

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

DUSTIN ROLAND,

Plaintiff,

v.

KATIE BYRD,

Defendant.

LAW NO. _____

**PETITION FOR IMMEDIATE
EX PARTE TEMPORARY
INJUNCTION**

COMES NOW the Plaintiff, Dustin Roland, and for his Petition hereby states as follows:

1. Dustin Roland is an individual and resident of Polk County, Iowa.
2. Katie Byrd is an individual and resident of Polk County, Iowa.
3. Roland has never met Byrd and has no relationship with her of any kind.
4. Byrd habitually and repeatedly posts harmful and derogatory messages on social media regarding Roland.
5. These messages include false claims, including claims of pedophilia.
6. These messages include statements about Roland's specific whereabouts during specific parts of the day and his place of employment.
7. These messages encourage self-harm and third-party violence towards Roland.
8. It is believed that Byrd is also handing out or posting flyers regarding Dustin Roland.
9. The actions by Byrd are ongoing and continuous.
10. These actions by Byrd have led to Roland receiving derogatory and threatening posts from third parties.
11. Byrd has used various names and identities to harass and stalk Roland.
12. The posts serve no legitimate purpose and are both annoying and harmful to Roland.
13. The actions of Byrd constitute "harassment" as that is defined under Iowa Code §708.7.

14. The actions of Byrd constitute “stalking” as that is defined under Iowa Code §708.11.
15. Allowing this harassment and stalking to proceed would lead to irreparable injury to Roland’s reputation, his employment, his emotional well-being and his family’s well-being.
16. There is no legal remedy available to stop this harassment, as the existence of criminal penalties does not preclude a party from obtaining injunctive relief and the threat of repeated misconduct would require a multiplicity of suits. (See *Opat v. Ludeking*, 666 N.W.2d 597 (Iowa 2003))
17. Byrd has a history of similar conduct with other victims, at least one of whom committed suicide after repeated posts by Byrd regarding an expunged charge. Byrd has actually used this victim’s name in encouraging Roland to kill himself. Byrd has also encouraged third parties to contact Roland’s place of employment.
18. Roland has prepared an affidavit that is attached to this Petition setting forth the facts behind this Petition.
19. Roland requests, and is entitled to, an immediate injunction against Byrd, prohibiting her from posting of any information or statements regarding Roland, whether online or otherwise, under any name, prohibiting her from initiating any contact with Roland, from approaching or contacting his home, workplace or any other location and prohibiting her from encouraging others from doing so. Roland also requests that this Order require Byrd to remove all of her online content regarding Roland.
20. Roland is entitled to a temporary injunction pursuant to Iowa R. Civ. P. 1.1502(1).
21. Pursuant to Iowa R. Civ. P. 1.1504 the undersigned certifies that no prior Petition has been previously presented to and refused by any Court.

22. “An injunction is warranted when necessary to prevent irreparable injury and when the plaintiff has no adequate remedy at law. *Hockenberg Equip. Co. v. Hockenberg's Equip. & Supply Co.*, 510 N.W.2d 153, 158 (Iowa 1993); *Myers v. Caple*, 258 N.W.2d 301, 304 (Iowa 1977). Thus, a party requesting injunctive relief must establish “(1) an invasion or threatened invasion of a right, (2) substantial injury or damages will result unless an injunction is granted, and (3) no adequate legal remedy is available.” *Skow v. Goforth*, 618 N.W.2d 275, 278 (Iowa 2000). In deciding whether an injunction should be issued, the court must weigh the relative hardships on the parties by the grant or denial of injunctive relief. *Myers*, 258 N.W.2d at 305.

A plaintiff has no adequate remedy at law when the threat of repeated misconduct would require a multiplicity of suits. *Hockenberg Equip. Co.*, 510 N.W.2d at 158; *Planned Parenthood of Mid-Iowa v. Maki*, 478 N.W.2d 637, 640 (Iowa 1991). The mere existence of criminal penalties does not preclude a party from obtaining injunctive relief. *Planned Parenthood of Mid-Iowa*, 478 N.W.2d at 640; *Hughes A. Bagley, Inc. v. Bagley*, 463 N.W.2d 423, 425 (Iowa Ct.App.1990).” *Opat v. Ludenking*, 666 N.W.2d 597, 603 – 604 (Iowa 2003)

23. *Opat* involved a case of stalking and harassment in a non-domestic situation and is directly on point.

24. Roland has never met Byrd and, beyond the stalking and harassment, has no connection of any kind with Byrd.

25. Roland has the right to be free of stalking and harassment, particularly when that stalking and harassment involves the encouragement of physical or emotional violence to Roland.

26. Substantial injury has occurred to Roland, and these injuries are getting progressively worse.

27. There is no adequate legal remedy available.

28. Roland is entitled to an immediate temporary injunction against Byrd.

29. Roland requests an ex-parte Order to stop this harassment and stalking and has attached such an Order.

30. Byrd is being served Notice of this Petition, with the server being provided the Notice and Petition on September 25, 2026.

31. Pursuant to Iowa R. Civ. P. 1.1507, no notice needs to be provided prior to entering a temporary injunction if an adequate reason is provided.
32. As the attached affidavit indicates, Byrd has orchestrated a phone campaign against Roland at his place of employment and is actively encouraging harassment by third parties at Roland's place of employment for the week of September 28, 2026.
33. Byrd has no legitimate purpose in her campaign of stalking and harassment, and will suffer no injury if ordered, temporarily, to cease and desist from such activities, pending a formally scheduled hearing for a permanent injunction.
34. For these reasons, notice should not be required to grant this temporary injunction.

WHEREFORE Dustin Roland requests the Court enter an immediate, ex parte Order prohibiting Byrd from the posting of any information or statements regarding Roland, under any name, whether online or otherwise, prohibiting her from initiating any contact with Roland, from approaching or contacting his home, workplace or any other location and prohibiting her from encouraging others from doing so, as well as instructing her to take down all online references to Dustin Roland.

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