

IN THE UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF IL  
URBANA DIV

JAMES FRANK OSTERBUR

v.

CASE #10-2055

STATE OF IL, USA, & JUDGE CHASE LEONHARD

DATED: 4/ 26/10

RE: motion to dismiss/ 4/21/10

INTRODUCTION

It HAS been established, that a judge of the circuit court of IL/ champaign county court; has failed to uphold not only his duty to provide this citizen with DUE PROCESS within the court system of this state of IL/ this nation of the United States of America as provided by the inherent and guaranteed rights of our constitution. But he has also denied the validity and foundations of the court jurisdictional system of this USA by failing to acknowledge the power and right/ of a constitutional law. That law being the first amendment redress of grievances clause as provided to the people of this nation & this state of IL.

THESE are foundation principles of this UNITED STATES OF AMERICA. THIS IS the job, the employees of WE THE PEOPLE HAVE BEEN HIRED TO DO! And no pitiful excuse to hide behind illegitimate, and treasonous (intended to deny: a guaranteed right/ an inherent DUTY to apply, grant, and establish) rules of the court can compare. These are a failure to vest the court with subject matter jurisdiction and ought to prove without doubt an intent to ridicule and disrespect not only the American people/ but their constitution as well.

The circuit case proves an unwillingness not only to establish due process and protection for a citizen thereby: HAVING USED the inference “we just can’t understand/ you didn’t follow our rules/ we don’t have to do nothing for you”. The court is held to review, by the words themselves; and the people will be asked to decide: IS THIS TRUE! **The function and right of an OWNER, AS ARE WE THE PEOPLE OF THIS NATION:** Is then to decide if the employee shall face punishment for his or her decision/ such as termination from their job.

Judge leonhard, CHOSE to dispute the validity of an entitlement provided by amendment 7 of the US constitution; wherein the dispute brought before the bench he

presides over, was of a realistic amount of money protected under that guarantee right/ and the cause and case presented for money, was nothing more or less than: a dispute whether I can be charged for a service I distinctly stated I did not wish to have (an emergency room visit). Whether I was in fact offered an alternative service (fast track) which I did accept/ but was billed for the emergency room anyway. The case is clear/ the reality is simple; and all dispute about “unintelligible and a failure to communicate” is a plain lie. As is this motion, which does also suggest: “can’t be understood”.

The second part of the circuit court case, under judge leonhard IS THE DECISION: that because it is clear/ plain/ and undeniable; this Provena hospital absolutely refused to discuss or deal with the consequence that I DID initiate the entire experience with the words: “DO you have anything less than an emergency room visit; and was told YES we do, “its called fast track”! The consequence of their decision NOT to even discuss it; is why we are in court. The essential reality of that experience is: WE THE PEOPLE NEED, better solutions for financial and literal healthcare in this state and nation. The healthcare in this nation is in financial crisis: IT IS PLAIN AND SIMPLE TO ME, that WE THE PEOPLE deserve not only an accounting to prove what is wrong/ we NEED our legal and rightful say as OWNERS OF THIS NATION; in exactly what is the answer to fixing healthcare for this nation. It is OUR NATION/ it is OUR HEALTHCARE/ it is OUR BILL; and your failure as employees of the people established to protect this society and its people; could not be more plain... A reality also without dispute. **Therefore REDRESS OF GRIEVANCES, if the people so desire by the foundations laid according to the constitution; THEN THE COURT MUST COMPLY, “it’s the law”!** And there is no further option or excuse. This is, “simple and plain”. ANY further assertion that it is not, WILL be classified as perjury/ with the intent to steal from me, “my GUARANTEED CONSTITUTIONAL RIGHTS”! Is there no punishment for that? Is that not an actual treasonous act, because it is used for the singular purpose to dismiss and destroy the true intent and authority of this USA, as WE THE PEOPLE/ over our employees. YOU did not find a job in our employment to be rulers. YOU got a job, for some with an oath to protect and obey: for the singular purpose of doing what you are paid to do. IN COURT, your job is to obey the law. THAT LAW IS REDRESS OF GRIEVANCES, in this case. Therefore open the door, and let the nation SEE clearly: WHO sits to judge, OR BE JUDGED!

