

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

DATED June 14, 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

**TITLED:**  
**REPLY TO LETTER JUNE 9, 2011/ defendants motion to dismiss**

letter, Sent by Joshua I. Grant/ attorney general office of IL

Regarding this federal trial, that insists: the constitution of the state of IL is the foundation and authority of our government/ our assertion that we the people of IL are an independent democracy under the authority of the United States of America; another independent foundation for the authority of WE THE PEOPLE.

He warns by interpretation: “give up the battle for constitutionally guaranteed rights, or there will be costs”. How is that different than organized crime. Wherein a traitor comes to the door and says “pay me/ or do whatever I say/ or there will be costs”; because we believe we control society here.

Therefore we control you, NOT the law.

In reply I do suggest to the federal court: that sanctions are indeed warranted, and must go against the defendants who do dare and intend to not only steal my guaranteed constitutional rights as proclaimed to all the people in this state as their inheritance, their full legal and fundamental claim to democracy. Their own property, their own ownership of this house called ILLINOIS. That conceivable threat: is the sign of treason/ the reality of people deliberately working to disparage/ dispel/ disperse/ and disease the very foundation of this democracy itself. Our guaranteed rights according to the constitution.

Those employees who work for us, are NOT our rulers/ they are NOT our kings/ they are NOT our superiors/ and they are NOT our judge: in democracy, THE LAW does that for us/ not the people we hire to enforce, establish, promulgate, or in every other way demand: NOBODY gets to be king/ NOBODY gets to threaten or punish without cause/ NOBODY gets to invade our state or nation and take what belongs to us: which is our right to govern ourselves, without interference.

Joshua I Grant along with “on behalf of all defendants” : seeks to do that very thing. He seeks, along with all other defendants who give him this authority to do so/ or orders him to do so, whereby he has clearly accepted: to destroy our democracy proclaiming: the IL constitution is not worth the shit he writes. I suggest and demand to this federal court, that our ILLINOIS constitution has value/ and is enforceable, BECAUSE IT IS THE LAW OF OUR DEMOCRACY/ the clear and literal demand of this people to be their own government, as a state and nation: **BY THEIR OWN VOTE, and their own authority under law: is a foundation demand of this lawsuit. To rule ourselves by law:** Not by kings/ judges/ rulers/ thieves & liars: etc.

Do file your motions as I have filed these replies to them.

### **Reply to defendants motion to dismiss**

**this trial** comes in response to the state courts insistence that regardless of the law, regardless of losing the legal battles prior to the court date on April 20, 2011; they can reinvent their excuses by oral comment/ and dismiss my demand for constitutional guarantees to be provided to me.

Or more simply: when confronted with the legal demand that our: IL constitution MUST be obeyed, and redress provided to the people. Every

conceivable excuse is exercised/ and fails. Thereby called into court, the excuses completely without merit, and in no way possible a conceivable defense against obeying the constitution that this judge and these defendants are sworn by oath to do: they choose instead to discard the law/ and seek the putrid sewers of denial by betrayal of all the people in this democracy. YOU HAVE NO AUTHORITY to deny or discard the constitution and its guarantees to this people, which does mean deliberately to me. To do so, is a literal act of treason/ because it seeks to overthrow this government called a democracy. DEMOCRACY MEANS: WE RULE OURSELVES BY LAW! Therefore the denial of that law is an act of war against this state and its people. That is the foundation of case 11-2111. YOU CHOSE, to fight against this state and its people and me. By no estimation or purpose can it be conceived of as otherwise: you deliberately chose to be an enemy of the constitution/ you deliberately chose to deny and discard your oath of office/ you deliberately chose to use a diversion and abuse of power, for which your office was NEVER INTENDED. You chose to degrade and demean the people of this state by claiming their right to choose/ and stripping from them their own law and authority. That is treason.

*“Frivolous and patently without merit”* page 2: are absolutely lies, in a courtroom of law. Let the people decide.

