

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

DATED July 21, 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 at 500 south second street, Springfield IL 62706

**TITLED: plaintiff responds to
July 19, 2011
reply in support of sanctions
response to motion for judgment**

the defense argues, “that the filing of either June 15, or July 5 has no reasonable basis in fact and law”. The defense argues “signature required”. Argues he had to send me the motion for sanctions prior to filing (but did not indicate it as established by a rule).

Plaintiff responds: that I do not argue the fact/ did not argue the fact you can send me a copy of any motion prior to its actual filing in court. That was not the issue presented to this court. What was plainly described is: the defense CHANGED that motion after I had in fact replied to it. The defense suggests, that

his copy of the motion somehow did not have his signature upon it. Therefore he must be arguing someone else wrote it. I find that hard to believe, regardless of an actual handwritten signature. In the alternative: just like me, “If I had sent a bribe, or a threat, or any other thing that the defense wished to rely upon by filing it with the court against me” whether I had physically signed it or not. It would have been used as evidence against me. And if a threat or a bribe/ it would come with a prison term, or the possibility of such. Before the law/ not the judge/ but the law: the defense and I are equal. What is applied to me/ shall be applied to him: “Because the law, is blind”..

PLAINTIFF REQUEST FOR SANCTIONS

In this court, opposite a pro se litigant, it is the attorneys for the defense who ARE AS INDICATED extremely well versed in rules and procedure. The fact that they now hide behind these rules, is not indication of justice. Rather they pretend this ignorance is valid. But in a pro se matter: unless you clearly define or provide the rules so that justice is balanced between the litigants and thereby fair. The cause of justice is ridiculed by any assumption: that you may use the law/ that you intended to use against me, as your own defense. You knew/ you initiated/ this case is about constitutional law: which you continue to avoid “like the plague” so that the law and purpose of this lawsuit can be revealed as proper and true. Since you refuse to abide in the law/ refuse to honor the court/ refuse to valid and prove the constitution is not involved/ or use any other argument but “clerk rules”: to destroy constitutional law and the guaranteed right of this citizen and every other. That matter deserves sanctions against you. You fail the court/ you have failed this people/ you fail this democracy. Simple and plain. The defense is informed that the proper procedure in this matter would have been to file the motion sent to me/ and then respond in a separate filing to what I had chosen to reply and file because of that motion. To combine the two into one document and fail to file the motion sent is akin to counterfeiting my own reply/ as there is no subject matter distinctly tied to it. And thereby the argument may get lost. That is indeed improper and without adherence to any rule of the court. Page 3 suggests that was done/ but do to the voluminous filing sent/ I did not see it. Lawsuits regarding constitutional law: are not ruled by “common rules of the court”/ even if the defense or judge believes it is so. Because constitutional law is governed by the constitution itself, and not the judge. The constitution demands

justice, equality, and obedience to itself. I have done that/ prove me wrong.

The foundation of the defense throughout this lawsuit is: that the state of ILLINOIS constitutional guarantee to me establishing redress of grievances as my legal right, provided by the state of IL to all its citizens “Is frivolous”/ and wants to discourage any other by creating this precedent so “he and the defendants represented in my mind “cannot be further disturbed by such a “frivolous law (page 4 “sanctions”, as constitutional redress of grievances “#5 in the IL constitution”. Even though when he or the rest of the defendants SWORE AND OATH TO REPRESENT, PROTECT, DEFEND, AND OBEY THE CONSTITUTION OF THIS STATE OF IL; They each literally entered into a contract with the people of IL. Because they gave their word, that their actions shall in fact do what the constitution demands of them. Such as grant the fifth amendment redress of grievances to me, a citizen of this IL.”. They failed. Should there be no sanctions for a broken contract/ and contempt of the people of IL who gave them their jobs, Because they SWORE to do what the constitution demanded of them. That is a criminal act/ if not treason.

It is the district court that swore to uphold the constitution of this USA/ which according to article 3 sections 2.1 “..and between a state or the citizens thereof”. Therefore this court herein decides if the constitutional guarantee between a state and its citizen SHALL BE HONORED, or not. This Demand includes: The difference between a courtroom rule/ and the authority of constitutional law.

REPLY TO DEFENSE “JUDGMENT RESPONSE”.

THE DEFENSE argues that it has been acting properly throughout the filing of this lawsuit for constitutional guaranteed rights. A fact all by itself that should never need to be debated as to the truth of whether I am owed what the state of IL promises me or not. It’s the law/ NOT a discretionary finding/ it’s the law. Granted by the constitution of IL. The defense then apparently argues that these defendants are superior to the IL constitution and are its rulers/ instead of that constitution ruling this courtroom, or the state of IL employees either political or judicial. That is blatantly untrue, and has NO FOUNDATION OR MERIT IN LAW. IT IS A LIE. And consists as such under the guidelines of perjury: because the defense CLEARLY DOES KNOW, “it’s the law”. Therefore they act

in direct opposition **to their oaths, and to the democracy that is this state of ILLINOIS.** THAT IS a criminal act, if not directly found within the definition called treason, or other method by which this state **is fundamentally attacked at its core values.** **AGAINST, WE THE PEOPLE.**

I NEED NOT, argue against lesser laws or rules of the court. BECAUSE THIS COURT/ THIS STATE IS GOVERNED BY THE LAW THAT IS THE CONSTITUTION OF ILLINOIS. It is not governed by our employees/ rather they are sworn, and by oath contracted solely and deliberately and by their own agreements: TO OBEY THE CONSTITUTION/ TO PROTECT THE CONSTITUTION/ AND TO DEFEND THE CONSTITUTION OF IL.

I AM, the citizen DOING their work. Therefore it is only fitting that I collect the taxes I would otherwise owe. BECAUSE I DID/ I DO the work in this lawsuit: these people were sworn to do/ and refused. **Justice is not dependent upon procedures or rules/ that do not directly align with the purpose of justice itself.** **JUSTICE is the result, of the work we did as a state/ we did as a nation/ we do in terms of society and a courtroom WHERE JUSTICE LIVES.** **JUSTICE IS: THE WORK AND THE REALITY OF WHAT WE DO FOR THE BENEFIT OF LIFE AND SOCIETY, BY THE RULE OF LAW.**

You have had your opportunity for better/ this is your result: you did not choose to defend, honor, protect, or obey WE THE PEOPLE OF IL. That was the choice you did make. **YOU DID NOT CHOOSE,** LIFE OR SOCIETY OR DEMOCRACY OR CONSTITUTIONAL LAW; BUT played games instead. This game is over.

Motion for judgment stands.

Proof of service: I, James F. Osterbur DO declare and submit that I have placed within US MAIL service, WITH first class postage prepaid. A true and accurate copy of this reply to the court/ to each and every address/defendant; listed herein including the court. Including lawyer for the defense
Joshua I. Grant at 500 south second street, Springfield IL 62706
on this day July 21, 2011