

No.

In the
US SUPREME COURT
OF THIS UNITED STATES OF AMERICA

James Frank Osterbur
petitioner
www.justtalking3.info
Vs.

The UNITED STATES OF AMERICA
and these defendants:
the president Barack Obama
US attorney general Eric H. Holder jr.
US solicitor general Neal K. Katyal
the internal revenue service
added, is

US CONGRESS
Federal Bureau of Investigation

On petition for a writ of Certiorari to this United
States court of appeals, 7th circuit Chicago, IL
dated July 18, 2011

APPENDIX

petitioner files pro se, as a citizen of this USA.
James Frank Osterbur, 2191 county road 2500 E.
St. Joseph, IL 61873

DOCKETED _____
WRIT OF CERTIORARI MAILED ON JULY 18, 2011

CERTIORARI GRANTED ON _____

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APPENDIX A

THE ORDER of the appellate court

UNITED STATES COURT OF APPEALS

for the seventh circuit,

Chicago IL 60604

order April 12, 2011

before

William J. Bauer/ Terrence T. Evans/ Ann Claire
Williams

case no. 11-1639
James F. Osterbur ; pro se
vs.
USA, et al, defendants
appealed from US district/ central IL
David G. Bernthal, judge

ORDER

On consideration of the papers filed in this appeal and review of the short record, it is ordered that this appeal is dismissed for lack of jurisdiction.

Litigants may permit magistrate judges to decide civil cases, and an appeal from the magistrate judge's decision comes straight to the court of appeals. 28 U.S.C. 636 (C). But unless all parties to the litigation consent on the record, the magistrate judge may do no more than make a recommendation, and the parties must present their objections to the district court. Brook & Weinberg V. Coreg, Inc, 53 F. 3d 851 (7th circuit, 1995).

In the present case, the parties have not consented in writing to proceed before a magistrate judge. Therefore, this court lacks jurisdiction to proceed in a review of the magistrate judge's "report and recommendation" of March 15, 2011."

APPENDIX 1 case no. 11-1639
ORDER OF THE COURT; MARCH 21/ 2011

A preliminary review of the short record indicates that the order appealed from may not be an appealable judgment.

Litigants may permit magistrate judges to decide civil cases, and an appeal from the magistrate judge's decision comes straight to the court of appeals. 28 U.S.C. ~ 636(c). But unless all parties to the litigation consent on the record, the magistrate judge may do no more than make a recommendation, and the parties must present their objections to the district court. *Brook & Weinberg v. Coreg, Inc.*, 53 F.3d 851 (7th cir. 1995).

In the present case, it does not appear that the parties consented in writing to proceed before a magistrate judge. Therefore, it appears that this court lacks jurisdiction to proceed in a review of the magistrate judge's "report and recommendation" of March 15, 2011. Accordingly,

IT IS ORDERED that both appellant and appellees shall file, on or before April 4, 2011, a brief memorandum stating why this appeal should not be dismissed for lack of jurisdiction. A motion for voluntary dismissal pursuant to Fed. R. App. P. 42 (b) will satisfy this requirement. Briefing shall be suspended pending further court order.

APPENDIX 2 A case no. 11-1639
ORDER OF THE COURT; APRIL 1, 2011

A review of the "JURISDICTIONAL MEMORANDUM" filed by assistant United States Attorney David H. Hoff on March 30, 2011, reveals that attorney Hoff has not responded to the issue of appellate jurisdiction identified in the court's order of March 21, 2011. Accordingly,

The court, on its own motion, orders attorney

Hoff to show cause for his failure to respond to the court's order of March 21, 2011; the issue that the court wants addressed is one of appellate jurisdiction, now waiver. Attorney Hoff shall file his response on or before April 4, 2011.

APPENDIX 3A: rehearing , the plaintiff's words April 15, 2011 11-1639

“These judges, have deliberately attacked this UNITED STATES OF AMERICA. Seeking to damage and destroy a distinct law, and a foundation of the American way of life: **a guaranteed right** cast aside like sewer water/ using the distinct weapon of a courtroom against this very people. Wherein right says: ONLY THE LAW IS ALLOWED. There is no discretion allowed, not for any judge or group of judges. IT'S THE LAW, of our DEMOCRACY as a people united! These judges abandoned the law/ their oath/ this nation/ and our constitution: playing games with our lives, defining and creating ridicule of me and us all. By assembling a barrier to hold our right and our nation within their control.”

APPENDIX 4 A : 11-1639 rehearing denied; April 22, 2011

upon consideration of the APPELLANTS MOTION, which the court constitutes as a motion, to file an oversized petition for rehearing, filed by the pro se appellant. IT IS ORDERED that the motion is DENIED.

APPENDIX 5 A: mandate of the court
NOTICE OF ISSUANCE OF MANDATE
June 6, 2011

to: Pamela E. Robinson
UNITED STATES DISTRICT COURT

central district of IL
US courthouse
Urbana IL. 81802-4469

no: 11-1639
James F. Osterbur plaintiff-appellant
v.
UNITED STATES OF AMERICA et al defendants-
appellees

originating case information
District court no: 2: 10- cv-02257- MPM-DGB
central district of Illinois
Magistrate Judge David G. Bernthal

Herewith is the mandate of this court in this appeal,
along with the Bill of Costs, if any. A certified copy of
the opinion/ order of the court and judgment, if any,
and any direction as to costs shall constitute the
mandate.

Record on appeal status: no record to be returned

note to counsel: if any physical and large documentary
exhibits have been filed in the above-entitled cause,
they are to be withdrawn ten (10) days from the date
of this notice. Exhibits not withdrawn during this
period will be disposed of.

Please acknowledge receipt of these documents on the
enclosed copy of this notice.

**Received above mandate and record, if any, from
the Clerk, US Court of Appeals for the seventh
circuit.**

**APPENDIX 6 A: NOTICE OF FILING, by
petitioner/ ESTABLISHMENT OF CAUSE TO
REMOVE, DELAY, OR DEFEAT MANDATE TO
DISPOSE OF THIS CASE.** case no. 11-1639

THE ORDER OF THE DISTRICT COURT, case
10-CV-2257; HAS NOW BEEN RECEIVED/
ELIMINATING THE CAUSE FOR DISMISSAL
FROM THE APPELLATE COURT, in this case.
THEREFROM, this case is **reset before the US
SUPREME court**, for review prior to printing on this
date June 10, 2011

you are hereby informed, that they have authority/
and you are to wait until the US SUPREME COURT
makes its decision in this case. As identified in this
preliminary **filing sent to the supreme court &
sent to you/** and each defendant; as a “complimentary
notice” at this time..

**APPENDIX 7 A : This petitioner claims: for the
purpose of understanding** case no. 11-1639
{This mandate of the court:
*IS SIMPLY HIDE THE EVIDENCE, A DENIAL OF
DUE PROCESS, by THE CONSPIRACY TO
REMOVE a constitutional case, because it is a
constitutional law called redress: by the whim and
discretion of a judge}. That is treason, an act distinctly
directed at removing we the people from our
government; which is “the constitution of this
USA”.*

*Appendix B the Petitioner responds, to
APPENDIX "A": for the purpose of this supreme court
writ case no. 11-1639*

**#8 APPENDIX B ; INTRODUCTION to the
case 11-1639. BY THE PETITIONER, a right
expected as it is given to every judge. EQUAL
standing/ the law decides, it is supreme, not the judge.
814 F. Supp. 195. For clarity.**

Established in this case is the fundamental constitutional question: DOES FIRST AMENDMENT REDRESS OF GRIEVANCES EXIST as a guaranteed right of the people or not. Previous cases asking this same question were dissolved without substance or merit/ without law or a foundation upon which that judgment/ order could be made. Consequently it reappears this time with the demand: IF YOU DO NOT DO THE WORK that we the people contracted you to do, with respect/ honor/ dignity/ and fundamentally in alliance with the constitution: as is the right guaranteed to me called redress of grievances. THEN I NEED NOT PAY ANY TAX, until the day our employees in governing positions DO THE JOB WE HIRED THEM TO DO.

A claim/ demand for relief, that can easily be fulfilled:

ESTABLISH REDRESS OF GRIEVANCES FOR THIS NATION, as demanded by the constitution, and me.

OR ESTABLISH the foundation, merit, and law which says: "The constitution is: all a joke/ doesn't exist for real/ just a game".
Democracy, the essence of a fool.

#9 Appendix B2 *Constitutional questions applied to order April 12, 2011*

**THE REPRINT OF APPELLATE COURT ORDERS,
with formal constitutional questions, by their
corresponding numbers in the writ; applied.**

UNITED STATES COURT OF APPEALS

for the seventh circuit,

Chicago IL 60604

order April 12, 2011

before

William J. Bauer/ Terrence T. Evans/ Ann Claire
Williams

case no. 11-1639

James F. Osterbur ; pro se

vs.

USA, et al, defendants

appealed from US district/ central IL

David G. Bernthal, judge

ORDER

(formal constitutional questions, as presented in the
writ, by numbers: #1, covers the entire appeal)

***On consideration of the papers filed in this
appeal and review of the short record, it is
ordered that this appeal is dismissed for lack of
jurisdiction. (Constitutional Question 2)***

***Litigants may permit magistrate judges to
decide civil cases (Constitutional question 3) , and
an appeal from the magistrate judge's decision
comes straight to the court of appeals. 28 U.S.C.
636 (C) . But unless all parties to the***

litigation consent on the record (Constitutional question 4), *the magistrate judge may do no more than make a recommendation* (Constitutional question 5), *and the parties must present their objections to the district court. Brook & Weinberg V. Coreg, Inc, 53 F. 3d 851 (7th circuit, 1995).*(Constitutional question 6)

In the present case, the parties have not consented in writing to proceed before a magistrate judge. (Constitutional Question 8)
Therefore, this court lacks jurisdiction to proceed (Constitutional question 7) *in a review of the magistrate judge’s “report and recommendation” of March 15, 2011.”*

#10 **Appendix B 3** *Constitutional questions applied to order March 21, 2011*

THE REPRINT OF APPELLATE COURT ORDERS,
with constitutional questions applied.
case no. 11-1639

ORDER OF THE COURT; MARCH 21/ 2011

A preliminary review of the short record indicates that the order appealed from may not be an appealable judgment. (*Constitutional Question 9*)

Litigants may permit magistrate judges to decide civil cases, and an appeal from the magistrate judge’s decision comes straight to the court of appeals. 28 U.S.C. ~ 636(c). But unless all parties to the litigation consent on the record, (*Constitutional question 10*) the magistrate judge may do no more than make a recommendation, and the parties must present their objections to the district court. Brook &

Weinberg v. Coreg, Inc., 53 F.3d 851 (7th cir. 1995).

In the present case, it does not appear that the parties consented in writing to proceed before a magistrate judge. **(Constitutional Question 11)** Therefore, it appears that this court lacks jurisdiction to proceed in a review of the magistrate judge's "report and recommendation" of March 15, 2011. Accordingly,

IT IS ORDERED that both appellant and appellees shall file, on or before April 4, 2011, a brief memorandum stating why this appeal should not be dismissed for lack of jurisdiction. A motion for voluntary dismissal pursuant to Fed. R. App. P. 42 (b) will satisfy this requirement. Briefing shall be suspended pending further court order.

#11 **Appendix B 4** *Constitutional questions applied to order April 1, 2011*_case no. 11-1639

ORDER OF THE COURT; APRIL 1, 2011

THE REPRINT OF APPELLATE COURT ORDERS,
with constitutional questions applied.

A review of the "JURISDICTIONAL MEMORANDUM" filed by assistant United States Attorney David H. Hoff on March 30, 2011, reveals that attorney Hoff has not responded to the issue of appellate jurisdiction identified in the court's order of March 21, 2011. Accordingly,

The court, on its own motion, orders attorney Hoff to show cause for his failure to respond to the court's order of March 21, 2011; the issue that the court wants addressed is one of appellate jurisdiction,

now waiver. Attorney Hoff shall file his response on or before April 4, 2011. ***(Question 12: this is not due process in a constitutional case)***

#12 Appendix B 5 the petitioner replies; treason in the court. 96 P. 2d. 588, 591

Revealed by the orders of this appellate court: IS THE FOUNDATION, and distinct demand: that a constitutional guaranteed right as is LEGAL REDRESS OF GRIEVANCES shall not be honored by the court system of this USA. **That is treason/** the deliberate actions of an enemy in direct and open rebellion against the constitution of this USA, and thereby the democracy upon which it stands, called WE THE PEOPLE.

THE INTENT of the courts having been examined for the evidence required to assess what is true or not true in the judiciary and court system of this USA has found anarchy: 621 F. 2d. 123, 124. the bold and deliberate attempt to destroy a foundation of our democracy/ a literal creation of our intent and demand to rule ourselves. That is the action of a traitor. Model penal code 212.5. And the US SUPREME COURT is guilty as well. Proven by US supreme court case 08-1339. (Question 10) "The conspiracy runs deep". And thereby MUST be addressed by the congress of this USA should the court continue to commit treason, conspiracy, and collusion by this transgression against the people of this nation. IT IS OUR CONSTITUTION/ IT IS OUR LAW/ IT IS OUR NATION: WE ARE THE OWNERS HERE! Our interpretation decides what democracy is, or is not. 28 U.S.C. 994.