*“The failure to state a claim”* page 2; is an absolute lie, in a courtroom of law: my demand is for constitutional redress/ a guaranteed right that cannot be mistaken. You know its true.

*“Upon which relief can be granted”*; page 2. Clear and certain descriptions were given/ absolutely no attempt or intent to further clarify or discuss or provide in the alternative any other compliance for this guaranteed constitutional right were established. Which means: the descriptions given do stand under scrutiny of law, as the proper and real means to adhere to this constitutional demand.

*The subject matter jurisdiction in this federal trial*; begins and is fully established under article 3 of the US CONSTITUTION, and cannot be denied without the truth called traitor being attached. Section 1; ...”the judges, both of the supreme and inferior courts shall hold their offices during good behavior”..... There is only traitorous behaviors here.

Section 2; “the judicial power shall extend to all cases in law and equity, arising under this constitution.....to controversies..... between a state and the citizens thereof.....”

I HAVE DEMANDED OUR CONSTITUTIONAL LAW FOR THIS STATE CALLED ILLINOIS, SHALL BE OBEYED, BY THE EMPLOYEES OF THIS STATE. They refuse. That means they are in open rebellion and clear defiance; an act of war: against the people of this state called Illinois. WE THE PEOPLE, are the government of this state/ not those who simply work for us: they are employees. WE ARE THE OWNERS HERE, and because of position and power, by the defendants/ those in a position to use weapons such as is the courtroom of this state of ILLINOIS, we are threatened by invasion; from those who do seek to take our democracy away. If I have no guaranteed constitutional right/ then they do nothing but rule this people by their own whim and designs. BUT IF I DO HAVE A CONSTITUTIONAL GUARANTEED RIGHT, BECAUSE THIS IS A DEMOCRACY/ THEN THESE TRAITORS SEEK TO KILL THE VERY AUTHORITY AND POWER, THE VERY TRUTH THAT GIVES US THE POWER OF OWNERSHIP OVER OUR GOVERNMENT, TO OURSELVES: **Which is redress of grievances.** That is a grievous offense.

There are NO laws, rules, doctrines, statutes, or any other trivia that overrules the constitution either of this state or nation/ apart from the contractual agreements made between state and nation for their obedience to constitutional law and demands. “Rooker-Feldman” is a lie here. Article 3 controls

the assertion that the eleventh amendment is an excuse to travesty and abuse of office, is absurd. Criminal actions are criminal actions: the felony assault which is to steal our very democracy and deny its existence as has been done in this case is fundamentally fraud within the courtroom. Not a word is given to the cause and purpose of this initial lawsuit 10 MR 853 by the defense. THAT IS FRAUD; an intentional deception used to deny me the fundamental rights guaranteed by my government which is the constitution itself: OUR AGREEMENT AS A PEOPLE, that this is how we shall be as a society. 310 F. 2d 262, 267 these defendants conspire to use non-disclosure of a material fact, by its concealment from the document, and misrepresentation of my words to steal from me and the people of this state A LAW upon which we do depend for our safety, our authority as a democracy, and our ability to remove those who fail, betray, or deny that we the people are owners here. 234 F. Supp. 201, 203. That is an act of tyranny, due to the position of these defendants/ which means the power to harm is available to them; and sits and a barely veiled threat against me personally for demanding my constitutional right. Prove it is not so. 425 P 2d 974, 978

Judge Difanis has no absolute immunity for his actions. IN HIS OFFICIAL

CAPACITY as a judge: HE SWORE; TO UPHOLD AND DEFEND THE CONSTITUTION OF THIS STATE OF ILLINOIS. HE FAILED TO DO THAT VERY THING/ AND THAT FACT ALIGNS HIM WITH PENALTIES AND REMOVAL FROM OFFICE. No one has immunity from their oath. Including judge Difanis. Including the governor, the attorney general or her stooge. Including those departments which are charged with doing the people's work. Or more specifically. The charge here is a government hierarchy of employees whose deliberate actions prove suspicion, "we must learn if this betrayal goes even farther". Consequently a legal tax revolt is inherently necessary/ and fundamentally our right as WE THE PEOPLE, when in need of proving to those who work for us, WHO IS ACTUALLY IN CHARGE HERE, in this state called IL. **It is our right, NOT to incur ANY damages; when protecting our democracy. That too is a guarantee of democracy, whether written down or not.**

