

IN US DISTRICT COURT
For the central district of IL
Urbana IL 61801

James F. Osterbur
2191 county road 2500 E. St. Joseph IL 61873

Vs.

United States of America

Internal Revenue Service/ **dept of the Treasury**; 1500 Pennsylvania ave NW DC
20220

the Solicitor General ROOM 5614, Department of Justice,
950 Pennsylvania ave, NW Washington DC 20530-0001

the Attorney General US dept of Justice 10th and Constitution avenues NW
Washington DC 20530

the President Barrack Obama; 1600 Pennsylvania ave NW , DC 20500

dated: 12/02/10

trial number: 10-2257

Response: defendants motion to dismiss

the defendant is inquisitive enough to bring forth the cases previous: ALL OF WHICH INVOLVED, redress of grievances/ A FIRST AMENDMENT LAW, GUARANTEEING THE LEGAL RIGHT OF EVERY SINGLE CITIZEN; to inquire of WE THE PEOPLE THROUGH COURT: if as a country we should demand accountability from our employees. The answer is yes we should/ the reality as proven by the defendants contribution to this trial: a true and significant conspiracy to deny redress of grievances within the judiciary exists. As is proven by those trials, and the fact NO redress of grievance trial has EVER been held within this USA. The defendant fails to mention 2055 for instance was a redress “make the lower circuit court obey the law” case; because redress is the law; and that judge refused as did the district court/ the US appellate court simply lied and committed fraud in response to that case/ and the subsequent chief justice of the county court did as well.

The defendant fails to bring forward US supreme court case 08-1339, an appeal of a different afore-mentioned case. In which this docketed case (on the courts calendar; and MUST be decided by a judge)/ was removed from the court by a clerks signature and denial. A completely illegal and traitorous act denying a foundation of the constitution, destroying due process, and completely in contempt of the law itself.

The reality: complete defiance of the “judge’s oath of office”. Proof or clear evidence of organized criminal activity within the supreme court. And yet this defendant says “unintelligible; or more simply, if every redress case is destroyed/ how is that not conspiracy”. How is that not failing constitutional law, a test now before this court, in this case? If this lawyer cannot understand redress of grievances is a first amendment law, he fails the test of adequacy to represent this people/ and must be dismissed; with calls to remove some of the benefits and costs we have incurred by this fraud/ potentially his license to practice law.

WITH REGARD TO

A valid cause of action and claim for relief are then absolutely clear: **OUR EMPLOYEES of OUR GOVERNMENT CALLED WE THE PEOPLE.** Have acted in complete defiance of constitutional law! Our courts have been found by the evidence of these trials in complete contempt for the constitutional mandate called: first amendment **REDRESS OF GRIEVANCES!** That is a criminal act, that adheres directly to the US supreme court itself. Therein when the oath of allegiance, the reality of rebellion and complete failure to respect the values assigned to them by our constitution have been portrayed; and remain without submission by our employees to in fact obey that law, as is demanded of them by our constitution. The cause of action is made absolutely clear/ the certainty that we the people must defend our nation and distinctly have a duty to demand of those who prove to be our enemies: completely certain. The use of law, is far preferable to war/ that is the purpose of redress: “to clean house, when the employees believe they have power over the people”. It is our law/ these are our courtrooms/ our nation, our constitution, and our lives are not a game.

The defendant: Our employees submit, “that they are the government”/ not we the people are a democracy, but that they are rulers here. Ruler means: by the power of rules, I will make you obey/ I will make you concede/ I will take whatever I wish/ I will change the rules to suit me/ I will own you, because I can. In other words, your life is a game to me/ because; in the little black corners hidden behind closed doors, with weapons and thugs; I have the authority to take it away. That is **NOT DEMOCRACY**, because there are no rulers in its truth; only the law that governs us all. That law, that distinction of actions that will or will not be taken to enforce **OUR RULE OF LAW**, which makes democracy possible is: the constitution/ the bill of rights, and the declaration of independence. When combined make up the words that **OUR GOVERNMENT** exists upon. In other words, it is the government of this nation called **WE THE PEOPLE**. No employee shall be called “the government”/ you

are an employee, paid to do a specific work; and for some an oath to obey support and defend the constitution: so as to insure YOU KNOW what, you are allowed and expected to do in this job is. Thereby the sovereign immunity of this UNITED STATES OF AMERICA is not under attack by me/ it is respected, honored, and represented by my own words; not your excuses. The sovereign immunity of this USA, it is under attack by you the employees of this people/ who have made the people a game, to be played with. I for my part call upon the true government which is those founding documents to prove democracy exists here, and has not been overrun by traitors.