#13 APPENDIX C; order of the district court.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION

dated June 7, 2011

JAMES F. OSTERBUR)	
V.)	Case no. USA
et al. Defendants)	10-CV-2257

ORDER

On March 15, 2011, Magistrate Judge David G. Bernthal filed a Report and Recommendation (#27) in this case. Judge Bernthal recommended that the Motion to Dismiss (#6) be granted and the pro se Complaint (#1) filed by Plaintiff James F. Osterbur, be dismissed as to all Defendants. On March 18, 2011, Plaintiff filed a pro se Notice of Appeal (#28). On March 28, 2011, Plaintiff filed a pro se Objection (#32) to the Report and Recommendation. On April 11, 2011, Defendants filed a Response to Plaintiff's Objection (#36). Plaintiff filed a pro se Reply (#37) on April 15, 2011. On June 6, 2006 (*<a date error from the court*), this court received the mandate from the Seventh Circuit Court of Appeals which stated that Plaintiff's pro se appeal was dismissed for lack of jurisdiction. The court stated that it lacked jurisdiction to review Judge Bernthal's report and recommendation.

The case is now back before this court. This court has carefully reviewed Judge Bernthal's Report and Recommendation (#27), Plaintiff's pro se Objection (#32), Defendant's Response (#36), and Plaintiff's pro se Reply (#37). This court notes that this review has

been complicated by Plaintiff's rambling and mostly unintelligible filings with this court. Following this court's careful and thorough de novo review, this court agrees with and accepts Judge Bernthal's report and recommendation. This court completely agrees that Plaintiff's pro se Complaint demonstrates no coherent claim or request for relief and that the Complaint must be dismissed for failure to state a claim for which relief can be granted.

IT IS THEREFORE ORDERED THAT:

- (1) the Report and Recommendation (#27) is accepted by this court.
- (2) The Motion to Dismiss (#6) is GRANTED and the Plaintiff's Complaint (#1) is dismissed as to all Defendants.
- (3) this case is terminated. Accordingly, any remaining pending motions are MOOT.

Entered this 7th day of June 2011

S/ Michael P. McCuskey
CHIEF US DISTRICT JUDGE

#14 APPENDIX C2 10-CV-2257
JUDGMENT IN A CIVIL CASE

DECISION BY THE COURT. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that judgment is in favor of the Defendants and against the Plaintiff.

Dated June 7, 2011

Pamel E. Robinson
Clerk, US District Court

#15 APPENDIX D: response to the district court order of June 7, 2011

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION**

dated June 7, 2011

JAMES F. OSTERBUR)
V.) **Case no. USA**
et al. Defendants) **10-CV-2257**

ORDER

On March 15, 2011, Magistrate Judge David G. Bernthal filed a Report and Recommendation (#27) in this case. Judge Bernthal recommended that the Motion to Dismiss (#6) be granted and the pro se Complaint (#1) filed by Plaintiff James F. Osterbur, be dismissed as to all Defendants. On March 18, 2011, Plaintiff filed a pro se Notice of Appeal (#28). On March 28, 2011, Plaintiff filed a pro se Objection (#32) to the Report and Recommendation. On April 11, 2011, Defendants filed a Response to Plaintiff's Objection (#36). Plaintiff filed a pro se Reply (#37) on April 15, 2011. On June 6, 2006 (<a date error from the court), this court received the mandate from the Seventh Circuit Court of Appeals which stated that Plaintiff's pro se appeal was dismissed for lack of jurisdiction. ***(Constitutional Questions 1, 2, 3, 4)*** The court

stated that it lacked jurisdiction to review Judge Bernthal's report and recommendation.

(Constitutional Questions 6, 7, 9, 11)

The case is now back before this court. This court has carefully reviewed Judge Bernthal's Report and Recommendation (#27), Plaintiff's pro se Objection (#32), Defendant's Response (#36), and Plaintiff's pro se Reply (#37). This court notes that this review has been complicated by Plaintiff's rambling and mostly unintelligible filings with this court. **(Constitutional Questions 3, 4, 6, 7, 8)** Following this court's careful and thorough de novo review, this court agrees with and accepts Judge Bernthal's report and recommendation. This court completely agrees that Plaintiff's pro se Complaint demonstrates no coherent claim or request for relief **(Constitutional Questions 3, 6, 7, 8, 9, 10, 11, 12)** and that the Complaint must be dismissed for failure to state a claim for which relief can be granted.

IT IS THEREFORE ORDERED THAT:

- (1) the Report and Recommendation (#27) is accepted by this court.
- (2) The Motion to Dismiss (#6) is GRANTED and the Plaintiff's Complaint (#1) is dismissed as to all Defendants.
- (3) this case is terminated. Accordingly, any remaining pending motions are MOOT. **(Question 1: how can a constitutional guarantee be moot? UNLESS treason is involved.)**

Entered this 7th day of June 2011

S/ Michael P. McCuskey
CHIEF US DISTRICT JUDGE

16 APPENDIX E: THE LEGAL STANDARD
established in this US supreme court trial;

THE FOUNDATION of the United States of America

the preamble to the US CONSTITUTION:

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

THERE IS NOTHING UNCLEAR: “let the people decide for themselves/ it is THEIR NATION.” It is established by this contract made between ourselves: that we shall choose for ourselves, what we believe establishes our right and our nation by these measures of success. It is by oath, among the employees most responsible that this should be so: that they DO swear (***their job description***): “IT IS THESE FUNDAMENTALS OF LIFE AND SOCIETY, that they must protect, defend, and obey more than anything else.”

To further clarify exactly what the people who contracted with themselves/ declared and established a nation: and hired employees by oath to protect and defend, chose to include the BILL OF RIGHTS, to assemble our need and establish our rights/ AND THE DECLARATION OF INDEPENDENCE to create what we believe is absolutely intolerable in those who believe they shall rule over us/ INSTEAD of we shall rule ourselves by law.. These documents are easily obtainable, and need not be retyped here.

#17 APPENDIX F- BRIEF DISCUSSION the

petitioner responds for clarity. This US supreme court trial.

The foundation of democracy is: that the people shall rule themselves by the equity and truth, of a description that cannot be redesigned by anyone, or misinterpreted by our employees: as is their own. OUR preamble to the constitution. Established as proof: THIS IS **our** GOVERNMENT/ AND **we** ARE SOVEREIGN AS OWNERS OVER IT.

The foundation of law is: that the people shall bind themselves by contract as is called the Constitution of this United States of America. 286 N.W. 844, 846. So that no delusion should exist regarding the intent to create a society fundamentally governed and paid for by these people who chose to create this society and sustain it for themselves and their own children. That fact CANNOT be sold, or given away: it is our right, and our liberty to decide for ourselves. 282 P. 2d. 1084, 1088.

The foundation of society is: that the people have agreed, WITHIN the Bill of Rights, regarding the rules and regulations which are intended to control and describe the critical relationships that are necessary in conjunction with the Amendments of the Constitution; as a clear demonstration of our own desires and demands upon the employees who shall work for us, IN MAKING CERTAIN: WE ARE FREE, and OUR LIBERTY, shall never be damaged or destroyed. 333 U.S. 507, 509 (*the need for understanding/ not change or argument; here in trial*)

The foundation of our guaranteed rights is: that we should never be treated in this way again/ so as to understand what that means: a declaration was described stating what independence did mean to those who did fight and die, risking everything to attain this simple truth: WE SHALL RULE

Relief Sought By and Representation of the Named Defendants (#24). This motion, which the Court has granted, clarifies that the present motion to dismiss (#6) is brought by all defendants. After reviewing the parties' pleadings and memoranda, this court recommends, pursuant to its authority under 28 U.S.C. ~ 636 (b)(1)(B), that Defendant's Motion to Dismiss Defendant United States of America as Party Defendant (#6) be GRANTED.

1. Background

Plaintiff, a pro se litigant, brings a complaint against the United States, indicating that employees of the United States have failed to do their jobs and uphold the Constitution. Plaintiff has filed at least two similar claims in recent years (case no. 07-2040; case 10-2055). He states that he has not paid his 2005 taxes as a way to gain access to the courts to bring this complaint. Plaintiff repeatedly makes reference to unspecified Constitutional violations. Plaintiff makes unspecified demands for "redress of grievances" and Compliance with the Constitution".

In its motion to dismiss, Defendant argues that dismissal is warranted for failure to state a claim pursuant to Fed R. Civ. P. 12 (b)(6), failure to state a concise valid claim for relief in violation of Fed R. Civ. P. 8 (a)(2), failure to establish a valid waiver of sovereign immunity as required by law, and failure to vest this court with subject matter jurisdiction pursuant to Fed. R. Civ. P. 12 (b)(1)

II. Standard

The purpose of a motion to dismiss for failure to state a claim is to test the sufficiency of the complaint, not to determine the merits of the case. *Gibson v. City of Chicago*, 910 F.2d 1510, 1520 (7th cir. 1990). Federal

rule of civil procedure 8(a)(2) requires only “a short and plain statement of the claim showing the pleader is entitled to relief”. Fed R. Civ. P. 8(a)(2). The complaint must give fair notice of what the claim is and the grounds upon which it rests. *E.E.O.C. v. Concentra Health Servs., inc.* 496 F. 3d. 773, 776-77 (7th cir. 2007). However, fair notice is not enough by itself; in addition, the allegations must show that it is plausible; rather than merely speculative, that the plaintiff is entitled to relief. *Tamayo v. Blagojevich* 526 F. 3d. 1074, 1083 (7th cir. 2008).

When considering a motion to dismiss for failure to state a claim, the court is limited to the allegations contained in the pleadings. *Venture Assocs. Corp v. Zenith Data Sys. Corp* 987 F. 2d. 429, 431 (7th cir. 1993). The court must treat all well-pleaded allegations in the complaint as true, and draw all reasonable inferences in the plaintiff's favor. *McMillan v. Collection Prof'ls. Inc.* 455 F. 3d 754, 758 (7th cir. 2006); see *Bell Atl. Corp. V. Twombly*, 550 U.S. 544, 556 (requiring plausible grounds for inferences if those inferences are to sustain a complaint). In considering the plaintiff's factual allegations, the court should not accept as adequate abstract recitations of the elements of a cause of action or conclusory legal statements. *Brooks v. Ross*, 578 F. 3d 574, 581 (7th cir. 2009). The application of the notice pleading standard is a context-specific task, in which the height of the pleading requirement is relative to circumstances. *Cooney v. Rooiter*, 583 F. 3d. 967, 971 (7th cir. 2009) (citing *Ashcroft v. Iqbal*, 129 S. Ct 1937, 1950 (2009)). Furthermore, district courts are required to liberally construe complaints filed by pro se litigants. *Marshall v. Knight*, 445 F. 3d. 965, 969 (7th cir. 2006) (citing *Haines v. Kerner*, 404 U.S. 519, 520 (1972)).

III. Discussion

A plaintiff need only provide a “short and plain statement of the claim showing that the pleader is entitled to relief”. FED. R. CIV. P. 8 (a). However, such statements must be supported by plausible factual allegations. Tamayo, 526 F. 3d. At 1083. When making determinations as to plausibility, a court may rely on judicial experience and common sense. Cooney, 583 F. 3d. At 971. In the case of pro se litigants, courts are required to liberally construe their claims. Marshall, 445 F. 3d at 969. A court must also be mindful, however, that it should not allow defendants to be subjected to “paranoid pro se litigation...alleging...a vast, encompassing conspiracy” unless plaintiff meets a “high standard of plausibility”. Cooney, 583 F. 3d. 971; see also Walton V. Walker 364 F/ App’x 256, 258 (7th cir. 2010) (unpublished). Furthermore, a district court is entitled to draw upon its familiarity with a plaintiff’s prior meritless litigation to conclude that a complaint consists only of naked assertions and delusional scenarios. Neitzke v. Williams, 490 U.S. 319, 328 (1989); Walton, 364 F. App’x at 258.

Here, Plaintiffs complaint demonstrates no coherent claim or request for relief. The following excerpt illustrates Plaintiffs reliance on threadbare recitals of constitutional violations, and demonstrates the court’s difficulty in finding plaintiff’s claims to be plausible:

WHY DO I OWE THIS MONEY [referring to plaintiffs unpaid taxes]/ when you the employee failed to do your job; and in fact STOLE my money/ STOLE my time in confronting you, and demanding and preparing for court/ STOLE my citizens guaranteed rights, through a courtroom/ DENIED my foundation

rights to DUE PROCESS. Which were by no legal means carried out, within a courtroom. Threatened every aspect of “the money/ economy” with an out of control banking and wall street gambling industries; stealing the money from we the people with lies!
THREATENING NOT ONLY MY NATION: BUT MY WORLD WITH THE ABSOLUTE ARROGANCE AND CONTEMPT OF PEOPLE WHO BELIEVE THEY ARE DO DAMN SMART, they are entitled to play gods/ entitled to literally and without restraint GAMBLE WITH OUR WHOLE PLANET/ THE NATURE WE MUST HAVE TO SURVIVE: THEREBY EVERY LIFE ON THIS WORLD! (#1. P 6-7)

The Court concludes that a complaint such as this does not constitute a short and plain statement indicating the plaintiff is entitled to relief. Even with the liberal construction that this court must employ in considering claims of a pro se litigant, the court concludes that plaintiff has failed to state a claim for which relief may be granted.

Defendant makes additional arguments concerning sovereign immunity and subject matter jurisdiction. To a certain extent, both of these argument presuppose that Plaintiff has otherwise stated a claim for relief. Specifically, Defendant states that to the extent Plaintiff's complaint may be construed as seeking an injunction prohibiting the collection of his federal taxes, this court lacks the subject matter jurisdiction over such a claim. Because the court has already concluded that Plaintiff fails to state a claim for which relief can be granted, the court does not reach these arguments.

IV. Summary

For the reasons stated above, this court

recommends that Defendant's Motion to Dismiss Defendant United States of America as Party Defendant (#6) be GRANTED. The court further notes that, in light of Defendants subsequent motion to correct headings (#24), this court recommends dismissing this action as to all defendants.

The parties be advised that any objection to this recommendation must be filed in writing with the clerk within 14 days after being served with a copy of this report and recommendation. See 28 U.S.C. ~636 (b)(1). Failure to object will constitute a waiver of objections on appeal. Video Views Inc v. Studio 21, ltd. 797 F. 2d 538, 539 (7th cir. 1986).