## Section I

As is plainly evident by the defendants claims: this is an obstructionist court/ rebelling against the first amendment redress of grievances provided by the US CONSTITUTION. That fact has been demonstrated throughout the personal cases presented by the plaintiff, listed in the initial filing. **That fact is evident by the lack of cases under the first amendment that simply do not exist. OR MORE SIMPLY: A**

**CORRUPT, and deliberate CONSPIRACY EXISTS WITH THE COURTROOM FROM TOP TO BOTTOM LEVELS in this USA. A CONSPIRACY TO DESTROY AND DISMISS WITHOUT CAUSE: the first amendment legal right of the people/ their legal law/ within redress of grievances as provided by their constitution. NOT YOURS to do with as you please, the employee; *but ours, as WE THE PEOPLE of this NATION.*** Absolute arrogance suggests a rule of the court/ any rule of the court can defeat a guaranteed constitutional right. IT ABSOLUTELY CANNOT. *NOT, without identifying a court system in absolute revolt against the people, by denying the law/ and criminally conspiring to defeat the constitution itself.*

*The defense suggestion;* “unintelligible and rambling” is therefrom guaranteed to be the reality of those who assume a rule of procedure, can defeat the law! This defense is petty, trivial, foolish, disrespectful in every conceivable way, and without merit.

I have stated: **the circuit court fails to provide due process to me/ fails to provide my legal right to the law called redress of grievances/ fails to protect my seventh amendment guaranteed right; wherein my money, is just as important as anyone else’s money; and I deserve to be heard when stating: “this is NOT fair”.** **Our citizen rights denied:** is fundamentally, as a nation called WE THE PEOPLE. This defense, the “US” attorney: critically proven true does not defend “us, the citizenry of this nation”/ the court will prove: it does, or DOES NOT defend us as citizens of this nation, by this case.

That is absolutely the job of the court system of this UNITED STATES OF AMERICA/ it has no “sovereign immunity” against doing its job! And it is ultimately the job of the federal court system of this USA: “To insure, that the state courts shall do their job, and provide due process/ the legal right of law/ and protection of property as does the fourth amendment provide”. ITS YOUR JOB/ they have no sovereign immunity: ITS YOUR JOB! Not a game of punctuation marks/ not a game of “ILLEGITIMATE/ pretending to be uneducated” children fighting like fools; its your job to enforce the US constitution, and its guarantees and laws. Its your oath as well.

## SECTION II

The foundation, the very purpose of the United States constitution/ its bill of rights/ and its declaration of independence are all established for the singular purpose of confronting the employees of WE THE PEOPLE: with what their job is intended to be. The court system is reminded: YOU work for the people, and **their public statement of intent to you:** is written/ summarized/ and identified by the preamble of the constitution. The elements and examination of the declaration of independence establishes, what has been defined as: “necessary to fight against”. And the foundations of functional liberty as is formed in the bill of rights clearly does create, the essence of what this nation is intended to be. Since the court has disgraced and conspired to destroy the law; all the

way up to the supreme court case 08-1339 , identified as a part of this case. It is only fitting I add the preamble here:

*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.*

This is your job, particularly within the court system of this USA. You have NO “sovereign immunity”; its your job.

