

IN THE SUPREME COURT OF ILLINOIS
Supreme court building 200 E. Capital Springfield IL 62701

dated 2/ 7 /11

James Frank Osterbur	)	Appellate court 4 th district
2191 county road 2500 E.	)	<u>Gen no 4-10-0679</u>
St. Joseph IL 61873	)	Judges: Sue E Myerscough
www.justtalking3.info	)	M. Carol Pope
petitioner.	)	Thomas R. Appleton

	)	Champaign Circuit court
Provena Covenant Medical	)	6 th judicial circuit
1400 W. Park	)	Case no 09-LM-1414
Urbana IL 61801	)	Thomas J. Difanis presiding
	)	Judge

respondent.

**MOTION FOR LEAVE TO FILE A PETITION FOR LEAVE TO
APPEAL INSTANTER**

December 17, 2010 “appellees’s motion to dismiss appeal in the above-captioned cause ALLOWED. Appeal dismissed!”

“January 26/ 2011, I have today issued the mandate of this court in the above entitled cause, pursuant to the provisions of supreme court rule 368”

[neither, statement of the clerk/ included any judicial signature! Consequently it was rejected. The last included judicial names, as are required in the filing of an appeal: thereby no option existed prior to this moment to re-file. AS NO CLERK, is allowed to enter a judgment/ only a judge/ and *NO JUDGE, SIGNATURE OR NAME APPEARED. Neither did any legal cause as is LAW, or “personalized” seal, appear on 12/ 17/ 10]. Merely a print ad, that can be received from anyone.* Which means it is errant and ill-advised in a courtroom of law. The assumptions of a courtroom or judge does NOT give dismissal, the authority of law. Only the law decides/ not a judge. Which thereby

establishes an obstruction to justice has been declared in arrogance; through this mandate of the court. The illusion of rules; in fact, a reality used to destroy justice/ thereby a mandate now declared to be final, is without substance or merit. When NO NOTICE was given as to the requirements of a date, for a pro se litigant. Speak only to the disgrace & disgust & disrespect: of judicial pride playing games with my life, my money, my state, and my nation. It is prejudicial; forming the intent to declare without cause/ that I failed, because I didn't know or follow your rules. What DOES THAT have to do with justice or law? The answer is: you have used this rule in trickery, for the intent and purpose to deliberately disobey constitutional law/ by thereby, throwing me out of court.

That final mandate and cause is listed on the date 1/ 26/ 11. It IS THE PROPER DATE upon which a rehearing or filing for appeal begins

The apology I made, to the court, dated 12/ 28/ 10 constitutes a request for rehearing by that court/ they refuse: And say nothing, until the mandate above. Being pro se, it is required of you to provide "leniency, in your view of etiquette and rules applied to me". Being pro se demands the full participation of law/ NOT RULES. Because as is proven by this evidence; the rules of this judiciary are merely an extortion of our rights, a denial of our justice, **a rebellion against our democracy**, and the determination to maintain control as rulers; even if the law and your oath, demands otherwise.