Enter this 15th day of March 2011.

#19 APPENDIX H; a short review by the plaintiff; of district court report and recommendation 10-CV-2257

DOCKET initial FILING #1 dated 11/15/10 PAGE 1 "THE AFFIRMATION OF CONTENT"; response to: "court states: that it should not allow defendants to be subjected to "paranoid pro se litigation...alleging...a vast, encompassing conspiracy" unless plaintiff meets a "high standard of plausibility".

dated: 11/15/10
10-CV-2257

trial number:

RE: the failure of: (YOU, "the employees" working for the people of this United States), to provide for/ sustain/ secure/ protect/ establish the demands of the Constitution preamble, its amendments; and the

declaration of independence, plus the bill of rights: as is their “job description”. To create justice (you did not; every thief/ every fraud/ every conspiracy against this people welcomed in)/ retain a separation of church and state as is the religion called evolution (you did not)/ work for world peace with law (you chose weapons of mass destruction instead, threatening us with extinction)/ and a wide variety of other tragic, foolish, disgraceful, and ultimately terrorizing realities that have been created since the wide spread influence of “university takeover” in government, industry, education, and every other form of control possible. The contract with our employees hired to work for this nation/ this state is: that by your oath and affirmation, we give you this job; for the clear and absolute purpose of providing the leadership dedicated to producing the results we have agreed to as our constitution and foundation documents of this USA. That is the purpose of your work/ that is the functional job description for which you are paid. YOU FAILED, and as a consequence to that/ your pay is removed/ your pensions and benefits are confiscated; your job is subject to criminal revue under redress of grievances. And we the people must protect ourselves, because your work failed us all.

These fundamental trespasses against the United States, this critical treason as is not functionally protecting the citizens or nation or any other true description of what their jobs were intended to be. The proven conspiracy of the court, and other hierarchy in government to refuse: “first amendment redress of grievances” to the people, as is our law. Our guaranteed right as citizens of this USA. The redistribution of our money: STOLEN with debts, traps, penalties, and control of every resource and every job by the university diploma. Stolen with bonds

and inflated dollars used with endless temptation, manipulation, propaganda, and controls intended: to enslave, entrap, and steal our property as citizens of this USA.

THE REALITY IS, We the people OWE THEM NOTHING! That means “taxes are NOT due”/ because the foundations of this nation upon which taxes are demanded: WERE CORRUPTED, CONTAMINATED WITH GREED, DISRUPTED WITH FAILURE, DESTROYED WITH THREATS: and rearranged against this people, instead of used as their defense. That is treason.

Or more specifically, the claim for taxes (pay us money) has been proven false! YOU DID NOT EARN THE MONEY! YOU DID NOT DO THE JOB YOU WERE HIRED TO DO! Thereby you are owed your day in court instead.

YOU FAILED TO PROTECT OUR MONEY! YOU LIED CONTINUALLY ABOUT DEBTS/ AND DO NOT PROVIDE A TRUE AND ACCURATE ACCOUNTING TO THE PEOPLE AS THE CONSTITUTION DEMANDS. YOU THREATEN NOT ONLY THIS NATION but THIS WORLD; WITH the national ignition facility, and other university experiments from which we CANNOT recover/ when their theories are proven wrong. YOU HAVE used the military, for less than honorable intention/ rather than law, justice, and peace; the term “shock and awe” was created to instill fear. That is an illegal action, against the constitution itself.

**#20 APPENDIX I: plaintiff initial FILING
#1, dated 11/15/10 : 10-CV-2257 excerpt.**
from report and recommendation;

Court states: “ ...that a complaint consists only of
naked assertions and delusional scenarios.”

The response too:

FIRST AMENDMENT REDRESS OF
GRIEVANCES. In true open court, where critical
investigation of our reality: past, present, and future
exists/ the examination of all pertinent facts to our
survival and threats; shall exist by the evidence; and
be defended by true punishment or death/ and a literal
decision that is functionally educated, and
fundamentally established by the fabric of a nation,
designed to be: WE THE PEOPLE, exists.

WHEREIN, with this information in truth: WE
THE PEOPLE SHALL then: ADJUST, CHANGE,
AND DEFEND THIS NATION FOR OURSELVES.
AS IS OUR RIGHT, because WE ARE THE OWNERS
HERE!

**#21 APPENDIX I, 2 : plaintiff initial dated
11/15/10 FILING #1_ 10-CV-2257 SUBSTANCE
DOCKET**

court states: “establish a valid waiver of sovereign
immunity as required by law, and failure to vest this
court with subject matter jurisdiction”

That shall NOT continue; unless we the people decide
it shall be so. OUR LIVES cannot be threatened by
the terrorists or traitors: we hired as employees, or
the institutions/ universities/ military/ or industries
we allow. That is NOT what we agreed to as the
nation called this United States of America.

IT IS PAST TIME: TO ESTABLISH BY LAW AND
WITHIN CONSTITUTIONAL limits on that LAW; A
NEW AND DIFFERENT METHOD OF GOVERNING

OURSELVES: shall come.

RETURNING to the demands of our founding documents; THESE ARE, the agreements between the people themselves: yes it is worth the price to do this! Which means they are literally the government. Because this is what we demand from our employees, from our nation, for ourselves. Specifically the preamble, and amendments of this US constitution/ the declaration of independence/ and the bill of rights as written.

WE ARE THE INTERPRETERS OF FACT, with regard to these documents/ NO employee shall interpret them for us. OUR NATION/ not yours as rulers; your nation, as an equal per citizen/ one vote. Our redress to prove our reality called WE THE PEOPLE.

#22 APPENDIX I, 3: “THE DEMAND ON THE COURT”: DOCKET FILING #1 dated 11/ 15/ 10 10-CV-2257

report and recommendation

court states “Plaintiff makes unspecified demands for “redress of grievances” and Compliance with the Constitution”. My response:

The demand on this courtroom is REDRESS OF GRIEVANCES/ according to the first amendment of the US constitution: as we the people interpret it to be. Nothing more/ but nothing less, or there shall be no taxes paid.

#23 APPENDIX I, 4 : THE ISSUANCE OF “subject matter” as is fitting for a common citizen to do/ in the words and elements of life

that are realistic for him. The foundation for every pro se defense: *is listen to my complaint, and how it causes me grief/ because that, is why I am here. 342 F. Supp. 1048, 1062 (see appendix #24).*
response too. Case 10-2257 report and recommendations. The court selects:

WHY DO I OWE THIS MONEY [referring to plaintiffs unpaid taxes]/ when you the employee failed to do your job; and in fact STOLE my money/ STOLE my time in confronting you, and demanding and preparing for court/ STOLE my citizens guaranteed rights, through a courtroom/ DENIED my foundation rights to DUE PROCESS. Which were by no legal means carried out, within a courtroom. Threatened every aspect of “the money/ economy” with an out of control banking and wall street gambling industries; stealing the money from we the people with lies! THREATENING NOT ONLY MY NATION: BUT MY WORLD WITH THE ABSOLUTE ARROGANCE AND CONTEMPT OF PEOPLE WHO BELIEVE THEY ARE DO DAMN SMART, they are entitled to play gods/ entitled to literally and without restraint GAMBLE WITH OUR WHOLE PLANET/ THE NATURE WE MUST HAVE TO SURVIVE: THEREBY EVERY LIFE ON THIS WORLD! (#1. P 6-7) The Court concludes that a complaint such as this does not constitute a short and plain statement indicating the plaintiff is entitled to relief.

#24 APPENDIX J; PLAINTIFF BRIEF
INTRODUCTION *from the writ of this supreme court case: establishing : the purpose or defining of*
THE QUESTION PRESENTED FIRST: *for the plaintiff.* For clarity.

“that I am entitled to a judgment, on the law presented/ NOT a mock trial, constructed by the judiciary in contempt of the law, the nation, and this people.” 9 N.Y.S. 275

The foundation of a complaint against these defendants is established by a reliance upon their own oath of office to retain the job for which they are employed: simplified it is “protect/ defend/ and obey the constitution of this USA; and do nothing to harm or threaten its citizens.” 140 P.2d. 335, 338.

We are threatened/ we are harmed/ **we are disrespected as a democracy by the refusal to honor redress of grievances,** we are bankrupted by our employees. That is the subject matter of this complaint. That is what the court finds incomprehensible. 378 U.S. 108

#25 APPENDIX K: PLAINTIFF BRIEF

INTRODUCTION: *from the writ, of this supreme court trial. THE QUESTION PRESENTED 1: FOR THE PEOPLE, for clarity*

The proper and real relief sought as is plainly identified in the filings is REDRESS OF GRIEVANCES: or more simply “let the people decide for themselves based upon the evidence of accountability in a courtroom of law; so as to remove the lies/ and punish the liar”. To form a last line of defense for this nation. A guaranteed right of this people, to each and every citizen. Refused by the court. 160 P. 2d. 37, 39.

#26 APPENDIX L; PLAINTIFF BRIEF

INTRODUCTION: *from the writ, of this supreme court trial. QUESTION PRESENTED 2: for the people*

FOR CLARITY.

The little rant above (#1. P 6-7) was required: because like other cases current **[US federal/ central district for IL 10-2277 , (a case demanding *the many threats which can destroy us all MUST be investigated*) & 11-2023 (a case demanding “liberty and justice for all”)]** and past state of IL champaign county court **[10- MR-766 (a case demanding the policing agencies of IL, MUST protect the citizens)]**: DOES PROVE: if the court cannot win, it will refuse to answer/ or use derogatory terms to dismiss; as is proven by this plaintiff. THEY discard and disgrace the constitution itself. THERE ARE many such cases. The subject matter is: Let democracy be first/ let the people be served by the judiciary. Give them their legal right called redress of grievances. 397 U.S. 254, 262-263.

**#27 APPENDIX M - DOCKET EXCERPTS
FROM APPEALS Case 11-1639 district report
and recommendation 2257 reviewed.**

FROM PLAINTIFF INITIAL FILING, starting page one: THE CASE APPEALED: 10-2257

dated: March 18, 2011

Report and recommendations established 3/15/11.

“The court recommends dismissing this action as to all defendants.”

article 3: discussion: the purpose of a courtroom is JUSTICE, through the laws democracy provides for that purpose and desire. There is no power in the judiciary to claim otherwise/ NO possibility a judge or group of judges is above the law. There is no authority to misconstrue, or misinterpret our intent: that this democracy shall be: OF THE PEOPLE/ BY THE PEOPLE/ AND FOR THE PEOPLE.

Dismissed for lack of a short and plain statement of the claim showing the pleader is entitled to relief. Refers too "...a count must also be mindful, however, that it should not allow defendants to be subjected to "paranoid pro se litigation....alleging...a vast encompassing conspiracy". Added is"plaintiff's merit-less litigation to conclude that a complaint consists of naked assertions and delusional scenarios.

In witness thereof: the judge uses the following, as sufficient for dismissal: thereby meeting not the basis or purpose of a courtroom in this USA.

IN THIS APPEAL: WE WILL EXAMINE WHAT IS TRUE?

THE CONSPIRACY TO DENY DEMOCRACY, to destroy or conspire against the first, fourth, seventh, & fourteenth amendments to this US CONSTITUTION.

We begin:

1. That my claim in this trial and others is very simply the law must be obeyed by the courtroom of this america and this state of IL. Throughout this trial, my only real demand is the judge MUST obey the law; because the constitution demands it/ rather than me. I merely request my guaranteed rights. The judge fails, and denies the constitution.
2. That the law, being the first amendment of the US Constitution grants the guaranteed inherent right to LEGAL redress of grievances for the people. And all options and needs to accomplish that redress have been established for which the court can find no complaint or denial. There is no greater subject merit in or of or about/ a government called "of the people/ by the people/ and for the people" . The judge fails, and is attributed to the call and cause of rebellion against the people and their government which is our agreement

to be a democracy.

3. This judge states: background; my complaint is the USA through its courts; “that employees of the US have failed to do their jobs, and uphold the constitution.” Creating the question is that not short and concise? Does that not merit a claim of relief from the paid to do their job; representatives of this US entity, loosely called “government”. Without doubt it does. The judge fails; as did so many others each of which were tested in this matter of redress of grievances. And have established without doubt that the judiciary has indeed created and upheld a conspiracy against this law, called redress of grievance; against the constitution of this USA. That means traitor, one and all.

4. In every courtroom, they demand that I must have a personal issue to bring before the court/ not merely a claim for my legal guaranteed rights. Which does establish a cause for why taxes are not paid, and the assertion: I cannot enter court without a personal complaint regarding far less greater issues than life/ freedom/ liberty/ truth/ justice/ fair play/ equality/ guaranteed rights/ law/ or any other definition of value as has been brought before the courtrooms of this USA and state of IL. The fault is within the judiciary it is not mine/ the judge fails.

5. The judge argues; background page 2: “Plaintiff repeatedly makes reference to unspecified constitutional violations. Plaintiff makes unspecified demands for “redress of grievances” and compliance with the constitution”. AN OUTRIGHT LIE! The court is reminded: SHOULD I NOT! Again what do you not understand about constitutional guarantees/ what is unclear about democracy and the demand to be heard by a jury of my peers as the US amendment 7 guarantees to me/ the 14th amendment guarantees to

me/ and the 4th amendment applies to my property/ or the first amendment to the values I hold as dear or sacred. How is it I should not remind you of the duties applied to your job, as our employee in the preamble of the US constitution/ or fail to remind you of the words in either the bill of rights or the declaration of independence; as did build us this nation. We built it for democracy/ NOT for your dictatorship and denial of our rights. The judge fails, and aligns himself with treason: an act of betrayal to this people.