**REPLY: Memorandum to dismiss**

THE BACKGROUND IS: I DEMAND my legal guaranteed constitutional right called REDRESS OF GRIEVANCE! IN 10 MR 853.

The defendants and their judge deny it. Establishing denial of the legal authority over their employment, by the constitution. Denying our democratic authority, as a people to inherit and use the laws we have given to ourselves, as is redress of grievances. That is treason.

The assumption by these defendants that they have a right to interfere in redress of grievances by the people themselves, is NOT PROVIDED BY THE CONSTITUTION. Therefore they have none. Rather they are instructed by the constitution to provide redress of grievances to this people: in a manner that is consistent with the true and real intent of our constitutional agreement. The right: to stand before this state, as a citizen herein; and say to the people that our employees have failed us/ and we must take account to legally demand the truth, the whole truth, and nothing but the truth. With regards to our reality in this time, as people who have inherited more trouble due to those in government than can be denied. It is then the right of the people to say "yes or no". It is the demand made upon the court: to insure that an accounting will be real, genuine, truthful/ and all those seeking to lie and deceive: **SHALL BE PUNISHED. We the people hereby demand the truth, of what our employees have done. We demand to know it all, our truth/ our debts/ our reality: as the people who must pay, in**

**this state called ILLINOIS.**

There is nothing “frivolous or without merit” about that demand. There is nothing uncertain about the claim of failure by government employees. This is democracy in action: WE THE PEOPLE RULE HERE, by our laws. And in this case the right to demand accountability from our employees is: REDRESS OF GRIEVANCES.

In the matter of champaign county court hearing a case against me on June 2, 2011 under judge Richard Klaus: granting motion for sanctions. The court acts illegally and without merit. They have broken the law. Because this defendant gave clear instructions that they must provide jurisdiction over me in this matter prior to any such hearing/ having been given more than sufficient time. That jurisdiction did not appear/ without jurisdiction and my right of due process to respond to it: the court abuses its power and acts in contempt of the law, and rules of the court. They are in open defiance of the rule called law. And must be punished.

**FEDERAL COMPLAINT.**

This federal trial is nothing more and nothing less than the IL constitutional demand for redress of grievances. This federal trial seeks nothing more than the truth: IS THIS CONSTITUTIONAL GUARANTEE TO ME A CITIZEN OF THIS STATE CALLED ILLINOIS TRUE, OR FALSE. Because if its true, then the defendants have acted with criminal intent to deny to me by very most fundamental legal right of democracy. The right to ask these other citizens of this state of IL: if they agree to demand LEGAL accountability from our employees. If they agree, that our employees have so greatly disgraced us, that we must now take control over some of this governing for the state of IL by ourselves. As owners! It is their right to say no/ it is my legal right to ask them under the authority of the laws this constitution and this people provided to themselves. It is your job, as an employee; both state and nation: to provide that constitutional demand, and insure that what we get as owners here, is contractually bound by an oath of office which declares “this is true, the whole truth, and nothing but the truth”. We are owners here/ not you. It is our right to demand: WHAT HAVE YOU DONE! To our employees.

That is not vague/ that is not frivolous, that is not without the understanding of a legal defendants mind, or a judge: IT’S THE LAW. It is OUR

CONSTITUTIONAL GUARANTEE, as a people called democracy to ourselves. PROVE it is not so! Therefore it is an attack on our very lives and society, by those defendants who have proven: they will not obey our law. It is a betrayal against democracy to deny our constitutional rights; and that says traitor, to this people.