Subject matter jurisdiction understands these issues clearly, and respects the value of our contract with you the employees of government HAS BEEN BREACHED, in many ways. The power to hear this case is divided: first the law MUST be obeyed by our employees hired to participate with the government of this USA. And then redress of grievances must begin by providing the opportunity of trial; demanding accountability and truth in all things as this our government provides against the employees in question/ against the actions taken by our employees/ and what they have done to our securities, peace, happiness, and future. WE HAVE A RIGHT/ because we are a democracy: that means the supreme authority here is the people, under or in association with the government itself; as is those same foundation documents of law. This court belongs to the people/ it represents the foundation of reliance upon law instead of guns that is the purpose of redress in democracy: and we demand/ I demand my guaranteed inherent and true right to present the people with their opportunity for redress of grievances in the manner they choose to implement for themselves.

For these reasons and more, the employees of this USA are a party to this complaint. Redress of grievances: is the people's right to inquire and demand of their employees; WE THE PEOPLE, RULE HERE, NOT YOU.

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I AM ENTITLED TO THE LAW, THAT THE CONSTITUTION PROVIDES TO ME, my guaranteed right! Simply provide that courtroom for first amendment redress of grievances as the LAW DEMANDS OF YOU. And these court cases would not exist.

As to allegations: as in all contractual constructions of I will do something for you/ but only if you do something for me, comes the truth. YOUR FIRST AND FOREMOST JOB, is to protect, defend, and obey the constitution and foundation writings that are this government of this United States of America. That is your job,

and since you refuse to obey the law and provide the rights and laws guaranteed to me as a citizen/ it is proven you have broken your contract with the people, with me and did not do the job for which you have been hired. Consequently no money is owed/ criminal consequences are the result when not only did you not do the work, but literally stole the rights guaranteed to me by the law of this land.

The declaration of independence strongly states, not only is it a right to discipline and establish authority over our employees working under the laws of this constitution/ it is our duty to insist that those laws set for by the constitution shall be kept. Thereby not only is redress appropriate/ the reality of forcing behavioral change and insisting that redress shall be provided by using money in the form of taxes to prove WE THE PEOPLE are the owners here/ NOT YOU. Is fair and legitimate, and well within the constraints of constitutional decree, as proven by the declaration of independence. That is our government, and I obey it/ you, do not. Or redress trial would be simple and plain and used by the people: to your shame it has never been allowed, a conspiracy, critical rebellion, and a traitorous act. It is our law/ not yours. It is the law/ NO interpretation exists, or can exist to prove otherwise.

The process of withholding taxes begins as the protest expected to be joined: proving to the employees of this USA that they too must obey the laws of this land, this constitution of America. Consequently the tax question of 2005 is presented with the statement NECESSARY to begin the process of this fight in a courtroom. As again the corruption within the court proves there is no other way. Therefore the statement: PROVE to the people what it fair, when they join the protest to demand our employees are NOT “kings, or rulers, or any other assumption beyond the truth: employees/ with a job to do”.

Or more simply: do you job/ or you don't get paid

Obey the law/ or you don't get paid

Be fair with us, BECAUSE WE CAN PROVE WE ARE THE OWNERS HERE. Therefore support the enforcement of law, accept there are disciplines and duties to your job that are NOT optional. And

simply provide legal and true: redress of grievances for the people. And we are done. That is the purpose of this lawsuit, to provide the law owed to us. Your job is, to establish what the constitution provides to each and every citizen guaranteed. Prove, this conclusion: you too must obey the law! Is wrong.

These things are not only plausible with regard to enforcing the law, they are the law. The Contractual demand on our employees: to prove they too must obey the law/ must obey their oath to do what the constitution demands. And to explain you are an employee here, WE ARE THE GOVERNMENT, with our laws provided

by constitutional documents. These things are a duty to present, as history proves what cannot be done in a courtroom; ends on a battlefield. Not me, but there are plenty of angry people in this nation at this time. Respect them, obey the law/ do your job correctly/ stop rebelling against the people of this USA.