6. The defendant argues: that a law lesser than the constitution of this USA should hold greater value than the constitution itself. He is a liar! The defendant argues: “failure to state a concise valid claim for relief...” However the issues of money and debt within this USA in and around this day are obvious and apparent to every citizen/ and need NO further statutory evidence; the public knows, and so does the court. Thereby to call for a direct, real, absolutely truthful accounting from all assets and liabilities created or allowed by our representatives and employees of this people is absolutely a claim for relief which the defendant and this judge do understand. The defendant and judge conspire/ and do lie together in the collusion of an intent to deny the sovereign right of owners. WE THE PEOPLE are THE OWNERS here. As has been plainly and securely stated and proven true. The judge seeks to overwhelm us: as a means of destroying democracy/ an act of a traitor, a decision of a fool. The defendant suggests “that our employees are sovereign or more specifically like kings or dictators” and there is nothing we can do about anything/ cause they own our lives. That is rebellion/ that is an intent to overthrow our government of the people/ by the people/ and for the people. Or more correctly the words of a traitor. The

defendant suggests that there is no subject matter jurisdiction here: the real issue here is “that are lives, our future, our dignity, our respect, our money, as a nation of people living in democracy has been taken from us/ by employees who refuse to believe we are the owners/ not them”. Therefore I say to the court and bring trial to establish among the people by their own decision: the question SHOULD WE INVESTIGATE OUR EMPLOYEES, AND WHAT THEY HAVE DONE? Or should we not. That requires a courtroom, according to redress of grievances our truth as a democracy called WE THE PEOPLE. Prove me wrong.

7. The judge states, a standard: his claim is “the purpose of a motion to dismiss for failure to state a claim is to test the sufficiency of the complaint, not to decide the merits of the case.” Which means: no plaintiff has a right to trial or jury as the constitution guarantees UNLESS the judge decides “as a god” over trial; that he will or will not allow said trial. His assertion is MERITS (or the value; to life, nation, environment, etc, to be decided in a trial) DON’T MATTER. That is a very serious offense/ regardless the failure of any other court. It means: the judiciary has stolen our juries from us/ has stolen, raped, and ravaged the constitutional demands of every amendment and placed themselves as gods or dictators over us. Instead of governed by law/ we are governed by the whim of a judge here, in those few words. They, the judiciary and other leaders in America: HAVE rebelled against us/ they overran us all/ and they raped the very essence of democracy, because without our guaranteed legal say in a courtroom governed by law itself. Our nation being ruled by law, as a democracy, meaning WE THE PEOPLE rule ourselves. We become nothing more than slaves, oppressed by

dictators, and abused by traitors. The judge attacks, and attempts to kill the legal right of every citizen with his whim, or opinion as is consistent with his words. As there is no reference to law/ there is no acceptance of constitutional authority/ and no discipline for the nation, the people, the law, or justice. He conspires to assassinate, he conceives of a world where the doors and the robe can hide him from life. Is that not the ways of a thief.

Plaintiff response to standard

THE TRUE STANDARD IS JUSTICE! Nothing less than truth will do.

I have brought the complaint into court: that this nation is in grave danger from financial tragedies/ from science experiments funded by these representatives using my money to gamble with nature, life, even the planet itself. And said: WE THE PEOPLE HAVE A RIGHT, to know and investigate and decide for ourselves by our own vote. If we will allow our lives, our money, our nation or world, our nature, our everything shall be gambled with. That is the short and plain statement. That encompasses the demand for accountability to the people/ or more simply “tell us all, what you have done/ WE HAVE A RIGHT TO KNOW. Because it is our lives/ it is our money/ it is our future/ and it is our LEGAL, CONSTITUTIONALLY GUARANTEED right. The judge fails/ thereby proclaiming in his words “Without merit”. That we, this nation called America; are as nothing/ less than slaves. They will do whatever they want; and too me, with dismissal comes the command “shut up”. The judge complains that I have given him no grounds upon which this

demand rests. However I will argue is he cannot construct this on his own/ then he is either so arrogant and foolish as to believe further: that we have no power within ourselves as 309 million people standing on his doorstep to say YOU ARE WRONG. I suggest, he will be sorry. Even so: the grounds are simple. By your oath to get that job as judge; you have accepted the terms and conditions we the people have set upon your life and your decisions. That means you understand the truth said when stating: "I will defend and protect, the constitution of this USA". Thereby fully knowing it is a criminal act called treason to not only fail to do that/ but actually attack and intend to kill the laws of this US constitution and make yourself king instead. Is treason/ a deliberate act, with knowledge, time to think, and intent to act. Traitor established. Our contract with the representatives/ employees of this people called this UNITED STATES OF AMERICA is very simple: we pay you, we allow you authority of purpose to obey the laws we did create as a nation governing itself by law, and our own vote. NOT your vote, we govern ourselves by our vote. We govern ourselves by our law/ and our law is the constitution itself, with its two founding documents called the bill of rights and declaration of independence. These are immune from your denial, or your attempts of authority over them/ THEY ARE SOVEREIGN, you are not. You are merely employees, paid to work and do what you agreed to do, on our behalf. Anything less is either treason, or its criminal intent.

This demand in this trial for a redress trial, whereby all the people shall decide if they demand accountability and the right of their own rule as WE THE PEOPLE. Is more than plausible/ it is the law. The judiciary is not entitled to an opinion here/ it is

forced by law, to accept its duty; or be proven in desertion of that duty and forced to accept the consequences.

#28 APPENDIX M : DOCKET REPLY FOR DE NOVO TRIAL 11-1639

APPELLATE CASE # 11-1639

THE CASE APPEALED: 10-2257 Judge David G. Bernthal; presiding.
US district court for the central district of IL/ Urbana div.

Titled: the legal determination of constitutionally guaranteed: first amendment redress law!

THE REVIEW OF DEMOCRACY IN THIS APPEAL FOR JUSTICE: or more simply, “do we the people own this nation or not”?

Plaintiffs response: DE NOVO April 11, 2011

The foundation of every judicial court/ appellate court in this nation called AMERICA: is that in terms of subject matter, these employees of government called the judiciary/ shall represent and obey the constitution of this United States of America as written. The legal right of every citizen established: as authorized and created within the constitution of this USA. That is the job of every judge. That is a foundation of law, a fact of sworn oath, and a description of duty that does not expand unto

discretion. The judge does not decide/ the constitution does! This is the leniency, afforded any judge in this nation; “great or small”. Your job is to adhere to, and protect the constitution of our government/ by its own terms called: WE THE PEOPLE! Simple as that.

Redress of grievances according to the first amendment of the constitution IS A PART OF THAT LAW/ A PART OF YOUR SWORN OATH TO OBEY, DEFEND, AND PROTECT. It is not a political right/ it is a legal right guaranteed to each and every citizen in this nation: whether they be “great or small”/ same for all. A legal right to demand that when OUR GOVERNMENT/ NOT your government as employees for we the people. But our government; when our employees create: the evidences/ the realities of failure/ the potential fraud and deceit so distinctly visible at this time in the history of this nation, that NONE of the people themselves doubts: WE ARE IN TROUBLE HERE. As is this day and time. Unless you wish to prove the vast majority of people believe all is fine, and we the people need, nor wish to do nothing to save ourselves from what is clearly complete financial collapse. To save ourselves from “the communist takeover” that is government today: identified in the truth that a \$3.8 trillion dollar federal budget, DOES IN FACT establish “our leaders” intend/ are spending/ and expect to spend \$38,000.00 per each one of one hundred million people: one in three of us in this year 2011 alone. Or more simply our “leaders” have discarded: let the people choose for themselves/ as is democracy. Establishing instead: “they KNOW BETTER than me, or us all”. Thereby the few determine everything important/ and the people “eat their shit”. Me included as my life has been altered forever, by the fact that not only does the leadership in this government prove to be too inept to identify the

problem that this is no longer a democracy. But insist upon threatening my life, and every life on this planet with such things as the gamble that is bringing the same fire as is on the sun here to this earth. Can't control it, and we are dead/ as a planet and a world. That is a very significant standing in fact before this court. The employees of this my government: have elected/ provided tax dollars/ and all aspects of support to those people who are gambling with my life by such experiments. And gambling with my country by changing it behind our backs: with the fraud that is communism "the few decide/ and the people can be slaves". I am not happy being your slave. I am very "upset" at my life/ my nature/ my world; everything including my planet being nothing more to the "leadership of this nation" than a coin, in a casino wherein IF YOUR WRONG/ we all die. Prove to me that it is impossible "the same fire as is on the sun cannot be established here on earth in this machine". You cannot, because theory is not proof. Prove to me that you can control the same fire as is on the sun here on earth; when that fire burns "atomic bonds as fuel"/ and thereby everything here is fuel; IT CANNOT be put out. And it will eject this atmosphere on earth in less than two weeks. Because the flames on the sun are estimated to be "millions of miles high". How is that NOT my legal concern. HOW MUST I WAIT, until this is proven to be, the end of life on earth.

**#29 APPENDIX O: SUMMARY REVIEW
GIVEN IN 2257; establishing "plain and simple".
dated: 12/3/10 trial number: 10-2257 titled:
VALID CAUSE OF ACTION**

**I SEEK REDRESS OF GRIEVANCES, AS IS
GUARANTEED TO ME, WITHIN THE UNITED**

STATES CONSTITUTION. Your job is to provide that legal right/ and you have NO legal opportunity to refuse. Refusal is to deny the US CONSTITUTION rules this land/ and you are its employees. The demand to disobey the law/ particularly the constitutional guarantees of a citizen herein: CONSTITUTES A WILLINGNESS TO PARTICIPATE IN THE CRIMINAL ACT Of making this US constitution invalid/ making traitorous actions in defiance of said constitution/ and adhering to the enemy: which are those who try to defeat DEMOCRACY.

Or more simply: WE THE PEOPLE, own this land/ this nation/ and WE ARE “this government, in connection with our founding documents.” You, are not the government/ you are an employee assigned to obey the law, support the constitution and defend it. The failure to do that very thing has criminal consequences. The intent to defeat the democracy of this USA and war against it as an enemy HAS consequences. The reality of law is very simple: either you do obey it as written/ or you deny the law and disobey your oath of office as is sworn; and thereby does come with consequences for you.

#30 APPENDIX O2 : A CONCISE AND VALID CLAIM FOR RELIEF

dated: 12/3/10 trial number: 10-2257 titled:
VALID CAUSE OF ACTION

The utter failure that is US government today, clearly proven throughout the land/ clearly and distinctly proven by the debt load, propaganda instead of as the constitution demands TRUE AND REAL accounting for the nation; provided to the public: failed/ clear and distinct failure in protecting the children from criminal conduct, as their elders not only steal their

money, but force them into absolute poverty by stripping every resource, and destroying every opportunity the future could have; because of selfishness and greed/ failed because we stand only minutes away from complete extinction by weapons of mass destruction; and the refusal to apply world law instead/ failed because the education system has proven tragic for too many/ failed because healthcare has become simple extortion/ failed because as is proven in this court: THE LAW, is not obeyed without a fight even in federal court/ failed because unemployment is too high/ failed because YOU do not RESPECT DEMOCRACY, but the employees believe they can be rulers, instead of we the people. There are many more, including threats of extinction that are specific to ending this world. Religion has taken over government, the reality of evolution (proven nothing), nothing more or less. Failed to protect the future. Failed to protect the people from weapons they cannot survive. Failed to provide redress to this date/ failed to protect the press (lost to a handful, with greed as their only decision)/ failed to protect the people that they be secured in their persons, houses, etc; "YOU, the employees, MADE THE MONEY BAD/ YOU SUPPORTED pathetic practice in banking and financial aspects of society". Failed to protect my right of trial/ failed to protect the value of DEMOCRACY to me, and to us; with endless rhetoric and lies. Failed by supreme court case 08-1339 being denied by a clerk/ not a judge; which is conspiratorial treason, the direct attempt to overrule the constitution and strip from the people their democracy. Lawyer/ Judge or not, you cannot pick and choose which law you will obey/ you will obey them, or be found guilty "an enemy of this nation". And it is up to the policing departments of this nation to apply the same demonstrations of power to you, as they do to us. Failed, because your policies

have made it impossible for some to avoid slavery and prostitution just to survive. Failed because due process is a joke among the judiciary, that they believe, can simply be avoided with LIES, like “failure to state a valid claim for relief”.

#31 APPENDIX O3 : A VALID WAIVER OF SOVEREIGN IMMUNITY

*dated: 12/3/10 trial number: 10-2257 titled:
VALID CAUSE OF ACTION*

WE THE PEOPLE, ARE THIS GOVERNMENT! You the employees are not. WE THE PEOPLE ARE DUE, THE PROCESS OF LEGAL REDRESS OF GRIEVANCES ACCORDING TO THE FIRST AMENDMENT OF THIS US CONSTITUTION, you have no say. It is the law. This democratic action rests upon the certainty: that we have not only a right/ but a duty to defend our nation as we see fit. That right exists as the legal remedy to take our employees to court and examine their work/ establish the change we need to have/ and determine our future for ourselves. WE ARE THE OWNERS/ WE ARE THE DEMOCRACY/ AND WE , within the confines of constitutional law; do represent not only our nation, but its law, and that enforcement of law ourselves. WE ARE THE JUDGE, in terms of redress of grievances/ because we are the owners coming to examine and decide what is the truth and reality of what these people have done to us, and in our name. It is our guaranteed and inherent right of power, as we the people. Because it is OUR NATION. OUR DEMOCRACY. OUR LAW!