Jurisdiction in a constitutional trial is absolute: THIS IS A TEST OF THE CONSTITUTION OF ILLINOIS. This is a foundation trial, which then determines if a guaranteed right is either a lie, or must be obeyed and granted to this people. There is nothing unclear. That assertion is treason by its relationship to fraud.

THE DEMAND FOR: Redress of grievances, according to the constitution of IL is the foundation complaint of this trial. The legal profession as are these defendants; state and object: “We cannot understand, simple english, constitutional law, or democracy as is we the people”. The consequence of that brings the assertion: either they lie in a courtroom of law/ or divulge that they have no right to practice law in this state or any other. One or the other is true. CHOOSE.

The facts are simple: I come to court demanding my IL constitutional right for redress of grievances.

Excuses multiply and are refuted by the facts.

The court is warned: they must provide cause and consequence as to why the constitution of this state of IL shall not be obeyed.

They refuse, relying on fraud: the assertion that I did not send a proper subpoena: but absolutely refused to release the names, addresses, and means by which that might be done. They are in contempt of the law.

In court, a group of twenty or so students from the journalism college of IL were in attendance along with their dean. I introduced them to the case, in very short terms.

The court is called on April 20, to reuse those facts/ and I am denied an adequate or real response within the courtroom of this champaign county circuit court. Constitutional law is discarded with the sewer shit, by the court. An unfair, and illegal response denying due process and constitutional authority in a courtroom of the state of IL.

**That fact:** that a circuit judge of the state of IL can and has DENIED the authority of the state of ILLINOIS constitution in a courtroom of Champaign county: brings this matter to federal court. The law of this democracy is: WE

**THE PEOPLE SHALL RULE OURSELVES, BY THIS CONSTITUTION.  
Under and within the authority of the constitution of this UNITED STATES  
OF AMERICA; as is provided by the rule of law which guarantees to me:  
that article 3 of the US constitution shall establish jurisdiction in matters such  
as these. Shall define within a courtroom of law: EXACTLY WHAT THE  
GUARANTEE CALLED REDRESS OF GRIEVANCES DOES OR DOES  
NOT MEAN, in this state of IL.**

The law must be revealed, the constitutional right of the people must be known, the demand to protect and serve above a “speculative level” is absolutely real. This is a courtroom of law/ and the people know it is true: therefore the case shall be heard, because it is their democracy. Which means WE THE PEOPLE CANNOT BE HELD OUTSIDE THE COURTROOM, because that is treason. To steal our law, and destroy our democracy is not “your right or authority”/ it is your job to protect against this very thing. Period/ no excuses. The act of a judge, in complete defiance of constitutional merit, who intentionally destroys due process (*“no state shall.... or enforce any law which shall abridge the privileges or immunities of citizens of this USA...”*) using or allowing fraud to exist within a courtroom of law (we don’t understand, is a lie), asserting that contempt (refusal to provide the names and address of those who would then be “Properly” subpoenaed). The entire defense consists of “we cannot understand/ we have an excuse/ we are too powerful to sue/ you have no right to demand constitutional law from us/ we can stop you from demanding your legal rights with sanctions; etc”. Or more simply: the use of anything, that can or does seek illegally to avoid constitutional guarantee, or obedience to democracy. Which is contempt.

That is more than “a sheer possibility”/ it is betrayal of the people in this state. It is an attack on our democracy.

My specific right under redress of grievances as has been clearly stated: Is the right under the legal protections of law and courtroom, to ask my fellow citizens, IF WE SHOULD OR SHOULD NOT demand a full accounting of those whom we do employ. In the matter of failures so numerous and obvious and reported by the media that we need not even list them; the people do understand “not as governing should be OR as the agreements of our constitution demand and state it will be”. The courtroom is valid, because this is a legal guaranteed constitutional right/ not a political one. Redress of grievances is the right to know



the truth, and have that truth verified by a courtroom which shall be used to punish anyone found in deceit, or fraud, or lies of any kind. Our guarantee as society is: IF ONE OF US ASKS: in a situation that cannot be denied, something is wrong here: of the rest of society. **To decide: will we, or will we not use our authority as a state owned by we the people: DECIDE FOR OURSELVES, what shall happen next, in the governing of this our state, our nation, our homes, and lives and futures. WE ARE OWED THAT RIGHT TO DECIDE, because we are a democracy here!** You are not rulers/ you are employees. Including the court.

