowa 1995).

69. And the information placed into records are privileged communications under this section “to the same extent that the knowledge and information of the examining treating physician is privileged.” *Id.*
70. This right to privacy of medical information may not be overcome by law enforcement officers using an investigative subpoena. *State v. Sanders*, 6243 N.W.2d 858 (Iowa 2001).
71. During the course of the investigation, there were multiple inquiries made into possible medical conditions the Petitioner was experiencing, and information was disclosed about the Petitioner’s medical condition(s) to law enforcement officers, and medical providers who were on scene.
72. She was subjected to a forced withdraw of her blood, which was tested without her consent, and in which she has a constitutional right to privacy, which the Respondent is seeking to disclose.
73. In addition, the Petitioner is a licensed attorney in the State of Iowa, and because she is aware that there is an ongoing disciplinary investigation into this matter for which those records may be or may become part of that investigation, disclosure of those records to the public would destroy her confidentiality of those records in the licensing proceedings. *See Iowa Code Section 272C.6(4)(a).*
74. Given the various specific confidentiality protections at issue, Chapter 22 cannot trump specific confidentiality statutes. *Burton v. University of Iowa Hosps. & Clinics*, 566 N.W.2d 182 (Iowa 1997) (concluding that the specific disclosure requirements of Chapter 22 do not trump specific confidentiality statutes)

75. As such, because the requested records contain protected medical information and other private personal information, because the investigative reports are statutorily confidential, and because disclosure will likely intrude upon the confidentiality protections of any licensing investigations, they are not subject to disclosure and such disclosure would violate the Petitioner's statutory and constitutional rights.

ii. There are “unusual circumstances” which preclude the disclosure of additional information under Iowa Code Section 22.7(5).

76. Iowa Code Section 22.7(5) provides in part that “the date, time, specific location, and immediate facts and circumstances surrounding a crime or incident shall not be kept confidential under this section, *except in those unusual circumstances where disclosure would plainly and seriously jeopardize an investigation or pose a clear and present danger to the safety of an individual.*” Emphasis Added.

77. In the present case, disclosure of the requested documents would jeopardize the disciplinary investigation as the public disclosure of the names of witnesses and the information contained within those reports would likely lead those persons to be unwilling to cooperate in the disciplinary investigation knowing that the confidentiality of those proceedings has been jeopardized.

78. Moreover, the Petitioner has already been the subject of much public scrutiny and criticism, to the point where threats and innuendo have been made towards her and her husband following her arrest.

79. Releasing the requested information would not only fan these flames, it would also pose a serious mental and potential physical health risk to the Petitioner's wellbeing

not to mention derailing the efforts she has taken to foster her rehabilitation while she has been on probation. *See* Exhibits 1 and 2.

80. As such, this situation presents that “unusual circumstance” where disclosure would be precluded under Iowa Code Section 22.7(5).

iii. The “immediate facts and circumstances surrounding the crime” as required by Iowa Code Section 22.7(5) have already been disclosed and further disclosure is not contemplated by the statute.

81. As is relates the phrase “immediate facts and circumstances surrounding a crime” the undersigned was unable to locate any cases indicating what information this encompasses.
82. However, given that the minutes of testimony are afforded confidentiality in criminal proceedings, this phrase should necessarily simply include the information that is generally included in a preliminary complaint. *Compare* Ia. R. Crim. Pro. 2.55(3) (information for a preliminary complaint should contain “a concise statement of the act or acts constituting the offense) with Ia. R. Crim. Pro. 2.4(7)(a) and (c) (requiring a “full and fair” statement and requiring minutes to be confidential).
83. Moreover, it would be axiomatic to conclude that the legislature intended to keep police investigative files confidential but then undermine that confidentiality by requiring disclosure of some, or all of those records, in order to comply with the mandate to release the “immediate facts and circumstances surrounding a crime.”

84. In short, the requirements for releasing the “immediate facts and circumstances surrounding the crime” must be interpreted to be a more general statement of facts instead of the entire investigative file otherwise the exception would swallow the rule.
85. As such, the specific details of the offense including but not limited to the persons’ appearance on video, their statements or statements of others (especially those disclosing medical conditions), their specific contents of their blood samples, etc, are not necessary in order to comply with Iowa Code Section 22.7(5) and this information has already been publicly disclosed.

V. ASSUMING *ARGUENDO* THAT THE REQUESTED INFORMATION IS SUBJECT TO DISCLOSURE, BALANCING THE PUBLIC INTEREST AGAINST THE HARM TO PETITIONER PRECLUDES DISCLOSURE.