**#32 APPENDIX O4 :
SUBJECT MATTER JURISDICTION**

dated: 12/3/10 trial number: 10-2257 titled:

VALID CAUSE OF ACTION

THIS IS a democratic action provided by the constitution of this UNITED STATES OF AMERICA. The law of first amendment rights providing for the legal remedy of failure by our employees/ and the opportunity to intercede prior to even greater damage being done. That means my legal right to inquire of this state or county: IF THEY DO, OR DO NOT BELIEVE, it is absolutely necessary to defend this nation and ourselves by demanding an accounting, and DIRECT control of government as the law allows through this court. IT IS AN INDIVIDUAL RIGHT, provided by the constitution. It is a democratic action, which means it is my right to ask of "we the people" here/ IF THEY TOO believe it is necessary and valid to ask of the others by simple democratic due process. The act of governing ourselves, by taking responsibility for the future from those who did not protect us; and choosing for ourselves a new path/ defending ourselves from those whose actions are traitorous. Because this is NOT distinctly the REDRESS TRIAL ITSELF/ BUT MERELY, THE DEMAND BY LAW, TO ENFORCE THE FIRST AMENDMENT REDRESS OF GRIEVANCES, and provide the beginning of trial. Every court in the land is entitled and instructed and demanded: TO GIVE THE PEOPLE THEIR LEGAL RIGHTS. This is not national redress trial itself. This is the beginning of redress, the foundation of democracy whereby the people themselves vote, to participate as they see fit within the laws and demands of democracy itself. It is well within the jurisdictional guidelines of this court/ it is our guaranteed and inherent right, as citizens of this nation. As WE THE PEOPLE. Further demand is created, through this initial trial to establish the foundations upon which those who

choose to participate by forcing trial: through the refusal to pay taxes UNTIL that law is granted/ until trial has indeed begun. There is no intent to say, we or I shall not pay the tax. RATHER AS IS THE FOUNDATION OF DEMOCRACY; our primary weapon against employees who refuse to obey our laws, by not enforcing redress/ is to remove their money. The filing of taxes remains/ BUT THE PENALTY AND INTEREST associated with working for our democracy, through justice and fair legitimate actions; are demanded to be proven. WHAT do you intend to do/ so that we all may know!

#33 APPENDIX O5 : SUMMARY

*dated: 12/3/10 trial number: 10-2257 titled:
VALID CAUSE OF ACTION*

Jurisdiction is proven and without doubt.

**APPENDIX P: IN SUPPORT OF THE CLAIM:
CONSPIRACY, COLLUSION, AND
CORRUPTION.**

**#34 APPENDIX P : DOCKETED, US SUPREME
COURT 08-1339**

*ADDED IN AS PROOF OF "REDRESS" DENIAL, BY
THE JUDICIARY; from the top down. Collusion/
conspiracy/ corruption; against redress, a guaranteed
right.*

No.
08-1339

**In The
SUPREME COURT
OF THE UNITED STATES**

**James Frank Osterbur ,
petitioner**

**V.
The United States of America &
The State of Illinois
Respondent**

**On petition for a writ of Certiorari to the United
States Court of Appeals for the 7th circuit,
Chicago IL**

PETITION FOR A WRIT OF CERTIORARI

**petitioner files pro se, as a citizen both of IL and
this USA**

**James Frank Osterbur
2191 county road 2500 E
St. Joseph, IL 6187**

i

QUESTION PRESENTED

The first amendment to the US constitution states and gives the following legal right: “....or the right of the people peaceably to assemble and to petition the government for a redress of grievances. “

As there can be NO DOUBT, or legal argument as to the condition of this USA in terms of “grievances” as to how our employees both of state and nation have failed to protect our lives, failed to protect our money, have created numerous threats that could lead to our extinction as a nation, world, or all life on earth. The

critical question examined within the various courts of law that have preceded this case are all focused on the vary same issue. WE THE PEOPLE, MUST HAVE THE NECESSARY INFORMATION ABOUT OUR SITUATION IN BOTH STATE AND NATION, that we may truly know what is important for us to address, what is necessary for us to protect for ourselves, and our future, and our children's future. And our world. Because it is clear, the leaders of this nation, OUR EMPLOYEES of government, who are assigned to do, "according to the intent and mandate of this US and state constitution" have failed. They lack clarity, they discard honor, they despise honesty, and they cannot be trusted. Therefore we this nation and this state, MUST have a redress of grievances to protect ourselves from further damage by people who do not know what they are doing/ don't care about what they are doing/ or are so corrupt in what they are doing, that criminal charges must occur. **Therefore the question to the court is: WILL YOU HONOR, THE FIRST AMENDMENT: REDRESS OF GRIEVANCES FOR THE PEOPLE OF THIS NATION?**

DENIED

35 APPENDIX P 2 : 09-LM- 1414
Conspiracy to deny redress of grievances; A
medical billing case, relying on contractual law.
CONSPIRACY TO DENY REDRESS, "not real".
Champaign county court; judge chase lenhard
filing November 5, 2009 excerpt
James osterbur v. Provena Covenant medical

"...The legal question extends to that when this country is in need or crisis, the first amendment of the US constitution provides the law, from which all

employees called government shall comply: or be recognized as criminal. That law for: WE THE PEOPLE, is redress of grievances/ the guaranteed legal right of the people & the legal demand made upon the government employee; to obey the law.

Order of the court: judge leonhard 2/ 16/ 2010

“Excerpt: this case is before the court on the motion of defendant, Provena Covenant medical center.....be dismissed for the reasons.....”cases such as these are not uncommon. They often present a blinding blizzard of chaff. They also at times present a court with the question of whether, and to what extent, a court might permit pursuit of the possibility that grains of colorable claim might be blowing in the wind. Plaintiff’s complaint is at once prolix and neological. Indeed, with due respect to plaintiff, the complaint is simply incomprehensible from a legal standpoint.

MOTION for arrest of judgment by plaintiff; retried by judge Difanis; order 8/23/2010 oral motion of defendant to dismiss is allowed, order dismissed with prejudice.

#36 APPENDIX P 3 : from the initial filing page one *The preceding trial 10-2055*, which then became appeals 10-2146 excerpt
CORRUPTION. COLLUSION, CONSPIRACY

In UNITED STATES Federal Court
For the central district of the State of IL
URBANA, IL 61801
dated 3/9/10

JAMES FRANK OSTERBUR

VS

STATE OF IL, as represented by the governor for IL
Mr. Patrick Quinn 207 state house, Springfield IL
62706

(because this is the state, and the judiciary, wherein
trial began)

UNITED STATES OF AMERICA et al.
As represented by the solicitor general office USA

JUDGE CHASE LEONHARD
Champaign county courthouse , for the state of IL
101 E Main
Urbana IL 61801

RE: the eviction of due process, by a corrupt and
invasive court. The failure of amendment 1, 4, 5, 7, 9,
10, 13, 14, 15, & 26; to provide for and protect the
citizens of this USA. Because, tyranny in the court/ IS
NOT JUSTICE. THE LAW decides a trial, "NOT, just
because the judge says so". I demand due process, and
the law, NOT the whim or opinion of a judge, outside
the realm of justice. As would be fundamental to the
needs and parameters of this entire case; through
constitutional guarantees & law. Not, a game.

A: MAKE THE STATE OF ILLINOIS, obey the first
amendment redress of grievances in this Champaign
county courtroom. Return the case 09 LM 1414 to
court (a different judge)/ and require them to let it
proceed to its purpose and demand for law.

B: Establish the foundation of DUE PROCESS, as it
pertains to first amendment law/ by describing
exactly what the judge must understand, by the
description of his job and his oath.

C: CLEAN THE COURT system of America: By review of reality, in terms of “HOW a citizen of this nation and this state is treated, in court/ without the aid or education or money applicable to lawyers. And demand JUSTICE, for all. The court has no authority beyond the law/ but must act within the demand of law; and in particular constitutional law, where no real interpretation of first amendment legal rights, can exclude or deny redress for the people.

This is a clear federal question jurisdiction case/ with appropriate pendant jurisdiction issues

ORDER OF THE COURT 5/ 5/ 2010 10-2055

“...Osterbur also contends that the state of IL should be forced to obey the first amendment right of redress of grievances....”

THIS CASE IS TERMINATED. Harold A. Baker.
Judge

**#37 APPENDIX P4 ; 10-2055 then became
FEDERAL appeals 7TH circuit: 10-2146 order of
the court CORRUPTION AND CONSPIRACY.
may 10, 2010**

Circuit rule 3 (b) empowers the clerk to dismiss an appeal if the docket fee is not paid within fourteen (14) days **of the docketing of the appeal**. This appeal was docketed on May 10, 2010. The District court has indicated that as of May 10, 2010, the docket fee has not been paid. Depending on your situation, you should:

1. Pay the required \$450.00 docketing fee PLUS the \$5.00 notice of appeal filing fee to the district court clerk, if you have not already done so. The court of appeals cannot accept this fee. You should keep a copy of the receipt for your records.
2. File a motion to proceed on appeal in forma

pauperis with the district....

*[I CANNOT currently find the filing stating without doubt that I did pay the court: **(THEY DON'T GIVE YOU A CASE NUMBER UNTIL YOU DO)**. the pitiful cash register receipt given to me rubbed the ink away in my billfold. The local FBI office refused to do anything.]*

**#38 APPENDIX P 6 : 10-2146 REALITY
“ABSOLUTE CORRUPTION”**

PLAINTIFF circuit rule 3 (c) docketing statement
dated 6/1/2010

“Cases 94-2060 & 9402001. Wherein the judges of this 7th circuit federal appeals court: “pick a facetious, or more correctly factitious lie: choosing to discard the case with a complete fabrication representing Christmas decoration on a government property”. When absolutely nothing religious/ nothing about Christmas/ nothing about government property or any other facet of that lie actually existed. Not in interpretation/ not in actual fact/ not in deliberation/ not in the slightest conformity or evidence! AN ABSOLUTE LIE”

June 3, 2010 10-2146

this cause, docketed on May 10, 2010 is DISMISSED for failure to timely pay the required docketing fee, pursuant to Circuit Rule 3 (b) final order w mandate

#39 APPENDIX P7; From the initial filing of trial 07-2040 first two pages. *REFINING WHY this is not tax evasion or the intent to claim “no tax”. The functional assertion: I am promised,*

by this government: better than this!

Establishing the “pro se way”/ as any other
citizen might. **115 A. 484, 486 185 A. 401. ART 1**
SECTION 10 US CONSTITUTION

In the UNITED STATES DISTRICT COURT

201 S. VINE ST URBANA, IL 61801

<http://www.ilcd.uscourts.gov/>

case # 07- 2040

JAMES FRANK OSTERBUR

V

THE UNITED STATES OF AMERICA

THE UNITED STATES INTERNAL REVENUE SERVICE

DEPARTMENT OF THE TREASURY

DATED: 2/ 16/ 07

1. IN BRIEF: as has been provided under the collection appeal rights : quote, yu may contest the CDP decision in the tax court or an US district court as appropriate. Page 1. As this is not a matter of collection per se/ I will fully pay the amount in question/ it is not an issue, and I have saved the money for the purpose, it is in waiting for the critical descriptions of an opportunity to understand the legitimate scope of arbitrary powers versus the rights of the people to information and protection under the powers of the constitution itself. That is the fundamental trial for the legal right to petition the government under the first amendment of the constitution: the right of the people peaceably to assemble and to petition the government for a redress of grievances. Because this is as indicated below, represented by various and absolutely critical consequences of life or death to the citizens of the nation/ or the nation itself: the court is bound by its duty to the nation under article 3 section 2. 1. The judicial power shall extend to

all cases in law and equity arising under this constitution..... As a soldier is sworn to uphold his or her duty, whether the battle is desired or not/ so to is the court, and its employee who acts as judge, administering the purpose and intent of the constitution itself. For that is its purpose, and that is its power, "to DO as the people have instructed the court to do". To protect and defend the citizen, and the nation. This cannot be done in hiding. The bill of rights asserts and informs simply: quote "a declaration of rights made by the representatives.....assembled in full and free convention; which rights do pertain to them and their posterity, as the basis and foundation of government.

1. Section 1. That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.
2. Section 2. That all power is vested in and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.
3. Section 3. That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of mal-administration; and that when any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, inalienable, and infeasible right to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.
4. Section 4. That no man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services;
5. Given the scope and substance of these declared ideals and representative conceptions of what and how the United States

Of America government is suppose to work, and their assigned duties from which the nation itself was born; we find the truth of why people died to support, create, and defend this nation. AND we also find the descriptions of the work intended to be done/ the honor expected from our representatives, and the purpose of the nation itself.

6. Added to these descriptions are the summary expectations for the government of the United States of America; in the prelude and formal description of how the nation itself should be understood, and what our representatives are intended to do for us. You will note; nothing about these words are established as "a description of representatives"/ BUT rather exist as the words of the people themselves/ telling the representatives of that day and the present exactly what is expected from them. Those words are established in the constitution as:

7. THE FOUNDATION

8. WE THE PEOPLE of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

2. Fundamentally describing, by my words and expectations

1.

3. THE PROMISE

1. That freedom shall be our truth, and life will be our way. Defined by the existence of our own voices, we are the reality of our purpose & the essence of life's desire. TO BE, a nation of equal's/ a nation designed by the hope of independence/ a nation where liberty believes in me, each one. From hope & life, and purpose; our intent is happiness for all. From discipline & life & duty, our demand is repeated in the very simple words: let justice be for me/ for us! From respect, the essence of responsibility and the destiny of fair play; WE THE PEOPLE, becomes a pledge to each other, that the value of our lives, & the treasure that is our future.

4. Clearly viewed by the relationship of evidence that exists.

#40 APPENDIX P8; Current trial 11-2111 US DISTRICT COURT: make the state of IL honor its constitutional amendment granting: IL constitutional, redress of grievances to the people.

