

IN CHAMPAIGN COUNTY COURT
FOR THE STATE OF ILLINOIS
101 E. Main, Urbana IL 61801

IN THE MATTER OF

JAMES FRANK OSTERBUR
2191 county road 2500 E
St. Joseph IL 61873

VS

Parties to the proceeding

THE STATE OF ILLINOIS

THE UNITED STATES OF AMERICA: *the guarantors of our
constitution, our democracy, our state rights, & our ownership as
WE THE PEOPLE.*

These are, “The principles of this case” guaranteeing to the citizens of
each state: that the state SHALL uphold and provide its constitutional
guarantees to each of their citizens. SHALL Protect the constitution,
as the true sovereign ruler & authority, of both state & nation.

FOR THE USA: **THE SOLICITOR GENERAL ROOM 5614,
Department of Justice, 950 Pennsylvania ave, NW Washington
DC 20530-0001**

The originating defendants:

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
box 19281 Springfield IL 62794-9276
IL DEPT OF AGRICULTURE OVERSIGHT AND ENFORCEMENT.
Box 19281 Springfield IL 62794-9281

Environmental protection agency for the USA, Chicago office IL:
US EPA region 5 Ralph Metcalfe Federal building 77 W. Jefferson
blvd Chicago IL 60604

Department of OSHA for this USA. Chicago area
701 Lee st. Suite 950 Des Plaines IL 60016

Department of traffic safety for IL
box 19245 Springfield IL 62794-9245

Department of human rights; 100 W. Randolph st. Chicago IL 60601-3218

added is

US ATTORNEY Gerard A. Brost 211 Fulton st. Suite 400, Peoria IL 61602

STATES ATTORNEY office Champaign county 101 E. Main st. Champaign IL 61801

IL ATTORNEY GENERAL 500 S. Second st. Springfield IL 62706

added as lawyers for the defense was:

IGNACIA S. MORENO Lawyer for epa requesting electronic filing from court/ no address to me.

AMY J. DONA Lawyer for US dept of justice/ environmental and natural resources division/ environmental defense section box 23986 Washington DC 20026-3986

THE GOVERNOR, for the state OF IL, PATRICK QUINN
207 state house, Springfield IL 62706

THE RETURN: to IL Case 10-mr-906
demand by US district court in case 11-cv-2023
dated: 10/ 21/11

Judge John R. Kennedy presiding

This trial returns from federal court case 11-cv-2023/ DEDICATED to the single truth: that **the sovereign rights of each and every citizen in this state of IL**, have been violated: to this date/ by the refusal of the courts, to abide within the law and guarantees of the constitution of this state of ILLINOIS. Its contractual guarantee to each citizen as is the fifth clause of the state of IL constitution. Between each citizen and each employee of IL: that contract is the reality of democratic authority as WE THE PEOPLE;

OUR constitution itself, SHALL RULE US ALL.

NOT you, the employee.

That foundation of all constitutional law means: **we are immune** from the actions of our employees with regard to those guarantees: as the contract provides. Not a judge/ not a governor/ not an attorney general or any other can withhold

these guarantees which we gave ourselves, UNDER THE LAW OF CONSTITUTIONAL DEMOCRACY, can or shall be denied. That is the guarantee accepted by sworn oath of our employees; all of them.

AND accordingly, those employees who deliberately and with true intent describe themselves as traitors to that cause, democracy itself. Prove themselves, treasonous to the constitution itself, and as anarchists to our democracy itself. By overtaking with rules or any other means, and thereby rebelling against **the truth, that our constitution DOES RULE**, *by refusing the guarantees between citizen and employee which by law are required to be obeyed*. A rebellion is proven against, the sovereign right, and rule, of democracy itself. YOU, the employee, CANNOT RULE/ unless you are a traitor to us. **The constitution rules, the law rules/ NOT A RULE** of the court. That means as a judge you have no say, you are subject to the law, not its authority in constitutional law. We are that authority/ as provided by our democracy itself, as we the people. In ANY true controversy of that fact: it is redress of grievances that decides. *You have no authority which conflicts with the constitution, or is contrary to that demand/* you have no rights or immunity or claims of sovereignty: **because the constitution itself decides all these things/ NOT YOU**.

Therefore this game ends, the judiciary is subject to the constitution/ NOT “gods over it”. The facts have been gathered and declared/ and are awaiting the execution of our constitution by its employees. The reality of **sovereign rights and guarantees of our democracy to we, its people**. Its your choice to obey the law, and its your answer to give for this state of IL;
for the people/ or against.

The critical questions exhibited in trial beyond the demand: OUR judiciary shall obey the fifth amendment to the IL constitution stated as:

WE THE PEOPLE SHALL RULE OURSELVES,
by constitutional law/ as declared, through redress.

Are these:

1. The authority granted by our democracy to rule over ourselves, determines that our lives and our society; our community and our nation are developed by the truth we apply to that democracy by our vote. *Not simply, a vote for someone to vote for me/ but a vote for myself, on the truth that is law, and consequently, will rule our lives.*

Therefore in **the question presented:**

between the rule and rights of money/ VERSUS the rule and rights of democracy itself:

is ours to decide.

The foundation of that authority is clearly within the constitutional definition of redress of grievances.

The fact is, we the people of this state of IL: have the right to decide, and DO, own this sovereign authority called democracy/ established by the words: WE THE PEOPLE! Through redress (the legal demand, to accept responsibility for ourselves), to choose for ourselves, what society shall be. Because we/I demand this truth of constitutional authority, that is democracy: simply, **WE THE PEOPLE shall choose:** if we so desire! NOT OUR employees.