*Likewise the declaration of independence carries with it, things that are clearly assembled already, with this trial in mind: “...inalienable rights...to secure these rights....consent of the governed.....a long train of abuses and usurpations...a design to reduce them under absolute despotism... tyranny... a right inestimable to them....protecting them by a mock trial (such as is the excuse “unintelligible and rambling; followed by countless rules of procedure”)....for depriving us....of the benefit of trial by jury....abolishing our most valuable laws, and altering, fundamentally, the powers of our governments...declaring themselves vested with power...declaring us out of his protection and waging war against us (look at all the threats, lies, stealing)...we have petitioned for redress, in the most humble terms; our repeated petitions have been answered only by repeated injury....been deaf to the voice of justice and consanguinity...”*

And the bill of rights speaks as well: “...inherent rights, of which when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity...(you sold the children to coming hell).... power is vested in and consequently derived from the people; that magistrates are their trustees and servants, and at all times amenable to them.... that government is or ought to be, instituted for the common benefit, protection and security of the people....no man or set of men are entitled to exclusive or separate emoluments or privileges from the community...” And so on.

***THESE ARE, WORDS DEFINING LIFE FIRST! WORDS DEMANDING RESPECT FOR THE PEOPLE, THE LAW, THE REALITY WE HAVE CHOSEN TO BE GOVERNED BY, PROTECTION OF THE PEOPLE, THE CHILDREN, AND THE WORLD! And not one damn word about “money first/ or liars shall rule/ or the people shall be threatened with extermination/ or the assassination of children by stripping their only chance to survive, the resources they need.***

**TRY READING YOUR “BOOK OF RULES/ FOR EMPLOYEES OF GOVERNMENT”: AS PROVIDED IN THESE DOCUMENTS BY WE THE PEOPLE!**

**They are not “conclusions”/ they are the laws which govern you, and your job! They are the means to establish penalties upon those who have chosen to sacrifice this nation, instead of protecting it: because they define the duty that you accepted, when you took that job for this nation!**

To date, your only plausible claim for not providing protection to this citizen, or

doing your job is an endless rhetoric saying “we are too uneducated to understand what this plaintiff means”! Is that not perjury/ with the criminal intent to steal from me; the guaranteed protections of the constitution of this United States? Is that not open rebellion against “we the people”! It sure as hell, ain’t the truth.

Your choice is: to state as a citizen of the state of IL, and of this nation called USA. That I am not entitled to due process, a protection of the fourteenth amendment/ that I am not entitled to the constitutional law called the first amendment as written/ and that my property, or more correctly the life I spent in time and effort to attain the necessary claim to work from another in return for my own; is worthless. Should you continue on this approach/ I suggest to you, that “we, the other people”, will not be satisfied “with slavery”.

### SECTION III

EVEN, under the most liberal interpretations, this defense has not met the criteria to dissolve its duty as a court; or employees of our government called WE THE PEOPLE. It is your job to protect and defend not only the people, but their rights/ their nation/ their money/ their future/ their children/ their laws/ their courtrooms/ their hopes/ their information/ their world/ their resources/ their environment/ their foods and water/ their oxygen supply/ their opportunity to survive/ their respect within this world/ their armies/ and their courts. When the employees fail to do their job: IT IS THEN, THAT THE FIRST AMENDMENT REDRESS OF GRIEVANCES ALLOWS, as the constitutional documents provide: **“Accountability, and the intervention of WE THE PEOPLE, as owners in charge of what we shall do next”**. Not you/ but we the people/ **BY VOTE AMONG OURSELVES!** As is the true intent of governing by **DEMOCRACY**. As is distinctly provided for within the declaration of independence: *“...but, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government and to provide new guards for their future security...”* **OR, MORE SIMPLY**, by legal vote as the citizenry of this nation: **WE WILL DECIDE**, through accountability. The education provided by redress of grievances, what our future shall be.

**THE JURISDICTION**, to intervene in a state court: **and make them OBEY CONSTITUTIONAL LAW: IS UNDENIABLE!** IS well defined as not only a right of the federal court system/ it is their job.