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Cases have been brought forth; and there are many more located on www.justtalking.info www.justtalking2.info & www.justtalking3.info all of which prove that there is no respect for the citizen/ there is no obedience to the law by the court/ no intent to provide justice or any purpose other than control of the public or me; an act of prejudice that does not stand DUE PROCESS, as provided and guaranteed to me by the fourteenth amendment. As nearly all courts rely of two simple statements regardless of the content “frivolous & unintelligible”. As that has never been the case it is clear and certain FRAUD AND CONTEMPT FOR THE PRACTICE OF LAW AND FAIR PLAY. The evidence is valid/ the reality is plain. There is no speculation: the evidence regarding the plight, NOT justice as is received by the common citizen throughout the court system of this USA and this state of IL is proven. The cause of redress is just. Is the evidence of a courtroom “speculative”?

The foundation raised by the defendant is “he, is the government”! The assumption of the court is, “they are the government”. THE REALITY OF TRUTH AS A DEMOCRACY however is that WE ARE THE GOVERNMENT! Not our employees. Our constitutional laws, govern all that can be established or enforced under our government/ NOT the employees. As is the case of failure to provide redress of grievances/ these employees prove they have taken upon themselves the authority to commit treason, and demand that the constitution shall not rule. As such, the charge is “an enemy of this government”; NOT its ruler. Is that “vague and ambiguous”?

I have provided the truth: the courts both high and low, which declare themselves to be for the sole purpose of providing the law to the people of this USA. Refuse to provide the first amendment redress of grievances to me/ to us; and have conspired to such an extent over such a grievous amount of time: that not one single legal case of redress of grievances can be found in support of that law. They stole it from WE THE PEOPLE/ they took our law called redress, and destroyed due process by treasonous acts.

How are you immune from the law, and consequences of rebellion against this people? Explain it.

The second degree of demand establishes: in stealing our law/ there is a critical rebellion against the people themselves, and a lack of respect for their authority. This is a democracy, and as time and reality have proven: **WE MUST ENFORCE THE TRUTH, WE THE PEOPLE ARE**, “the sovereign authority of this land, WITH the laws and directions provided by the constitutional documents stated. Not our employees/ we are the owners here. Your job is to provide our people, with the protection of these laws/ NOT confront them with ridicule and rebellion against the very laws you are sworn to protect.

The third degree of demand establishes: that democracy is a living example of what **WE THE PEOPLE** can do, as the direct owners of our government the laws provided by constitutional foundation. That means, not only do we hold our employees accountable/ but shall use redress to alter or transform any aspect of the realities which govern us; as we so choose. The competence of the court to understand democracy is on trial/ failure, is at the cost of your job, benefits, etc. Your job is: to understand these things, and in every court in this land/ to do what the law commands of you. You have failed in all other cases representing not only rebellion, but absolute disrespect for the guarantees said to be inherent or irrevocable to a citizen. Your job to provide/ my duty to insist.

This trial is NOT in dispute of the sovereign immunity of this USA. That body of work called the constitutional documents are by no means under disrepute or disrespect by me. IT IS THE EMPLOYEES of this people called the USA that are being tried in this court/ not the government that provides my guaranteed right to demand accountability or governance as WE THE PEOPLE.

The right of any employee to refuse accountability for their pay, with regards to the work they were hired for: is fundamentally NOT “ a decision for the employee to make”/ they have no immunity from suit, unless they wish to be sued”. That is not only a lie/ but treasonous in contempt for the basic process and intent of justice. Due process as is the fourteenth amendment states: “No state shall make or enforce any law which shall abridge the privileges or immunities of the citizens of this United States; nor shall any state deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” That is the law of this government called **WE THE PEOPLE**/ not you the employee. You have no right to say to our government the laws of this land: that you as an employee deserve to be “special nor exempt”/ rather you are the same. And your job is under scrutiny and subject to review, by the court or any other process as would

provide the laws and intent of our constitution.

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the limitations and conditions upon which the employees of this United States of America can be sued are determined in their entirety by the government of this USA: **THOSE DOCUMENTS called the declaration of independence/ bill of rights/ and constitution of this USA. THESE are the writings and agreements for which WE THE PEOPLE DIED, sacrificed, were mutilated, and lost family, hope, and future.**

I guarantee, there are no soldiers dying/ no sacrifices being made for the employees that represent the current congress/ judiciary/ or president. **THEY ARE NOT**, “our government”! Nor do we die or choose to defend, each other beyond what is absolutely necessary amongst ourselves. **ONLY THE AGREEMENTS STRONG ENOUGH**, to hold us all together as a nation do that! Nothing else/ and you are a fraud and liar; to assert anything less/ as you have done. The congress is not our god/ king/ ruler/ etc. **OUR DEMOCRACY ALONE** holds the keys to our nation! Our employees do not. Your right to excuse yourselves from redress of grievances does not stand.

