FILED
IN THE OFFICE OF THE
CLERK OF SUPREME COURT
DECEMBER 23, 2021
STATE OF NORTH DAKOTA

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2021 ND 230

State of North Dakota, Plaintiff and Appellee

v.

Thomas Lynn Olsen, Defendant and Appellant

No. 20210127

Appeal from the District Court of Griggs County, Southeast Judicial District, the Honorable James D. Hovey, Judge.

AFFIRMED.

Per Curiam.

Jayme J. Tenneson, State's Attorney, Lakota, ND, for plaintiff and appellee.

Samuel A. Gereszek, Grand Forks, ND, for defendant and appellant.

State v. Olsen
No. 20210127

Per Curiam.

[¶1] Thomas Olsen appeals from a criminal judgment entered after a jury found him guilty of gross sexual imposition. On appeal, Olsen argues the district court erred in denying his N.D.R.Crim.P. 29 motion regarding time as an essential element. He also argues the court's preliminary ruling on probable cause pursuant to N.D.R.Crim.P. 4, 5, and 5.1 undermines the integrity of the judicial process. We summarily affirm under N.D.R.App.P. 35.1(a)(3) and (7); *State v. Montplaisir*, 2015 ND 237, ¶ 16, 869 N.W.2d 435 ("A defendant who is found guilty at trial may not, on appeal, challenge the district court's decision on probable cause at the preliminary hearing.").

[¶2] Jon J. Jensen, C.J.
Gerald W. VandeWalle
Daniel J. Crothers
Lisa Fair McEvers
Jerod E. Tufte