As we the people, OUR JURISDICTION overrules yours. As a constitutional guarantee, OUR JURISDICTION overrules yours. AS A RIGHT OF OWNERSHIP, over this state and its reality as a society: **YOU work for us/ and we decide.** It is not the other way around. Your oath describes your in the judiciary, as a responsibility for making this come true. Our state and nation/ not yours as an employee. This is OUR DEMOCRACY, and you work for us. And these are “specific rights owed to me”. Prove me wrong.

These are specific responsibilities and duties assigned to you, the defendants and the courts in general/ which have been broken. These are constitutional conclusions/ and democratic principles: to deny them you must prove me wrong. My assertion in that regard would be: As is clearly identified by the fact not one guaranteed constitutional right called redress of grievances has appeared in any known courtroom throughout the history of this nation. **A clear conspiracy by the judiciary to deny/ corrupt this democracy/ and displace this people as owners;** with your own rule or whim as rulers: not employees. How do you plead? A legal demand.

The assertion that the court does not understand how or why **the fourteenth amendment: which is due process, the right to know; “WHY YOU REFUSE TO OBEY THE CONSTITUTION”.** The right, to be heard without fraud (*you do have to obey the constitution*)/ lies (*you do understand entirely, because very few children cannot*) / theft (*it is my right*)/ and betrayal (*this is our state, our agreement as society; therefore a war against us*) as is consistent here by **the defense.** Playing games with my life/ with our democracy is TYRANNY; the corruption of governmental authority so extreme, it can no longer be denied. In a trial based upon and dedicated to redress of grievances the fifth amendment to the IL constitution/ and in fact the first amendment to the US constitution guaranteeing this same right to every citizen in this nation: has been denied. Article three guarantees to me: that this federal court must legally intervene, in a

matter so utterly constitutional, that there is absolutely no means to deny the nature or jurisdiction of that claim. Which means only a traitor tries.

The assumptions of rules regarding this constitutional matter are closed: they have no authority to deny or dismiss constitutional law/ or the threat posed by traitors from within.

### **“ROOKER-FELDMAN”**

I am NOT a party dissatisfied with the results of a state court case; did I seek appellate review? No, I did not. “Rooker-Feldman” does not apply.

**I AM a plaintiff in a court of law, demanding that my IL constitutionally guaranteed right called: redress of grievances, the fifth amendment to the IL constitution. SHALL BE HONORED AND OBEYED BY THE COURT.** I am a plaintiff in a court of law demanding that those identified as defendants here did more than simply discard my state case 10 MR 853. THEY CHOSE TO DISOBEY the constitution of the state of IL/ providing no real substance or merit as to why I, or this people called IL; should be denied that right, and the protections of our democracy as guaranteed to us all. Refusal to obey the constitution is not “a decision or injury of that state court”. **IT IS A CRIMINAL ACT/ AN OUTRIGHT THEFT of my constitutional guarantee.** There is a difference. **I AM A PLAINTIFF IN A FEDERAL COURT ACTION;** stating under article 3, that I shall be protected from employees of this state who seek to do me harm with sanctions/ from employees of this state who attack and betray my democracy called this state of IL by refusing its guarantees to me. I am a plaintiff saying to this my nation, wherein I do live: that I am owed the democracy promised to me. Not fools and failures who use deceit and games to displace and deny that constitutional law. Or more simply: my demand is: make these defendants **OBEY THE LAW, AND PROVIDE TO THESE PEOPLE, THEIR GUARANTEED RIGHT.** Called redress of grievances.