### CONCLUSION

Establish this case/ **CLEAN OUT** the corruption and conspiracies against the first amendment within the court system of this state of IL. Demand the US supreme court be convened to rid this nation of corruption and conspiracy against the first amendment

throughout the nation itself. That INCLUDES the other corrupt actions against this nation USA by the court that led to the control of media and the propagation of filth, and its “experts in stupidity and lies”. Or more simply REMOVE the tiny group of owners of media/ and demand that all media is strictly conceived to be “by the people themselves”. NO conglomerates/ no monopoly/ no ownership of more than one outlet of news. ETC! Let the news be free of the influence of money; let the news be for the people themselves. That INCLUDES, REMOVE the religion called evolution from this nation as is first amendment law. It is nothing more than worthless trash, as they have proven nothing/ but the corruption and disease of university influence can ruin a nation. This is a primary foundation in the attack of genetic mutilation on EVERYTHING WE MUST HAVE TO SURVIVE: NATURE ITSELF IS, the genetic code! And assassins are everywhere due to the influence of media and fools with diplomas.

TODAY, we the people are “THE EXPERTS” IN WHAT OUR NATION SHALL BE. There are no experts, but ourselves/ because there is tragedy, terror, disgrace, lies, stealing, and every form of insanity coming due to those who led us here; to the abyss of failure on all sides. WE NEED REDRESS TO SURVIVE/ because fantasy and delusion shall not! It is a fantasy, supported by fools: that sees wall street selling 600 trillion dollars in derivatives/ AND STILL does not understand, this represents 600 trillion dollars divided by 600 billion people= \$100,000.00 PER EACH INDIVIDUAL HUMAN FACE ON THE PLANET (if you assume there are only 6 billion people). WE THE PEOPLE, actually work for money instead of these lies: BUT if you look at what it is said by wall street that we owe/ then we owe one hundred thousand dollars of OUR WORK and OUR RESOURCES to the world. They made us slaves/ our leaders, “your experts along with the propaganda of media”: Helped them do it! Even more damage is being done by federal reserve “money for nothing” programs which allow the rich to buy everything/ foreclose on everyone without penalties or the right by reality: “its their trap/ and they stole the money/ and they gave us the debt”. Its inflation/ not debt: and the rich get numbers added to their accounts from the 1.5 trillion new dollars in debt to spend/ while we the people get nothing but debt. The employees of government, inflate their (rich man dollars), while we get the same, only less because it comes with “someone has to pay”. Money is not a number/ IT’S A LIFE/ ITS MY TIME/ ITS OUR RESOURCES/ ITS ABILITY AND SACRIFICE (wouldn’t do it, without the money). Whereas inflation is a claim of riches/ that does NOT EXIST in reality. We are being used for fools, and redress is our legal answer.

The delusion that general motors has made 8.1 billion dollars in 9 months/ over and above expenditures, as a profit; DOES require investigation/ to see how much of our money: “our government employees” gave them/ paid them/ erased, or promised them. 8.1 billion= one million cars sold at a profit (over and above costs/ including old debt) of \$8,100.00 each one. OR did GM simply use the money paid by taxpayers for stock; to avoid supervision and return to their GREED, and high pay for nothing but abuse over the

taxpayer. How much damage did the welfare program “cash for clunkers” cost the nation as well/ because they took the poor man’s replacement vehicle; and junked it, so the “richer man” could have his way. We want to know, WHO PAID, the damn bill! The lies are endless/ the money promised, has no bearing in truth.

Let the supreme court: Define the punishments provided by JUSTICE/ upon those who have chosen tyranny over the people. Let them show us, FAIR PLAY ACCORDING TO THE CONSTITUTION. Do you not make an example of “the people”/ for their crimes? And **establish redress, through accountability: for the nation itself/** over each and every single threat that is: “on the list” at the web site [www.justtalking3.info](http://www.justtalking3.info) Where this case resides electronically.

Bearing in mind all threats against this nation as may be found on the additional sites are important as well [Www.justtalking2.info](http://Www.justtalking2.info) & [www.justtalking.info](http://www.justtalking.info)

Let the people understand, BY VOTE/ we are owners! By redress WE WILL CHANGE THIS NATION back to the descriptions those who died to create it, called worthy of their lives. BY OUR DECISION, WE WILL REMOVE JUDGES/ AND WE WILL REPLACE THOSE WHO DO NOT PERFORM THEIR OATH, to provide and protect as the constitution, and its associated documents: the bill of rights & the declaration of independence demands.