In US DISTRICT COURT
CENTRAL DIVISION, FOR THE STATE OF IL
201 S. VINE ST, URBANA, IL 61802

DATED July 11, 2011

case #__11-2111__

JAMES FRANK OSTERBUR
2191 county road 2500 E. St. Joseph IL 61873
<http://www.justtalking3.info>
Vs

STATE OF ILLINOIS
GOVERNOR; P. QUINN
207 state house, Springfield IL 62706
ILLINOIS DEPT OF REVENUE; James R Thompson center,
concourse level 100 W. Randolph st, Chicago IL 60601-3274
IL Attorney general: LISA MADIGAN: 500 S. Second st.
Springfield IL 62706
CIRCUIT JUDGE, THOMAS DIFANIS; champaign county
courthouse 101 E. Main st. Urbana IL 61801
lawyer for the defense: Joshua I. Grant; 500 S. Second st.
Springfield IL 62706

**#41 Appendix P9 MOTION FOR JUDGMENT 11-2111.
Establishing collusion, corruption; not yet finished.**

IN THIS CASE: of ILLINOIS constitutional law, established
under the burden of proof that is: the oath of office for these

officials of government. To obey, defend, and protect the constitution, and serve the people of IL as within the confines of WE THE PEOPLE.
Our right of ownership as a democracy.

The foundation of all summary allegations and fundamentals of filing by the defense: DO LACK any comprehension or capitulation to the facts of this case which are.

1. The court judge refuses to obey the IL constitution and its LEGAL, for the people: redress of grievances clause.
2. The governor refuses to enforce the IL constitution and its legal for the people: redress of grievances clause.
3. The attorney general refuses to enforce the IL constitution and its legal for the people: redress of grievances clause.
4. The IL IRS is an accomplice in rebellion against the IL people/ as they collect the money which makes it possible for this treason to be established against us.

Consequently: this federal court is obligated by federal law as in article 3 of the US CONSTITUTION. To make these traitors obey our constitution, or send them to jail.
There are NO EXCUSES/ it's the law!

#42 APPENDIX P 10: US DISTRICT COURT, central district of IL 11-2111 memorandum; defendants "illegal" motion for sanctions/ plaintiff exhibit B

page 5 "further, despite the fact that the state court proceeding, which **generally sought "redress of grievances"**, was already determined to be **"frivolous and patently without merit"**, Plaintiff has filed this action seeking the same general relief".

plaintiffs exhibit B "original, letter: memorandum of law in support of Defendants Motion to for sanctions: "page 3 argument: impose sanctions include whether the person has engaged in similar conduct in other litigation, and whether a party's conduct is "part of a pattern of activity".

_____ {from the plaintiff today; "this is an argument that goes

both ways: them too}.

Page 5: for example ...the circuit court....dismissed....because ...simply “gibberish on file”. District court....dismissed...because....”Rambling and generally incomprehensible and ...contained no discernable [sic] claim”. Circuit court....dismissed...found the complaint to be “prolix”, “neological”, “simply incomprehensible from a legal standpoint”, and belonging to a category of cases that “present a blinding blizzard of chaff”. The federal...court....demonstrated “no coherent claim or request for relief”. Circuit court found...frivolous and patently without merit.

“Page 6; plaintiff states, (the defense identifies the truth, that there have been numerous lawsuits/ each of which will prove to be within the constitutional duties, rights, and guarantees of each and every citizen of this state or nation..”) and page 8 (“and yet you have not defeated me once with law....”)

**#43 APPENDIX P 11: CURRENT TRIAL 10-2277
REPORT AND RECOMMENDATION 7/15/11 excerpts.
Plaintiff describes as“The elements of corruption”**

US DISTRICT COURT, Urbana IL: PAGE 1 motion to dismiss be GRANTED.

Page 1. Background; Plaintiff, a pro se litigant brings a complaint indicating the court has committed an unspecified constitutional violation. He seeks to have a joint trial with all people in the nation to establish their first amendment rights, and to seek redress of grievances.”

Page 1. Dismiss on the following bases: (1) failure to state a valid cause of action.....(2) failure to state a concise valid claim for relief....(3) failure to establish a valid waiver of immunity. (4) lack of subject matter jurisdiction...”

Page 3 “...defendants to be subjected to “paranoid pro se litigation...alleging...a vast encompassing conspiracy” unless plaintiff meets a “high standard of plausibility”. Page 3 plaintiff response to motion to dismiss: “ **...is your duty** to investigate and defend “we the people”. YOU ARE MERELY THE

EMPLOYEE/ by no means, no rights, and no merit; is an employee allowed to call him or herself, “this USA”. The limitations and conditions are: You are not a ruler/ you are not an owner/ you are not immune from bad behaviors and its consequences, or the laws.....being servants to the law, rather than.....”

#44 APPENDIX P 12 This trial 10-2277 is a demand to make the state defend, the citizens of IL by the authority of federal government. Excerpts. Case record file. Establishing collusion.

THE MINIMUM DEMAND IS “REDRESS TRIAL, by randomly selected Jury”: with honest and real advertizement of first amendment responsibility to be accepted and understood. These jurors hold the keys of redress for the citizens of their state;

They decide: IF WE PROCEED, TO ASK THE NATION. Demanding accountability/ protection/ rights/ and the truth of our democracy. They decide the contract dispute bringing this trial before the court. They decide if the tax previously withheld, by me was necessary to bring redress of grievances to court.

This trial DETERMINES AND OBEYS:
THE FIRST AMENDMENT REDRESS OF GRIEVANCES IS IN FACT THE LAW. THAT this court, & EVERY JUDGE MUST OBEY THE LAW: TO GRANT THE PEOPLE OF THIS STATE, THEIR RIGHT, AND THEIR DECISION: TO “the truth and consequences of THAT LAW.” THE RIGHT to be respected and recognized, as true owners of this state and nation. The right and demand to make our decision, for ourselves; and hold our employees accountable.

THE GRIEVANCE, AND DEMAND:

2. In the matter of: FAILURE to adequately protect the citizens of these cities, this county, and our state of IL. The

opportunity and legal duty to abide within the primary understanding of government demands: WHERE “realities in fact” EXIST, THAT CAN potentially THREATEN, DAMAGE, MUTILATE, OR DESTROY, LIFE IN THIS STATE. There shall be an investigation of the facts/ an examination of EACH risk/ and a distinct trial before the people. So that they can and will make their decision: upon the reality, and truth of HOW shall we proceed? Our lives, SHALL NOT be gambled with! It is not up to the police or the court to determine “scientific theory”! Rather it is their DUTY to examine risk, and or the gambling with our lives, nature, planet, etc: EVERY threat, that defines a clear and possible harm! Even if it is very small: IT IS, our right to be protected/ when being wrong is horrendous, or severe. It is our right to have examined a bomb for instance; prior to its explosion: who doubts this? Reality inferred by the evidence of, what might indeed happen: should we let this situation continue/ is cause enough to demand investigation and court actions. In other words: IF WE OR THEY CANNOT BE WRONG: without doing substantial or extreme harm! THEN THIS CANNOT BE DONE, there are no excuses.

The cause and consequence being: that we are being threatened by terrorists (those bringing severe or serious threats of harm into our lives). Is, the courts, have inadequately responded to assure and sustain the life, health, property, children, and well-being of those citizens represented here. That fact must be changed/ before it is too late.

The allegation: when EVEN THE CONCEPTION, of severe and serious threats exist: that CAN IN FACT, by the nature and machinery of death: threaten our very existence, our ability to survive, our lives, our businesses, our everything called life. IN THIS PLACE & within our future, and even our world: because the threat is that extreme, or less. IT IS OUR DECISION TO MAKE AS A PEOPLE/ not theirs to gamble and assume. To play with our lives, to expose us to their own failures, to threaten everything: is terrorism! We are known to be at the mercy of theory; with people who are, simply trying to play god! People gambling with the laws of nature, time, and

energy, that we depend upon for our survival.

The foundation of that as legal demand for protection is:
“When you know”/ THEN these police, courts, and employees
of the state of IL: being informed these threats do exist/ MUST
INVESTIGATE/ EXAMINE THE FACTS/ DETERMINE THE
RISK/ and let the people decide for themselves what they shall
do, by participating in that courtroom, full disclosure of all that
is truth and reality. Thereby accepting our fate, rests in the
hands of ourselves. RATHER than a few: WHO DO
GAMBLE, and RISK EVERYTHING PRECIOUS: TOO ALL
OF OUR LIVES! This case proves: you now know/ and
cannot legally refuse.

The foundation of being a police officer, whose job and duty
testifies: “To protect and serve”/ REQUIRES ACCEPTANCE
OF THAT DUTY, according to the severity of threat. That is the
job! This threat, these threats listed herein: can kill/ maim/
mutilate/ establish war, and harm every single living human
being here in this joined city, and this state of IL, and MORE.
That fact is NOT held down, by the assumptions of theory!
Rather UNTIL THE EVIDENCE SHALL PROVE, no risk
exists! THIS TRIAL asserts a terrorist exists! Intervention, is
the law. That we cannot risk the potential and irrevocable
reality of what can go wrong; is truth. NO RIGHT OR
FREEDOM EXISTS: that may rob us of our right to live, enjoy
nature, or make our own decision about life, property, or
purpose. No acceptance of freedom is allowed to be
ENDANGERMENT, or EXPERIMENTING with anything, or
ANYONE else; a reality utterly opposed to justice; that
conceives of extreme harm, to us all.

**#45 APPENDIX P 13 This trial 10-2277; extends from
state of IL, champaign county 10- MR-766 excerpts:
THE SIGNS OF A true CONSPIRACY, “NOTHING is more
important than controlling the people”**

IN CHAMPAIGN COUNTY COURTHOUSE, FOR THE
STATE OF ILLINOIS

101 E MAIN ST. URBANA IL 61801

JAMES FRANK OSTERBUR
2191 COUNTY ROAD 2500 E
ST. JOSEPH, IL 61873

VERSUS

THE STATE POLICE OF IL
THE CHAMPAIGN COUNTY POLICE DEPARTMENT
THE CITY OF CHAMPAIGN POLICE DEPARTMENT
THE CITY OF URBANA POLICE DEPARTMENT

DATED: 10/18/10

...Those terrorists threats, which must be investigated
include:

THE NATIONAL IGNITION FACILITY, livermore CA
OUR LIVES THREATENED WITH EXTINCTION,

the first theat!

YOUR american LEADERS/ YOUR university EXPERTS,
gamble with this planet, at the national ignition facility:
BASED upon these *theories* (*guesses/ expectations*). The
machine exists/ the experiments are now running. **What is**
true, DETERMINES whether this entire planet lives or dies!

Not a game, because this is our reality; because this is the same
fire as is on the sun/ the potential same result as is the sun, here
on earth!

This trial is NOT about “the science”!

Rather this trial for WE THE PEOPLE: is strictly about the
risk and reality of being wrong/ or being too late, a future
destroyed; if we do not act now!

THEIR Theory #1

fusion cannot be sustained here, because the necessary gravity, hence pressures “to crush atomic materials, thereby attaining heat”: are **not possible to maintain** for any significant period of time, on earth.

THEORY #2

thereby; all fusion is generated from the center of the sun, (wherein tremendous pressures are believed to exist,

BECAUSE OF gravity) and radiates out.

THEORY #3

GRAVITY, because the sun is considered to be **so massive**, is the cause of fusion.

THEORY #4

gravity is: the evidence of a large body attracting a smaller body, thereby holding it by some form of unknown attraction.

Upon these four theories “of the extra special smart people”:
they gamble bringing fusion to earth will not cause this planet
to become as the sun is today; completely engulfed with fire!

THEIR QUOTES:

1. WE WILL create an energy burst explosion: equivalent to 500 trillion watts or 1000 times the electrical generating capacity of this USA.

2. WE WILL achieve temperatures inside the target area of over 180 million degrees F. “More, than an exploding sun”

3. WE WILL create pressures equivalent to 1000 times greater than, the gravity of this earth, inside the target area.

THEIR MACHINE: 192 of the most powerful lasers known/ all pointed at one single pinpoint spot called the target.

THEIR PURPOSE: to surround and encapsulate the atomic structure of whatever elements are inside that target, and make it surrender to their, heat imposed. “No escape”! Thereby forcing the atomic laws that govern our existence here, to submit beyond their limits to resist: changing that atomic law of time, governing earth.

THEIR GUESS: fusion will result/ THEIR EXPECTATION: but when we stop the lasers: it will stop, because the pressures needed to sustain fusion; containing the atomic environment will cease. More at www.justtalking3.info

**IF THEY ARE WRONG/ AND THE FUSION STARTED
CONTINUES WITHOUT PRESSURES INDUCED BY
LASERS:**

they have created a fire that cannot be put out, because everything here is fuel!

Are you willing to bet this planet on that theory?

E) the stated “military mission, or purpose of NIF, this facility; apart from creating fusion is: to test, “the exploding part, of nuclear bombs”! Going to contain “repeated nuclear explosions”, inside a target area with lasers. In a suburb called Livermore; of San Francisco. Apart from all the other possibilities: containing nuclear explosions by encapsulating it within laser beams mean: IF ONE single laser fails/ there is a hole by which the nuclear explosion will escape, as a focused blast, multiplied by the energy effects, of the remaining 191 lasers.

**ARE YOU WILLING TO GAMBLE WITH THIS
ENTIRE PLANET/ ITS CHILDREN/ ITS LIFE/ ITS
FUTURE:**

TO PLAY THIS GAME? Want to live in a San Francisco?
NO GOING BACK, EITHER life or death, for a planet/ based upon theory; and the propaganda of news media, declaring “they know”/ when in fact **as proven by the word theory**: THEY DON'T KNOW.

These are Excerpts from www.justtalking3.info
This is NOT a research project, it is an expectation and attempt to create as stated on their site: fusion, the same fire as is on the sun. **Fusion is the burning of atomic bonds (EVERYTHING HERE IS FUEL)**/ very similar to fire on earth that burns chemical bonds: except atomic BONDS ARE the fuel, instead of chemicals or more correctly molecular bonds.