86. In the event that this court concludes that the requested documents are not protected as suggested above, then Iowa Code Section 22.8(1) must be interpreted to determine whether that section precludes disclosure.
87. Section 22.8(1) provides that even if records are not confidential, any disclosure request may still be precluded through an injunction if (a) the examination would clearly not be in the public interest and (b) the examination would substantially and irreparable injury any person.

i. Disclosure would not be in the public’s interest.

88. The public already knows that the Petitioner was arrested for operating while intoxicated, was charged with operating while intoxicated, plead guilty to operating while intoxicated, and was sentenced for that offense.

89. The criminal complaint provided a detailed description of the investigation and conclusions by law enforcement officers.
90. There is no identifiable ongoing public concern that the Petitioner is a continuing danger to the public or herself which has been identified.
91. There is no identifiable ongoing public concern that the Petitioner was treated preferentially through the criminal proceedings.
92. There is no identifiable ongoing public concern that there was police officer misconduct during the investigation which has been identified.
93. Special prosecutors and judges were appointed to avoid any appearance of impropriety and the criminal proceedings were open to the public for scrutiny.
94. This is not the type of case in which there has been national debate and concerns over race, policing, and public relations that would favor disclosure as were present in *Mitchell*. 926 N.W.2d at 235.
95. The public themselves have an interest in having their private affairs and medical conditions protected and releasing this information would destroy that protection for the public at large.
96. In short, it is inconceivable that the specific details of the investigation which include the disclosure of her personal private affairs would further in any meaningful way the purpose underlying the legislatures' enactment of Chapter 22.
97. Public access serves its highest purpose when it permits meaningful scrutiny of governmental decision-making. That interest is not materially advanced by wholesale

disclosure of investigative detail from a fully resolved criminal matter where no allegation of law-enforcement misconduct exists. Under these circumstances, disclosure would function less as a mechanism of public oversight and more as post-adjudication amplification of private factual detail already resolved through public judicial proceedings.

98. The public interest in disclosure of law enforcement records is strongest when those records illuminate government conduct: use of force, officer behavior, or institutional accountability. That rationale has limited application here. The records include highly personal biological testing data obtained through compelled criminal process, together with derivative forensic analysis prepared for prosecutorial use. These materials implicate substantial privacy interests while contributing little to public evaluation of governmental conduct. The records at issue document Petitioner's arrest for a private offense. There is no allegation of officer misconduct, no disputed use of force, and no matter of ongoing public safety concern. The underlying criminal matter has been fully adjudicated through a public guilty plea and sentence—most notably the Petitioner's acceptance of responsibility.

99. Taken together, these factors demonstrate that release of the records would clearly not be in the public interest within the meaning of Iowa Code section 22.8(1)(a). The accountability rationale that animates chapter 22 is not served by the wholesale disclosure of medical records, forensic analysis, booking footage, and comprehensive investigative materials generated in a resolved private criminal case.

ii. Disclosure would irreparably harm the Petitioner and/or others.

100. It is undisputed that the disclosure of this information would cause emotional and physical turmoil that would likely derail the Petitioner's rehabilitation efforts and create emotional and physical harm to the Petitioner. *See* Exhibits 1 and 2.
101. It is also likely that the Petitioner would suffer irreparable harm as it relates to her pending licensing investigation as it would destroy the confidentiality of those proceedings by disclosing to the public the identity of the witnesses and the nature of their interactions with the Petitioner.
102. Moreover, any public disclosure could influence any decision to impose licensing sanctions against her for her conduct.
103. Either of these would interfere with her due process rights to have a fair and impartial hearing on the merits of that action.
104. On a grander scale, allowing the disclosure of this information would likely have a chilling effect on others to be forthright with law enforcement officers, and/or medical professionals with whom they engage during the investigation of a crime if they know the private affairs may be disclosed to the public. *Doe v. Iowa State Bd. of Physical Therapy*, 320 N.W.2d 557 (1982) (recognizing the need for confidentiality in professional licensing proceedings to ensure the "free flow of information").
105. It may also have a chilling effect by discouraging citizens to get involved and report criminal conduct because they are afraid that their efforts will become a matter of public scrutiny.

106. It may also have a chilling effect on the willingness of officers to actively record their investigations if they know that their investigative materials will not remain confidential.
107. It may also have a chilling effect on medical professionals who are asked to collect bodily specimens from those who are accused of committing drunk driving offenses.
108. In short, it is easy to identify irreparable harm that will be suffered by both the Petitioner and the public if this information is disclosed.
109. The release of any additional information would subject the witnesses providing information to public disclosure which may impact their willingness to provide information in the future—whether it be for any further matters associated with this case or any other incidents they may witness.
110. The public disclosure of the information could influence any licensing board's decisions on whether to pursue disciplinary action or otherwise punish the petitioner including a more severe punishment in an effort to avoid public backlash.
111. On the other hand, there are significant constitutional and statutory privacy considerations as issue as outlined above which were not present and there is a real and ongoing concern that the disclosure of the requested information would be harmful to the petitioner and override her statutory and constitutional rights to privacy.
112. The injury from public release of these records would be immediate, concrete, and incapable of remedy. Video footage, audio recordings, medical records, and investigative documents, once released to a member of the public, cannot be recalled.