I AM NOT your leader/ rather my true allegiance is to this world of life. Even so: today in this particular moment: “I am a UNITED STATES CITIZEN, a citizen of the state of IL”/ here to take back our nation, and our state; as provided by the founding constitutional documents stated herein. I do stand for WE THE PEOPLE in this trial/ but, if there are no other citizens who will rise as well: THEN I say to you, America is already dead. Because America, is the nation created & governed by these constitutional documents/ and we, in this day; ARE BEING ATTACKED by revolutionaries who wish to take our rights, our money, and our nation away; and have done so in many ways already. **And a state completely without respect for the worker**, as is so clearly demonstrated by the state of IL allowing the university of IL at Urbana IL to construct a football stadium addition at a cost of over 121 million dollars/ for the singular real purpose of those who wish to separate themselves in arrogance from the rest: FOR 6 TIMES A YEAR, for a period of about 4 hours at a time. How much less responsible can state government employees be?

By legal redress/ where accounting proves valid and sure: CHANGE will be made. Truth is an ally, NOT an enemy. LIES are the death of a nation! The foundation for a future we can survive, IS DEMOCRACY: WE THE PEOPLE OURSELVES, SHALL DECIDE. In essence, this legal redress is created then, as “a woman’s war”/ because it comes as a war of rights and laws, a war of obligations and duty/ a reality of security provided or destroyed by society and its leadership: a legal war won or lost BY VOTE of the people. But dependent upon honor and respect. **This is about life first/ no**

**more gambling with this nation/ this world/ or our lives: IS THE FOUNDATION OF MERIT PRESENTED!** NOT “money” first/ not lies, but truth. And these are issues commonly described or affiliated with women, more than men. By vote, we will choose our future. Make your decision now, OR face the consequences prepared by “your experts”/ the leaders who brought you to this abyss of failure, disgrace, and fools in charge.

THIS IS THEN: no more hiding in lies/ NO more running away from the truth, or our future in reality. THIS IS, life or death for the nation called USA, and this world; because that, is what the evidence suggests. Let us proceed to court, AND LEARN/ INVESTIGATE/ EXAMINE/ AND DECIDE what our nation is going to be.

The court is instructed: this case goes to immediate trial/ because the reality warrants that right. Because corruption and conspiracy in the court is valid and proven against the first amendment redress of grievances: AND THE PEOPLE ARE OWED, THEIR LAW! Because this nation is in trouble. Because the US attorney has had time to prepare a proper defense and did not. Because the intent of those in power, or pride to remove me by violence from these proceedings HAS now increased dramatically. Therefore no excuse remains.

The court is reminded: just as you sent me to the draft lottery during the Vietnam war; even though my number was high/ you would have confiscated my life had that not been true. This nation owes me my guaranteed rights/ as it does to every citizen. This government of the people IS THE CONSTITUTIONAL DOCUMENTS: What WE THE PEOPLE agreed too, as a nation united/ a cause to fight or die for! AIN'T NO DAMN EMPLOYEE of government equal to the same. You have no right beyond the constitution/ but you DO have a duty to the constitution and this people and this world. Redress is our method to insure you do what your oath demands. Redress is our right as owners, to decide what our nation/ our future shall be. OBEY THE LAW. Or be aware, “we ain’t as dumb, or as timid, or as afraid as your arrogance obviously believes.”

JAMES FRANK OSTERBUR

4/ 26/ 10

Should a violence occur to me/ DO start with Alit Selimi; simply because that “case”, is not over. Failure in the court by a judge, is not sufficient to deny my right. The refusal to acknowledge my clear participation within the courtroom/ a lack of respect, and reality by the judge.

Should I die for any cause; this case is turned over to an organization of women as may arise, who shall prove themselves to be “for life first”. That organization is decided by the by-laws which govern its action and reaction to the decisions that must be made.