Theory #4 believes gravity is so strong it “holds the planets in orbit around the sun”. ***YET: We can defy earth gravity, by jumping; with minimal efforts. HOW is that possible if gravity is as they expect, holding planets millions of miles away. The math does not compute!*** Compared to the size difference between earth and human, it is not possible.

Theory #3: the sun is massive! However, we know the

flame rises due to heat expansion “millions of miles” from the surface of the sun/ **because it is a sphere on fire**. Thereby the heat pushes against itself, adding a tremendous increase in the distances needed, for that heat to exist in relation to the reality of expansion. Meaning very simply: not only does the fire not extend down to the sun body itself/ but the size of that sun body must then be, extremely smaller: than common science expects.

Theory #2. The sun burns from the center out. IF the sun was entirely “fire”/ then it would all be burning, causing a rate of consumption applied to the body of the sun that would be extreme. The opposite is true, it burns slowly; and we know this is true, because the sun remains constant in human history. Since we know, that everything on fire, is being consumed. We know, thousands of years of human history would prove the temperatures here on earth would have changed. Thereby, we know everything is not being consumed. If everything is on fire, everything is being consumed. It is not so.

MORE CRITICAL is the known truth: an exploding sun expands tremendously prior to its final explosion. We know, if the sun were completely on fire, being hottest at its center:

THEN NOTHING EXISTS within that mass, TO EXPAND!

Thereby proof positive fusion exists on the surface/ NOT from the center out.

a large mass on fire, has a variety of “hot spots” and will attain cracks and crevices and flumes varied by the temperatures beneath. It will have area’s being consumed faster & slower/ the sun would then deviate from a spherical shape/ and it does not.

Theory #1 only intense pressures create fusion!

However reality states: being effectively contained as an atomic environment/ and developmentally altered from its normal atomic state. Atomic energy that cannot react outward/ given the law: for every action there shall be a reaction! Demands that energy shall turn in upon itself: because for EVERY ACTION IN TIME, there will be a reaction in reality. OR more simply an atomic energy confined which cannot push out/ once overwhelmed, then pushes into itself. That process begins the burning of atomic bonds OR: The process intensifies, dependent upon the length of time: establishing “no space” and

a black hole is born. When excess energy creates, a single escape route. Essentially becoming a “ram jet engine”; what we see as “extreme suction”/ pushing mass through that center; turns energy inside out, and “dark energy is formed”

Theory #5 that fusion is made by the joining of two hydrogen atoms to become helium. HOWEVER, reality argues: When atomic bonds are severed, only “parts and pieces” are left/ they eject as individual protons and electrons to recombine past the flames as hydrogen. Meaning their theories are, all fantasy and delusion

People will die.

Or would you prefer to believe “Chernobyl” never happened?

Those actions include

the SECOND MAJOR IMMEDIATE THREAT

to our planet: the terrorists at CERN/ the particle accelerator buried in a mountain.

Their stated purpose: **“to recreate and study, the energies responsible for the BIG BANG”/ THE SINGLE MOST DESTRUCTIVE EVENT IN THE HISTORY OF THE UNIVERSE. Here on earth. IT IS, A gamble with this ENTIRE planet that is complex/ but understandable, if you try.**

THESE “EXPERTS” ARE, attempting to demonstrate energies that led to:

*creating the structural defects that caused the originating mass to explode, and expand into the universe we know today. **We know structural weakening occurred because it is a documented explosion of. such force, that no doubt exists only “dust and gas” was left.***

THESE scientists, ARE GAMBLING: they can create the same energies and use it as a toy to study: simply turning their machine back off, will mean nothing bad can happen. They BELIEVE , THIS EARTH WILL NOT EXPLODE; EVEN THOUGH THEY EXPECT, intend and demand: THESE ARE THE SAME ENERGIES, THAT DESTROYED THE ORIGINATING MASS, of an entire

previous universe. To be wrong then, is to create the destruction of this earth/ same energy, same result is not unlikely. Therefore we review their theories here. (IN BRIEF) And demand: if even a one in a million or more chance exists the entire planet is destroyed: THIS MUST STOP! IT IS, our lives/ our future/ our everything: NOT just yours.

They BELIEVE, the potential rewards, outweigh the risk; they are going to be “gods”. **However the reality once released, means we cannot go back in time. If they are wrong, the evidence is: an entire universe was changed; how much less, just this small planet.**

Their machine is described, as the following statements: (described at scientific american, February 2008, for the propaganda media).

1. We will achieve one trillion volts of contained energy, traveling at the speed of light; within this machine. *You could think of it roughly; as the energy required to lift 3 or 4 empire state buildings off the ground.*
2. We will boost the proton’s energy (the active part of a nuclear bomb) by 16 times. *Or if they could transfer this imposed energy into a nuclear bomb, it would be 16 times as deadly and destructive.*
3. We will smash these protons at the speed of light 30 million times a second, for up to 10 hours. These are *(for visualization)* bunched into “trains”. The number of trains or bunches on the “rails/ wires” are 2,808 at any one time. The number of collisions per second on this ride is up to 31 million crashes per second, at 4 locations. The expect as many as “20 individual train cars ” collisions at every crash site, each time; the rest travel on. $31 \text{ times } 4 = 124 \text{ million crashes per second for ten hours} = 36000 \text{ seconds times } 124,000,000 = 4.464 \text{ trillion crashes per day times } 20 \text{ individual proton crashes per time} = \mathbf{89 \text{ trillion, 28 billion proton crashes per ten hours}}$
4. Several nuclear power plants are required to generate the electrical forces needed for their experiment. Add that to fuel consumption/ pollution/ etc.
5. All of that force is isolated “into two wires (for simple

understanding)", the electricity moving in two different directions/ and then directed into a head-on "train wreck" collision through what is in fact "a needle, or proton ejection means, shooting the gap between wires"/ all that power, going through "a needle" kind of like your sewing machine; sort of. *Their desire and intent: apart from any other description is, to create energies: "to search for new forces never before seen in time"*. While this may sound exciting, the reality of unleashing forces that do not obey the laws of energy and mass in time; as has already been proven to explode an extreme mass. **IS WITHOUT DOUBT EXTREMELY DANGEROUS.** YET, this is their plan/ their purpose/ what their machine is for: and it is playing with tremendous force. Established, with your money.

YOU WILLING TO BET YOUR LIFE, YOUR CHILD, YOUR FUTURE, YOUR ENVIRONMENT, YOUR EVERYTHING/ YOUR PLANET: ON THE RESULT? They are betting exactly that, and the machine is now running.

WHAT THEY DO NOT TELL YOU IS: *that in playing with energies this extreme, it is entirely possible that they WILL create the same energy that caused the originating mass of the previous universe (all gathered together/ just like this planet): TO EXPLODE with an intensity, that nothing seen in time can duplicate. Or more simply, given the incomprehensible size of that originating mass: WHAT WE DO KNOW IS, THAT EVERY SINGLE ATOMIC STRUCTURE INVOLVED EXPLODED AT THE SAME TIME! Creating instantaneous expansion of the whole. Or more simply, it exploded so completely and so violently, that only dust and gas was left from the entire originating mass. Think about that for just a second/ and then go back to their stated purpose: to bring this energy here on earth.*

What is important about the big bang for this discussion is:

FOR ANY STRUCTURE TO DISINTEGRATE INSTANTANEOUSLY , as did the originating mass of this universe: **ALL THE STRUCTURAL COMPONENTS**

INVOLVED, HAD TO BE WEAKENED, (a very important fact). In other words, something preceded the explosion itself. The question is HOW? **The answer is: only an energy SO EXTREME, that no reaction could exist, no elemental relationship could defend; to confront it.** An energy and momentum accelerated so fast: that time did not exist, by the laws we know as truth. **Time is by actual fact: the law that says, for every action there will be an equal opposite reaction.**

What is important here is: THE RISK TO OUR WORLD/ THE GAMBLE these few, and their propaganda news teams, experts, and governmental leaders have created: to an entire planet of life.

The question is: HOW MUCH velocity and momentum can the altered energy; as dimensional protons of mass, escaping time; exit from this chamber with? We return to their statement: “We WILL increase proton energy (the explosive part of a nuclear bomb) by 16 times, due to our acceleration process”.

A 20 megaton nuclear bomb then becomes a 320 megaton nuclear bomb: it is a massive increase in momentum. Therefore let's remember: if a proton escapes at the velocity of the speed of light/ with an equivalent momentum of 16 times its normal state of energy, **it needs only a push: to be accelerated beyond the speed of light/** or the arena wherein time and its dedicated limits of: for every action there shall be a reaction/ or measurement of time exists.

To give these protons that push at cern, in these experiments: there is “at the atomic level” ; a massive nuclear explosion behind them/ with every crash. 89 trillion proton, crashes in ten hours Does that not sound like “a push”?

There is also a massive aura of electrons in front, behind, or surrounding them; opening the door, to escape velocities, for any proton that breaks free.

DEPENDENT UPON: the protons that do escape beyond the limits of time, or action and reaction limits imposed

by time. The extreme number of electron energies pulling them or more correctly TURNING THEM BACK, (*opposites do attract in atomic energy; electrons exist at speeds over "light"*) will be applied. This then becomes the ingredients to form: "like a trampoline or spring, at low amounts of mass, or more **specifically, if enough mass is ejected, or collected at once; a centrifugal loop**". The energy created identifies itself by the trail of electrons it creates/ but because this is over the speed of light, time cannot measure it. The end result is: protons will bounce back and forth, or circle through the earth or around it; unnoticed and unfelt until the true force has gathered together enough protons with sustained momentum to "leave the womb" of its creation, called CERN. With this mass in place, and these controlling electrons an established force, anchored in place. This energy now, begins influencing time. **OR more simply, once enough momentum has been achieved to establish, the centrifugal effect, an "upside down electron tornado" effect, will occur; which will then pull atomic structures apart on earth, and eject them into space: the end will soon come!**

Which is: the necessary effect in, or allowing: the complete weakening of atomic structure in large or small mass. Once the tipping point has been passed, more and more protons will be accelerated to complete the process by the actions of this energy)/ **as is proven possible by the originating mass.** Prior to its explosion, which did create, Our completely new universe. Or, in this case OUR; evaporation from space and time, as the planet explodes. Not a fantasy, these are the energies being created/ the purpose of the machine at CERN! They play a game; without regard to consequences, planet, or life: using fantasy, delusion, arrogance, and absolute selfishness GAMBLING with our lives. **But reality proves it is no game.** MORE IN DEPTH AT <http://www.justtalking3.info>

love is the essence of everything we are, being alive struggles, because of what we are not. Truth says: it is not life that lacks in us/ it is, "what we choose to want".

Find truth. Or people will die. This is, Added in an effort to modulate (**to leave room for hope**) fear.

The demand REMOVE all assistance/ all monies/ all

intellectual property/ all physical property, lent, given, or sold/ and demand NO citizen of this place shall enter therein or provide assistance in any manner. They shall be called TRAITOR, if they refuse/ and held accountable. This government shall seek resolution with other governments regarding this threat.

Those who see no danger/ and drive right into a brick wall: are called “fools”. Are they not?

Those actions include

The THIRD immediate threat, TO LIFE.
NATURE IS, THE GENETIC STRUCTURE OF LIFE! It is not more than that or less than that.

Nature is, the genetics that build our bodies, create our world, establish a fundamental base of knowledge by which we survive. Combined with the energy necessary to establish and maintain movements, decision, and the comprehension called life. THIS NATURE, *the universities, industry, agriculture, medicine, and businesses, are mutilating across this planet; as if it were a toy.*

The foundation of their theory on genetic mutilation is:

1. In the religion (cannot be proven) called evolution: evolution (*we shopped/ we wanted/ we took for ourselves/ and it just worked, without even a brain*) builds everything, “therefore life heals itself/ and we don’t have to care about anything”. Even though these “scientists”, say it took “a billion years”.
2. **The primary goal of geneticists** for the last fifty years has been: **IF WE CAN JUST MAKE GENETIC STRUCTURE “COLLAPSE AND BURN; so to speak”! THEN, we will learn how to put it back together and take it apart: becoming creators of evolution ourselves/ WE will be gods./ These scientists, HAVE done HORRIFIC things to life, in their laboratories, behind closed doors!]**

That means, their perceived primary purpose is to destroy the integrity and disciplines that give us life. The BALANCE, that gives us two arms/ eyes/ legs/ etc; same on

both sides.

No response from the court of any kind in 10 MR 766/ a complete refusal: stole the money.

#46 APPENDIX Q THE FOUNDATION OF WHY THIS IS IMPORTANT added to #45 extreme issues that we must address from www.justtalking3.info

Without antibiotic ([disease held back](#)) feed, the entire [livestock industry](#) dies. We have no other methods left, to raise anything. It will be the end of meat/ eggs/ etc, for billions. Confinement agriculture will stop, without antibiotics: what then? [A more deliberate picture](#) here is, that [antibiotic feeds](#) stop an [infectious disease from spreading](#), because it if is not stopped immediately by blanket methods such as [antibiotic feeds](#); the entire herd, or flock can be lost. These are not fed at all times, but more than enough to prove without them [close confinement fails](#) entirely. Antibiotic resistance is nearly complete (ended), for us too. Such is the result, "of easy/ I want to own it all".