**I do call upon the employees of this United States, to legally demand: The employees of this state called IL shall OBEY THE LAW. With no further excuses.**

**Thereby inclusion of “the people of IL” within this federal trial is warranted, and made a demand by me the plaintiff in this trial. It is their**

**democracy/ it is their law/ it is their right; just like it is mine. WE ALL, have a stake in this trial, it is our constitutional agreement with each other, as democracy called WE THE PEOPLE.**

**Eleventh amendment:**

There is no official capacity that allows denial of constitutional law/ the opposite is true. There is no official capacity allowing a sworn oath to protect, honor, and obey the constitution of this state of IL: to be diseased or discarded or overruled. This case brings suit against those officials who have deliberately chosen to DISOBEY their oath and constitutional responsibilities to me, and to this democracy; BY REFUSING A GUARANTEED LEGAL RIGHT TO EXIST. That is protected by no law/ but is in fact defined as the existence of a criminal or traitorous act. There is no immunity to protect those who deny our very right to exist: “As owners of this democracy/ as we the people have rights”. That is betrayal.

**JUDGE DIFANIS:**

**THERE IS NO ABSOLUTE IMMUNITY; according to the constitution of this USA. The constitution grants ONLY, immunity for good behavior in the performance of service for the nation. THAT FACT, has been repeatedly abused and disrespected by the judiciary at all levels of democracy in this nation and must be discontinued/ THE LIES removed. Prove me wrong.**

This judge refused to obey the IL constitution. Refused to provide any support of law or merit in factual generation, as to why I might be in error. Refused to defend this democracy called we the people, through direct and deliberate premeditated denial of our rights as a people called the state of IL. Aligned himself with those leaders/ defendants/ and lawyers, who also dismiss the constitution of IL as something akin to garbage. And elected themselves to be rulers over us, instead of our employees, who have given oath to do, what we hired them to do. Which is obey our constitution and enforce our laws for the purpose of democracy called we the people/ NOT them “the rulers”. For that cause, and within that criminal action; being devoid of merit: because the judge deliberately denied IL constitutional law. He too is on trial, having discarded immunity when he deliberately chose to disease and destroy a constitutional guaranteed right of this people, and me. He may contend “this plaintiff, is less than the rest/ as he has

done with sanctions; pretending there is cause". But that in fact is an act of prejudice, a reality of bias against me personally; WHEN IN FACT, every plaintiff that comes before ANY COURT in this nation when demanding a constitutional guarantee: DOES SO, for the people of this state or nation. Because it matters to us all! Which gives jurisdiction to us all: to judge the court, as a democracy/ as owners, and not your slaves.

There is no official capacity to deny constitutional law/ the fact this judge is not alone in denying constitutional law, but is directly conjoined by the denial of that law with these defendants listed; proves that conspiracy is a charge that merits an investigation to determine WHY IT IS: that our state leaders and judiciary refuse to obey the law, "in force." Seek to threaten me with sanctions that will become a substantial abuse not only of power, but of me personally when granted; and extend not only to state, but stand as well in federal court. These are instigated by the judge difanis/ these charges are substantiated by a courtroom hearing on June 2, by judge Richard Klaus presiding. Which chose to re-establish a case quashed 10-MR -853 A FACT that they are not entitled to do/ the case is closed, judge difanis had no right to call any such trial. The judiciary had an obligation to establish jurisdiction over me as was presented to them; they did not. The court acted illegally and in contempt; unless I accept the right to appeal, and thereby reopen a state case. I do not.

The order of judge Richard Klaus reads *"that I the plaintiff am engaged in frivolous, vexatious, and repetitive litigation in clear violation of IL supreme court rule 137"*. That is his determination. And he writes "the injunction entered by this order shall apply to any circuit court in the sixth judicial circuit. Five years from the date of this injunction is entered, and every five years after that date. June 7, 2011.

Where is my immunity, once the case is closed?