We must now attain the rights and reality of redress as a state: no longer a local question/ but one influencing society itself. **REDRESS THEN DEMANDS of this court:** *that it shall properly proceed to gather the people by methods which include the media. That selection of a jury not less than twenty four by “the lottery method, in the presence of true public witness”: since none are “unaffected by this outcome.” Their decision as a jury/ then becomes if no, an end to this case. If yes, then a further cause to establish the same question in each judiciary district, for the state of IL: so that the peoples vote shall be heard for the state. If the majority agree/ then to full, declared popular vote across this state: the questions and the decision WHAT SHALL BE OUR ANSWER. Will be decreed, by that vote, and then become our law in answer to these questions, the juries involved, shall select or provide.*

2. Because this is a question with national consequences and defines the truth, by answer of our entire democracy as a state. The reality more specifically and directly: completes the sovereign rights of all the people, as is constituted and composed by or of this entire UNITED STATES OF AMERICA, by the first amendment to the US CONSTITUTION! Which also demands LEGAL REDRESS OF GRIEVANCES for all the people. It therefore becomes the job of this court, to undertake with clear responsibility as a representative of the people within this state of ILLINOIS: to insist that federal UNITED STATES LAW, shall be enforced, for this state of IL: upon all the employees of OUR DEMOCRACY, as a nation, called WE THE PEOPLE! THAT is the your job, as a judge and representative of this people of IL: extending from this suit. Should the jury called by redress of grievances to answer for this state and this community/ this judicial district of ILLINOIS, in this matter decide to agree: that we the people

of this state, must relinquish the right of this decision/ this question presented: to America itself. **Thereby all the people, MUST ANSWER FOR OUR SOCIETY, OUR FUTURE:** what is the truth of our decision in this:

the question presented: DECIDING THE AUTHORITY which determines and demands, which shall rule:

between the rule and rights of money/ VERSUS the rule and rights of democracy itself: As we the people of this community/ this state, and then this nation. Establish the limits and influence of money, power, and our control as a democracy/ called we the people by vote.

3. The foundation of this case begins: with the simple determination, that I, a citizen of IL/ a citizen of this nation called America: deserve to be protected by the standards set for the protection of all the people/ which includes me, and because of proximity; the community and its citizens called Royal, IL.

Those “experts” who set these standards for the health and safety of every community, as a means of defending every citizen, by the definition of “government”: MUST then be liable for their measurements/ for the claims which they have decreed as necessary and valid in protection of our lives, our democracy, our health, and our world. I asked for that very thing, the protection of life, the proof of compliance: I STATED being “an expert” by reality of hearing damage in me, and its truth; as to the consequences of very serious hearing damage by noise on the human body: *I do have a duty to protect and defend, those who are less aware of what can happen to them.* I was refused, by games played within the court. By employees who believe themselves immune from the law, state they are sovereign over the constitution, and in denial of democracy and its authority called: **we the people.** That is a criminal act/ **the theft of our authority as we the people/ the refusal of our constitution is the law:** is in fact, the intent called treason/ the reality of such an action, which rebels against the constitution itself; directly impacting our democracy “we rule ourselves by constitutional law”: is called anarchy. How is that not traitorous?

4. The excuses which have already been developed in the previous two trials, by the defense; **and failed**, both in state and federal courts: are expunged from further proceedings. ANY further association with the issue of proper subpoena, filing, or any other rule of the court, considered “not quite perfect enough”. Is dismissed with the simple statement: SEND ME THE ADDRESSES AND NAMES/

establish the people who shall serve/ and thereby make it possible to accomplish your rule. **Or be in contempt of court.** Punishable by obstruction of justice, A DEMOCRACY DENIED: and more.

5. The REALITY of constitutional law returns this case, to our federal employees/ by the will of the people of IL: should they decide and agree: redress must go forward for this state and nation. Therefore all such entities as will, or can be included, in the expansion of this trial, BY THE JURY; within constitutional law/ MUST be informed. They choose for themselves, if they will comply with the current proceedings, it is not mandatory by order of the federal court. THIS IS A STATE OF IL, CONSTITUTIONAL CASE. Nonetheless, because of the law, potentially applied to them: they must be legally informed. Let the court prove otherwise.

6. The reality of trial, **because it extends BY CONSTITUTIONAL LAW: to all those called “we the people” in this democracy both state and nation.** REQUIRES, that should I die/ the people will be represented by a consortium of all the organizations of women in the state of IL (for the state trial) & all the organizations of women in the USA for the federal version, if it should so proceed. They will decide or present, obtaining full legal rights, in my stead, if I am unable.

7. The law is simple: the constitution of ILLINOIS/ the foundation of all law. The contract between citizen and employee: GUARANTEES REDRESS OF GRIEVANCES TO THIS PEOPLE. I accept that grant of inherent and undeniable right, as a citizen guaranteed. No other rule/ no other claim of congressional law or jurisdictional authority rules over the constitution/ the constitution rules over us, and our employees. It defines and creates the contract those employees are sworn to uphold, establishing PENALTIES shall occur. And thereby: do expect the sworn employees of IL to obey the law/ OR SERVE the appropriate prison term assigned to those called traitors: *YOU FOUGHT AGAINST OUR DEMOCRACY, AND WARRED AGAINST OUR CONSTITUTION, DENYING WE THE PEOPLE.* SHOULD that continue to occur. Let the people decide.

PROOF OF SERVICE

I, James F. Osterbur do hereby declare: that I have sent a true and accurate

copy of the foregoing/ to each of the following/ along with the court; to these addresses. On this date 10/21/11. First class postage prepaid in the US mail service.

Parties to the proceeding

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