The final sanctuary, for breeding stock we depend upon; in the arctic ocean, is now open / and "[fish](#)" will then be extinct/ numbers too small to matter. Thousands of [ships fishing 24/7](#). "[At sea, till full](#)". I must make a living& I WANT more! The fundamental truth here is simple; [human behaviors demand](#) that it takes a navy to stop [the march of men and machines](#) in their goal to GET ALL THEY CAN GET. To get rich, by taking all the fish they can take. Nothing less than force will keep the [international fishing fleets](#) from gathering all the fish they can. Simple as that. Without this last preserve, the numbers will die; we cannot replace them. Every year beyond this 2011-2012 at the most will see starvation increase. [Because nature can no longer defeat your needs](#); unless you help nature itself survive.

World [human population](#) grows at 2 million per week . You want what you can no longer have, an endless supply of space

and time to do whatever you want to do. [This earth is full](#). Any true population increase beyond this point is death to us all: nature cannot sustain us, and that means war, cannibalism, and terrors beyond your imagination. [Just how it is. 7 billion people](#); living on 7 billion acres of actual "growing land". **One person per acre!** Look around you/ the concrete/ [land lost](#)/ etc.

If you take the [agricultural lands](#) declared by each nation, it becomes [a rough picture](#) of how much [land is available](#). From that cities, and more are removed, and we see [what is left](#) for our survival; AND [EVERY other creature](#) not in the sea, or [dependent](#) within the sea upon what comes from the land. **Oceans polluted and dying. [The incubators](#) of ocean life [destroyed](#).**

People who do not like the water, [do not care about the sea](#); simple as that. "Doesn't affect me/ [WHY should I care](#)?" But the truth is it does, because we are so many people living today, because it is the oceans that have made it possible. Without ocean contributions to our food supply, [roughly one in six people MORE than now](#); will go hungry. Without hope, without food, without the possibility to survive, because this food source for humans is lost: who dies first?

People ready for war.

People war with each other as ["large groups"](#) because they want more/ or they believe they have no choice: [something has gone wrong with our situation](#), and since we don't want to die/ that means you have to die, so we can live; or have more for ourselves.

The ogallala aquifer, supporting roughly a billion bushels a year, is predicted to be empty in six years; dust bowl returns. This [particular aquifer](#) has been considered "without end" we can do anything we want. That has already been proven completely false, and yet tremendous [amounts of water](#) are extracted everyday for fuels, for completely useless endeavors, for a "few pennies more" in my pocket. And many other selfish and insane demands made by men. We must establish the windbreaks necessary to stop [another dust bowl](#). We must stop

all but the most necessary use of water so that we can eat a few years longer. We must prepare for what you have done, because we have no choice left. Not a game anymore.

Scientists say: ONLY one inch, in fifty inches of rainfall, reaches the aquifer. Here too. Contaminated by toxins people introduce. *Do you know how many toxins are pumped into the ground beneath your feet? Dumped above the water that you drink? Dependent upon biological creations to "clean it up" so that when it reaches the aquifer, you can then drink it: being poisoned, being attacked with your antibacterial soaps, pesticides, mutilations, etc.*

The court and your leaders demand: we don't have to obey constitutional law/ because we did not consent 2257; even though it is in their sworn oath to obey. An impeach-able offense 08-1339. NOT democracy.. Not the people ruling2111 themselves by law!

Read any of the lawsuits (down the page) that I provide, particularly on this site and you will understand: the judiciary has made democracy and the courthouse "a game".

Scientists gamble "we can bring the same fire on the sun here/ and control it; but if they are wrong, we die".

Happening "today".

This is not a small matter, on any given day, one tiny mistake or failure, and atomic fire could be born: everything here is fuel.

How is that not your concern?

University diplomas' Gamble: they can create "the big bang" single most destructive event in the history of the universe; and not blow the planet up.

This is not a small matter, the reality of energy being used, the consequence of things being done; establish the atomic mechanisms that control time are being dismantled. The physical laws we live by as planet earth, is being changed.

Energies we do not know, are being released; uncontrollably.

University arrogance and insanity, Gamble: they can mutilate everything in nature, and we will survive intact?

Fool? *DNA IS NATURE, it is everything called life, mind, or body*: by the consequences of discipline, balance, survival, or

beauty. And much more.

The endless promise of university is, "[WE WILL BE GODS](#)". The endless reality is, "you CANNOT even control your own money, or society without war" [how little is the possibility you can survive](#) changing creation itself. The answer is: terrorism/ the Armageddon prophecy (nature in chaos) comes true.

Noah's flood is proven true: no other possibility exists to explain the [oil and coal reserves](#).

Or more simply, the [amount of these reserves](#) proves a tremendous amount of living "materials" were buried in the same place, at the same time, even thousands of feet below the surface of soils. NO other method, than a world flood, could have destroyed so much, and buried so many in this way. It is absolutely clear that flood did exist. It is also absolutely clear, this earth WAS TEEMING WITH LIFE, at the time of that flood.

Evolution says "one piece at a time, we shopped and chose/ without a brain". Life says, what can you do without: "a heart/ blood vessels/ lungs....."? We do need all the pieces and parts, at once. Can you exist without a liver/ kidney....etc?

Evolution is nothing more than a religion, whose primary priests reside in colleges and universities and American government politicians who demand "it's the truth"; even though they can prove nothing more than adaption (the evidence of "perfect design") exists. Shame on you for accepting such trivial pursuits.

Can you exist without the trillions of gallons of drinking water lost for fuels?

[Drinking Water](#): is [not an infinite resource](#). What are you going to do when the ["well runs dry"](#). Just like your money, when the fantasy and delusion ends: [REALITY BEGINS!](#) That reality is war, because [without water](#) we can't survive. [Wake up](#) to the horror of [what is being done](#), to everything you need as life on earth. [Too late means your dead](#).

We can calculate the fossil fuels burned, fire created/ we

know how much [oxygen content is required](#); thereby we know, [we consume more oxygen](#) than this planet creates.

How is that not your concern? Just as is every other resource and reality of this [earth under attack](#); so is the oxygen we breathe. Because fire demands oxygen too. We do know how much fossil fuels are sold. We know, there are [forest fires](#) etc; plus all the life using oxygen.

Everything that creates oxygen; lost / the [trees under attack](#), [creatures in the ocean](#) , etc.

This is not a game, [every creation that produces oxygen](#) is under HEAVY ATTACK. Every trip you take with your car consumes oxygen, that life on earth then [CANNOT breathe](#). This USA alone [drives 3 trillion miles](#), every year! Every aspect of [our atmosphere is limited](#), and we cannot make more; too late, is too late; we die.

One trillion dollars = \$10,000.00 per each of one hundred million people. 3.8 trillion [spent for this year](#) is \$38,000.00, per each of one hundred million people. That is the math; [that is stealing](#) (federal reserve chart), that is [communism](#).

Our human reality is: people want slaves. Plain and simple; to accommodate this demand, all manner and methods of enslaving the others is used. Although the methods change from time to time, the reality never goes away. People want to be "rich"/ which simply means: "To enslave others, for my own personal demands". The current means is simply to create numbers without substance, because so long as the people accept them: "monopoly money works just fine". (they make numbers/ we make sweat, tears, and sadness, because we don't get to share).

That is inflation hidden from us.

Debts that cannot be paid, are inflation; unless you just want to call it outright theft. [Inflation](#) is taking from the others, because

you can as government employees "give to yourselves/ or your supporters" all the numbers. Which is simply saying: let the masses fight to survive, nobody cares. Regardless of the propaganda. Happens in every nation/ throughout all of history.

The pollinators are nearly extinct. Poisoned. Few fruits or vegetables/ no birds, reptiles...a link in the chain of life missing.. Like the key in a car, where do you go?

Seems small, but it isn't! And these are only the beginning. www.justtalking3.info **Asking you to care, advertise/ etc!** Every child does, its their life. A humanity intent upon sterile plants, no responsibility, everything free.

There is more. Such as climate change: its cooler than expected, because when ice melts, to consumes heat (makes your glass cold). Such as biological weapons of mass destruction are said to be over 97% effective. Such as, the ozone hole does matter, because radiation similar to nuclear exposures will happen. Too late simply means war (I WANT more)/ cannibalism (nothing here to eat, but you)/ extinction (too little, too late). For you too! Not a game. Life or death a future decided for us all, today. A future determined by every person who can make a difference. You want to hate me, and do. But it is your own lives you curse/ not mine. It is your own future you deny, not mine. It is your own failure, not mine. I am irrelevant/ because only you can change yourself. **Paid Ad**

The reality of these truths, the consequence of what it means to be wrong: proves, "that I will begin again".

The evidence of a need for WORLD LAW/ thereby the end of a humanity at war: is absolutely necessary.

#47 APPENDIX R: Letter, To the clerk of the court; Ruth Jones INCLUDED HERE, BECAUSE OF THE LAW ESTABLISHED.
dated July 18, 2011

This petition/ writ; recognizes all that you have requested; and is thereby printed with the full and fair expectation that it shall be docketed as is consistent with the claim for justice; required by all courtrooms in this USA. NO further changes are expected to be made. This is my writ, not yours, and its content and form exist as my statement before the court, not yours: consequently it is my personal property and is covered under law as to the sanctity provided under amendment 4 US constitution.

As per your instructions, amplifications of the reasons were included on the first rewrite/ as per your instructions July 6; the questions presented for review are simplified, and immediately follow the cover. The titles and listing of statements in the order requested has been done. Establishing that the writ is now exactly as it should be, by your own statements.

The appendix, by rule 26 need not be filed until 45 days after entry of the order granting the writ or in paragraph 4 within 14 days after the brief is filed. Consequently although sent immediately; it is NOT expected to present any cause by which the writ itself can be delayed or rejected, at this time. THE ABILITY to docket this lawsuit, is then complete/ the right to do that, without interference: a fundamental of democratic law; and the rights of a citizen. I will offer, since all pro se litigation at this level is filled with “why do you make me do this”/ that it is “reasonable and fair” to demand “do what needs to be done”. If that is your job, and you do what you need to do as well: then I thank you for the effort.

The equal protection clause of the fourteenth amendment proves: THAT MY RIGHT to access before this court cannot be denied by any simple rule or under the strict scrutiny of law, there is no possibility that a rule of the court can defeat my demand for constitutional guarantees given to me, by my nation/ by my government called the constitution of this USA. YOU, represent the employees of that government, and they represent the oath required of them. “Protect/ defend/ and obey”, the constitution of this USA. 389 U.S. 258

The right to retain order in the court: DOES NOT constitute a command over the law/ merely a demand for discipline in the court. Discipline is not its military constraint as in everyone march in line/ **discipline in law is: EVERYONE must seek justice.** Under even liberal construction, the demand for constitutional guarantees supercede all restraint or order applied by any rule/ regardless of the court. The fact, that I am liable for the words, and it is my life they affect more than the court: I am in charge of the final say.

The date has been changed / font size adjusted for page limits. **The addition of 12 (simplified) constitutional questions/ and one primary question are created;** the twelve established by the respective orders of the appellate and district courts being reviewed; as well as the “report and recommendation of the district court”.

The titles of the respective statements have been changed as is necessary to respect your demand
respective statements have been moved in the document to reflect your demand
paragraph numbering eliminated.

NO other substantive or real changes have been made to this document other than the last lines in it:

If you refuse/ shall there not be consequences! “Is treason NOT, what you believe you are”/ **BUT, the truth of what you actually did do?**

LET THE PEOPLE DECIDE. Not me.

In summary, this case exists only because a letter was sent to the pro se clerk of the US supreme court/ which resulted in an order from the district court finally being sent to me. Otherwise like other cases; “it just disappears”. Proving a conspiracy to deny what is constitutional law called redress of grievances. As is provided in #47 of the appendix; a short list of the many delusional rants and ravings of the courts

involved; all claiming frivolous/ incomprehensible/ etc; to my claim of both state and nation, that OUR EMPLOYEES must do their job as the constitution demands rather than whatever they choose; as is consistent with the claim of a ruler/ rather than an employee. Their claims are proven untrue again/ as this case is not frivolous, nor incomprehensible, etc. Investigate for yourselves.

Then establish: if I a pro se litigant who has successfully defended against all the legal claims/ only to be driven from the law by what is nothing more than delusional “ranting and ravings” from the court: or more specifically lies. What chance for justice does any other pro se litigant have? The answer is absolutely none; proven again it is not the law that rules, but the whim and opinion of a judge. That is not democracy/ that is treason. The balance of power is missing; buried under the weight and burden of a claim by the judiciary for immunity: it “patently and without merit”: does not deserve.

REDRESS OF GRIEVANCES IS; our right as owners of this nation established by our vote/ our democracy established by our laws/ and the distinction called we the people in full view for the world to see.

The judiciary having declared themselves immune from the people, the law, and the constitution in terms of redress of grievances either state or nation/ have effectively declared war against the people; by removing the balance of power, which makes them responsible for what they do. The failure to obey the law/ your oath/ our constitution is treason.

The clear demand: that no true access to the court exists without paying the lawyer exists as extortion.

The foundation, purpose and passion of this work is NOT legal, but the reality: this world, is in grave

danger/ and we only die once. We cannot be wrong. See appendix #45 **THE SIGNS OF A true CONSPIRACY,** **“NOTHING is more important than controlling the people”.** And #46, “extreme issues; we must address as a nation and world. www.justtalking3.info”

The trial in US DISTRICT COURT 10-2277 as identified in appendix #45 is conspiracy without doubt: to rule our lives/ rather than serve; to destroy our lives/ rather than protect; to claim superiority “they know”/ rather than to accept equality with the people; and does establish that not only does the federal system of courts deny first amendment redress of grievances. This 10-2277 is a demand to make the state judiciary of IL provide its own guaranteed redress of grievances to the IL people. David G. Bernthal judge.

This US SUPREME court case is about redress/ this case is about guaranteed rights state and nation. This trial by the list of defendants proves every single defendant does have the ability to make the case happen. And today we see: “is this democracy, WE THE PEOPLE”/ or is it treason: “ruled not served”.

petitioner files pro se, as a citizen of this USA.
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