- No subsequent court order can undo the harm of disclosure. The irreparable nature of the injury is self-evident.
113. The harm to Petitioner is not merely the inconvenience or embarrassment it is the permanent, public exposure of Petitioner's medical information, physical condition, statements, and conduct across multiple video sources, a forensic expert report, a search warrant affidavit, and booking facility footage and in a form that will follow Petitioner indefinitely and that goes far beyond what the public record of conviction already reflects. The breadth of what the Sheriff intends to release is itself evidence of the severity of the potential harm.
114. There are concurrent confidential proceedings established under Iowa law whose integrity would be materially compromised by premature public disclosure of the records at issue. Disclosure of those proceedings is itself prohibited by law. Release of the underlying records before those proceedings have concluded would cause irreparable harm that extends beyond Petitioner's personal interests and cannot be remedied after the fact. Iowa has established the appropriate institutional process for addressing matters of this nature. That process should be permitted to run its course without being preempted by public disclosure of records whose release would prejudice it.
115. The harm to Petitioner, most importantly the emotional and physical damage she would suffer, substantially outweighs any benefit to the requester or the public from disclosure at this time.

VI. REQUEST FOR INJUNCTION

116. A temporary injunction is necessary to preserve the status quo pending a full hearing on this petition. Petitioner does not seek final adjudication on an emergency basis. Petitioner seeks only preservation of the status quo necessary to permit orderly judicial review under Iowa Code section 22.8 before irreversible public dissemination occurs.
117. Respondent has stated his intent to release the requested records no sooner than Wednesday, May 13, 2026, at 4:30. Once released, the records cannot be recalled and the harm to Petitioner will be complete and irreparable.
118. However, current counsel for the County and the Sheriff has indicated that in the event a petition for injunction is filed, they will not release any requested information until the petition has been ruled on and thereby by implication consents to a temporary injunction in this matter.
119. Iowa Code section 22.8(1) requires a hearing upon reasonable notice to persons requesting access to the record. Petitioner requests that the Court set the hearing at the earliest practicable date and, in the interim, issue a temporary injunction restraining Respondent from releasing the records pending that hearing in accordance with the parties agreement. Temporary restraint imposes minimal burden because it merely delays disclosure for the limited period necessary for hearing, whereas disclosure before review would permanently moot the statutory protections the legislature expressly provided.

120. Petitioner further requests that the Court waive the bond requirement in its discretion under Iowa Code section 22.8(2). A bond requirement would serve no protective function under the circumstances presented.

PRAYER FOR RELIEF

WHEREFORE, Petitioner Adria Kester respectfully requests that this Court:

- A. Set a prompt hearing on this matter, with direction to the parties on how notice is to be provided as required by Iowa Code section 22.8(1);
- B. Issue a Temporary Injunction, effective immediately and pending that hearing, prohibiting Respondent from releasing, disclosing, or otherwise permitting examination or copying of any records from Petitioner's law enforcement file that are the subject of the pending chapter 22 public records request, including but not limited to the body camera footage, booking video, blood test results, retrograde analysis report, search warrant materials, and investigative reports identified herein;
- C. Following hearing, issue a Permanent Injunction prohibiting the release of the records, or such narrowly tailored relief as the Court determines is warranted.
- D. Waive the bond requirement pursuant to Iowa Code section 22.8(2); and
- E. Grant such other and further relief as the Court deems just and equitable.

Respectfully Submitted,

GOURLEY, REHKEMPER,
& LINDHOLM, P.L.C.

By: /s/ *Matthew Lindholm*

Matthew T. Lindholm, AT0004746
440 Fairway, Suite 210
West Des Moines, IA 50266
Telephone No. (515) 226-0500
Email: mtlindholm@grllaw.com
ATTORNEY FOR PETITIONER

ORIGINAL FILED.

Copy to:
Matthew Speers,
Boone County Attorney, and
Attorney for Respondents

CERTIFICATE OF SERVICE	
The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on May 13, 2026.	
By:	<input type="checkbox"/> U.S. Mail <input type="checkbox"/> FAX <input type="checkbox"/> Hand Delivered <input type="checkbox"/> Overnight Courier <input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> E-Filed
Signature: Emily Croll	