So then the price for demanding my/ our constitutional guaranteed right; called redress of grievances is: that I shall be punished, and tortured with as much monetary damage as they can possible allude too. By hiding behind closed doors, and pretending a mock trial is something else other than the fantasy by which these defendants have created it.

This trial is simple:

I DEMAND CONSTITUTIONAL LAW, SHALL BE OBEYED! And the court, these leaders of government deny that right exists/ BUT NOT WITH THE

LAW, as it is the law they have no excuse. Rather with prejudice against democracy itself, they turn to deliver the rancid truth of an enemy invasion that seeks to destroy our ownership, and have already thrust us all, into bankruptcy and beyond.

THAT IS AN ACT OF A TRAITOR, a demand of those who secretly work to destroy this democracy. Because democracy is: WE RULE OURSELVES, WITH THE LAW. And these employees do deliberately work, act, battle, and deny that our constitutional guaranteed rights exist. Using fraud, to assert “we cannot understand”/ using foolishness to assert, “this is frivolous, or in federal court: we did not consent to obeying the constitution/ therefore we don’t have to.” The sounds of a child in temper tantrums. Or a traitor.

**OUR CONTRACT with each and every employee of government whether state or nation is: YOU SWEAR, to uphold, defend, protect, and honor the constitution upon which we the people have agreed to live as a society together.**

Every illusion of judicial or lawyer complaint is a fraud designed to remove that democracy from us all. Intended with purpose and premeditation to remove the right of redress of grievances; and throw it in the trash/ even though it is the single article of LEGAL RIGHT, that guarantees democracy shall remain WE THE PEOPLE.

THAT MEANS; there is an army seeking to do us all harm, within the courtrooms of this state and nation. That means, there are traitors in our midst, liars in our courts, and fools in our government; who have taken over our democracy to call it their own. Making themselves rulers/ and us their slaves. Prove me wrong.

Adjudication requires the law shall be served/ NOT THE WHIM OR OPINION OF A JUDGE. But the law itself/ and above all law is the constitution that binds us together as one society under these laws. NOT UNDER your laws/ or their rules of the court: BUT OUR LAWS, AS THE CONSTITUTION PRESCRIBES. Your opinion is worthless unless in direct and literal interpretation of constitutional right. NONE OF THAT EXISTS by the court, or the defense. They chose to avoid and discount/ dismembering and mutilating the constitution according to their own whim. If investigation proves, a judicial conspiracy with regard to redress of grievances/ THEN TRAITORS as well. You have no immunity outside the constitution/ **and you stand apart; I stand within**

**its authority given to me, and every other citizen in demanding accountability from you.**

*“these intense and ungovernable desires that judges can have”* are not protected from the people who demand their constitution shall be obeyed/ their democracy honored and protected from every assault. **The basis for sanction; is I have no right to demand democracy, as a legal right/ and the judiciary has no reason to defend democracy or the constitution, because they can lie!**

That is not malicious from me/ that is a malicious and organized criminal activity whose only conceivable purpose is to steal our democracy, and trade our freedoms for their own purpose which is clearly to rule themselves/ **instead of the law.**

That is not an erroneous decision: that is an act of war, against the people of this state and nation. These lawsuits which I have presented demanding redress of grievances, a constitutional guarantee provided by both state and nation; have not created a “timid judiciary”/ rather they file suit against me, intending to do me harm. Or more correctly the avalanche of abuse by power, and the weapons called a courtroom; have given them an undue amount of pride to believe they are the law instead of servants to that law and this people. Clear and deliberate change must occur. Another demand or possibility for **redress of grievances; or more simply “LET THE PEOPLE DECIDE”.**

We hired each judge, by making them swear: **THEY WOULD OBEY THE CONSTITUTION/ PROTECT/ DEFEND/ AND HONOR IT;** as we the people have agreed. When those who are employed to do that very thing: **DELIBERATELY AND WITH MALICE** choose to not only avoid the constitution, but infiltrate it with the disease of fraud in legal confrontation/ the destruction of contempt/ and the tragedy of what betrays us all as a democracy. There is no immunity. Let the people decide.

