

IN THE US. DISTRICT COURT
FOR THE CENTRAL DIVISION, STATE OF ILLINOIS. 201 S. Vine st
ste 218 Urbana IL, 61801

DATED: January 4, 2011

CASE 10-2277

A case originating as Champaign Circuit
court/ Urbana IL; Case 10 MR 766

JAMES FRANK OSTERBUR

2191 COUNTY ROAD 2500 E.

ST. JOSEPH IL 61873

my electronic file is kept at www.justtalking3.info

VS.

THE UNITED STATES OF AMERICA

as represented by:

the federal bureau of investigation

935 Pennsylvania ave NW Washington DC 20535-0001

SUBPOENA BRIEF

Within the reality of this trial, there shall be claims of a failure to properly subpoena the defendants of champaign county IL; trial 10 MR 766. While that is technically correct/ it stands not the test of justice. The reality that there is a duty within the court to properly assemble, provide, and declare their portion of trial: WHICH DOES INCLUDE providing the subpoenas' as is necessary. It is not my job, it is not my failure, to identify or create what only the court has the right to do. A subpoena is NOT my right to demand the defendant shall enter the courtroom and trial! Rather it is the court itself, that is demanded within constitutional law to compel those brought before the law: to take this seriously, and thereby establish due process of law. The right of the people to be secured by the law of this land, is defended NOT BY LAWYERS/ but by the law. The charges laid at the feet of these defendants, in the above trial 10 MR 766 indicate a true and extreme need to defend this people/ this state, or investigate, examine, and establish in the presence of the people a reality of truth concerning these things. Thereby laying at rest all claim of "gambling or risking or jeopardizing their lives". It is their job/ the fact a trial must be formed to make them do their job: establishes their failure. These are

criminal offenses; threats that can exterminate our lives, one and all. Therein the jurisdiction of the policing bodies is apparent and plain. The foundation of judicial authority and jurisdiction, is simple and plain as well. Just like any other set of terrorists as have been proven in this time: **“Too late” cannot be allowed!** The court refused to provide the necessary information. The defendants, being the policing agencies, refused to comply with the legal request summed up by : *“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;”* Or more simply, I have an equal right to the courtroom as do they. **Those inherent rights** include the simple truth a courtroom, supported by DUE PROCESS! That does include the minimal compliance with rules, substance, and merit by the court; in terms of DUE PROCESS and the average citizen. Its policing officers who refuse the duty required of it, **to aid and abet the people** of this state in their reliance on the law; have turned this matter into a game. **Have deliberately chosen to OBSTRUCT justice: AND thereby DISOBEY THE LAW. WHERE is the justice in their actions/ IS THAT NOT their job, at this minimal level! FOR THE LAW TO DECIDE, the courtroom must befriend the litigant, NOT ridicule him or her with frivolous and irresponsible actions?**

To leave me a citizen of this state called Illinois/ this nation called the USA at the mercy of lawyers, IS A DELIBERATE FRUSTRATION OF PURPOSE/ **the denial of democracy!** The intent to use an irrelevant rule in this case: *the failure to present what I was NOT given!* (because it is the court that I sue, or more specifically its agents called the police: who cause the court to exist. The police being absolutely necessary to the process of law/ as is the court to their policing purposes. Otherwise it is simply another gang or army enforcing greed, or whim, and no more). **Did I need to subpoena the court? Indeed I did/ indeed I paid them to enforce the law;** even though that is not their right to charge: it is their duty to enforce, therefore a theft from the beginning. The police and the court are inseparable: that means literally, “they are subpoenaed, the same; with a simple notice delivered”. And since I delivered by hand/ to three independent policing organizations; I KNOW AND THEY KNOW, it was received!

The reality described is: simple and true, “had I delivered a threatening note of any kind either to the police or the court”/ these entities would have had me locked up, based entirely upon that piece of paper; signed/ sealed/ and delivered to prison: because I chose to deliver a piece of paper to the police.

If that is notice enough: to demand my life in prison. THEN THIS “PIECE OF PAPER” clearly telling them I filed a lawsuit in court declaring they were defendants, and explaining why: **is ENOUGH to prove** they were indeed “properly served”. Equal under the law. As an employee of the court: you aren’t a private citizen: “The police are an equal part of the judiciary system of this state, and this nation.” You have no choice/ its your job. Had you instructed me “do more”/ I would have done so. You the judicial system of this state of IL chose to disrespect the law, and me/ you chose to disgrace DUE PROCESS, and democracy/ and you applied anarchy (the removal of law) to any decision that denies my constitutional legal guaranteed right, under the law. “The frivolous rule be damned” it has no merit. Let JUSTICE ring, the right of the people be recognized as true: is that not democracy in action.

The lawyer is NOT a determinant of democracy: BECAUSE THAT WOULD BE EXTORTION AND TYRANNY! The demand of a lawyer would mean: The law is only available to those who can pay “\$400.00 or more an hour; or five minutes”/ it is “justice for sale”. Few others are worth “their salt” in court. Largely, these are People who charge without mercy: until they aren’t paid anymore; and then throw the case away. Would you care, if not paid? How much less a thief. It is theft by the presence of force/ the reality of failure destroys a part of life. It is theft by the assumption of innocence & the fact of force, there is little choice, but pay. That leaves the majority of this people infringed upon by the destruction of money; can’t pay/ then you get less or nothing or cursed by people who don’t care. Just because they can discard you like the trash.

In response to any form of judicial actions, the failure to defend yourself, does put you at the mercy of thugs. Proven without regard to democracy: If the court should assume, that the mere frivolous assault of their arrogance, can decide this case.

“By a rule without a right/ by due process without the presentation of merit to enforce: is ridicule”. You were served! Plain and simple.

I have an inalienable right to defend myself/ to defend my world, a duty to participate in defending both state and nation. My “government employees” have elected to ridicule me, disgrace this process of law, destroy the values and protections of DUE PROCESS, and are without doubt preparing new abuses for this purpose called trial.

THE DEMAND REMAINS: THE INTENT, TO KNOW THE TRUTH!
THE DEMAND TO BE PROTECTED FROM PEOPLE WHO THREATEN NOT ONLY MY LIFE, but yours as well.

This level of failure; from the people who declare themselves “better, than the rest”! Is not acceptable in a courtroom. Better what is a question: thieves/ liars/ cheats? Answer it! Go ahead and describe your actions in terms of defending this democracy! Did you forget, **WE THE PEOPLE** / doesn’t mean; any damn thing you want to believe; to hell with the rest. Did you forget: **the law doesn’t mean**, “your opinion is all that matters”!

The law means as a nation, WE HAVE decided this shall be “our ways/ our truth/ and the future as truth describes”.

I ask for the truth, in every lawsuit/ what is best for the nation! The truth applied to me, by you: at this date is: “we don’t give a damn”/ let justice, equality, democracy, and truth: even all the people themselves, be sold to destruction”. We are just too damn proud to care. We believe in our fantasies, the delusion of people playing god with life.

Those who don’t care, become predators.

A small apology is required: I did find the check had been cashed, in an earlier month receipts. No longer an issue. Second the mention of a subpoena with time and date left out/ thereby the sheriff could not deliver and the court would not complete; **regardless of direct and specific efforts to enforce their compliance. Is a different trial;** Champaign county court 10 MR 853. SAME basic reality/ but not this trial. Same denial of due process. Same courtroom.