## **DIFANIS/ QUINN/ MADIGAN ENTITLED**

**THERE IS NO CLAIM FOR CIVIL DAMAGES!** There is only the true demand for constitutional authority to govern our lives as a democracy here and now. There is under that law called redress of grievances: the demand as stated to provide to the people of ILLINOIS their legal right to accountability in government: with penalties to those who lie. The right of this people to say: **YES WE DO BELIEVE OWNERSHIP IS NECESSARY, AND WE MUST HAVE ACCOUNTABILITY BECAUSE FAILURE IS PLAIN, CLEAR, AND**

OBVIOUS. Or no, we do not. It is that simple, and it is a constitutional guarantee. Which means NOT ONE leader in this land can legally deny that request in a courtroom of law/ IT IS THE LAW.

THE FACT, that these defendants not only deny the law/ but seek to destroy the law through fraud: claims of frivolous, etc”. Is an act of war against our democracy. WE OWN THE RIGHT/ you own nothing as an employee, but your oath to obey the constitution. As a citizen equal/ as an employee: HIRED to do the job for which you are paid. Nothing more or less. That job does not include the denial of constitutional rights. **YOU HAVE SOUGHT DELIBERATELY, with absolute proof established within a courtroom: to deny to me my constitutional right/ our constitutional rights. And you know it. Prove me wrong.**

It is unfair and a lie to assume that original jurisdiction does not apply under constitutional law, and article 3. In the matter of a citizen demanding constitutional right from his state: as is redress of grievances: does NOT requires a analogous case. This is an original case, because there are traitors in our midst, that have destroyed this very right called democracy or ownership by the people has been taken away. Let the defense prove otherwise/ let us see the case of redress for this state of IL which proves that the courts have been doing their duty and upholding the constitution. **SHOW ME THE CASE**, or accept this is original by its nature. The governor has an obligation and an oath to protect and defend the constitution of this state/ **HE IS A DEFENDANT/** which means he does have first hand knowledge of this case. He has refused to make the court obey. The attorney general for the state of IL **IS A DEFENDANT IN THIS CASE;** which means she knows, and has first hand knowledge and opportunity to cradle the defense, as she desires it to be, and instruct the lawyer accordingly: she has chosen to deny constitutional guaranteed right. Refusing the law she is sworn to protect. The judge establishes failure in the courtroom as nothing regarding the constitution can be found/ but by me. In other words: **I DO HIS JOB**, and he deserts the people of this state and me. That is not honoring his oath to serve this people according to constitutional demands.

## **CONCLUSION:**

**COMMON LIES and DELUSION** as is represented by the defense/ in this previous case of 10 MR 853. Prove corruption and conspiracy, in the court and in

this government called the state of IL. Prove that redress of grievances, a constitutionally guaranteed right to each and every citizen has been attacked and destroyed according to the court. Thereby proving traitors exist, because it is our constitution, and our democracy/ and you the defendants DO STEAL OUR GUARANTEED RIGHT as owners here. Prove redress of grievances has been upheld, in one single case. And we start from there. If not, this is an original jurisdiction case/ under constitutional law; demanding OUR RIGHT to redress shall be granted. AS IS THE LAW.

The fundamental decision here in this case is: DO YOU CHOOSE FOR THE PEOPLE AND THEIR DEMOCRACY; OR, do you choose for the few, and their decision to rule over us, through power and position: by denial of the law. Anything else is a another lie.

The critical legal decision here in this case is: DOES THE CONSTITUTION OF IL, RULE THIS STATE, AND THESE EMPLOYEES, OR are they indeed our rulers, and may discard the constitution and its guarantees without merit or substance or any aspect of justice or democracy. Proving treason exists. It's a choice.

CHOOSE.

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 June 14, 2011