There are no remedies sought in terms of taxes! Rather taxes are to be withheld to **ENFORCE THE LAW!** And prove to the employees of this our government called **WE THE PEOPLE:** that they shall indeed obey the laws of this our constitution, and do their duty. They shall provide **LEGAL** redress of grievances/ and the people shall decide. The question of individual taxes asserts: prove the penalty and interest that I am obligated to pay in this the demand from our employees to obey the law. I say there is none. I say the cost of court shall be removed. This demand to enforce the law on our employees is not only reasonable, but necessary; a duty required upon us all. Let the penalties and interest and criminal charges to established on the cause: Our employees **HAVE BEEN** rebelling against us. They have refused to deliver our law, redress of grievances to the people. That is not only a criminal act/ but a treasonous one.

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In every court in this land, the foundation of law that is the constitution, is heard every single day. That foundation is for the employees hired to prove these guarantees are real for each and every citizen/ and the law will be obeyed by all the citizens, immigrants, etc herein. There are **NO EXEMPTIONS**, not for religion/ not for students/ not for aliens/ not for judges or presidents or any other person, place or

thing. That means in even the lowest court in this land; this case regarding this law, the first amendment redress of grievances can be heard. Because it is both part and parcel to the government of we the people/ it is a foundation upon which all other judgment or law is made/ NOTHING happens in this nation, without the approval of constitutional law: OR it is a corruption of our government and ought not exist.

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I seek no injunction to prohibit the collection of taxes/ rather I seek the enforcement of law upon the very employees whose job it is to provide that law. OUR MAIN LEGAL WEAPON, in this demand: is the removal of payment/ the association provided by “IF YOU DON’T DO THE WORK WE PAY YOU TO DO/ THEN YOU WON’T BE PAID”. There is no association with the removal of taxes, merely the intent to withdraw from paying them until such time as our needs as a democracy for this law/ our rights guaranteed by the constitution; are met. Not only did you fail to do your job/ the nation suffers for it, and WE MUST remedy that fact now. Should there be no consequences for breaking the law? Explain that! The declaration of judgment is tied to first amendment redress of grievances: the issue of taxes are enforcement of this trial and that purpose, by the right as owners IT IS OUR MONEY, for our democracy! It is not for our employees who failed to do their jobs. This is a contractual declaration: DO the work for which you were hired, and you will be paid. Fail to do the job in its entirety, and we intend to pursue court as necessary to prove we owe you nothing. **This is a decision based upon the power that is “we the people”. To enforce our democracy!**

Article 3 of the constitution governs this courtroom, in accordance with the nation itself. The judge does not own the courtroom nor the constitution/ WE DO! A JUDGE CANNOT rewrite any part/ cannot remove or add not one single punctuation mark to the constitution itself: BY LAW only the states can do that by ratification amongst themselves. Therefore what the court asserts has no bearing/ apart from the disrespect or disgrace of our laws by the judiciary. ONLY article 3 itself stands at this trial, only the words of the constitution, and the interpretation we the people are willing to hear shall be applied. Section 2.1 Quote: “the judicial power shall extend to all cases, in law and equity, arising under this constitution....to controversies to which the United States shall be a party....”

Article three is also necessary to prove within the power of the people to uphold the law called the constitution of this USA: SECTION 1....”the judges, both of the supreme and inferior courts, shall hold their offices during good behavior...” IS THE POWER to remove any judge in any court, “for failure to obey the law/ bad

behavior”. This begins from the “top down”/ and continues until it is believed “this one, is merely a soldier obeying an order/ that should not have been”.

There is nothing general about this complaint: let every employee of government obey the law in full, under constitutional guidelines. No exceptions!

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As to the list of critical damage to me and to the public at large, that foundation is found under the argument begins filing sent to the court, dated 11/26/10. It is however further expanded to include the simple reality: our employees have consented to place upon 100 million workers an additional debt of roughly 1.5 trillion dollars for the single year 2010. That equals \$15,000.00 per worker of new debts, “just for the federal government employees decisions, infecting our lives”. And they must do it again to sustain this next year as well. Our citizenry as a majority have failed to see this money/ because it is being siphoned off to buy all the foreclosed property, of our citizens; stealing from them their work, their lives in time/ devaluing their money, and destroying their future. The rich get this money too: further invading our land for the expressed intention of reducing our majority into their slavery. WE ARE BEING PLACED IN DEBT/ so the damn “rich people”/ can reduce us to slavery. “They will soon own it all”/ and the people themselves will have no right or access to anything, but to BEG/ or a gun. Our employees are thereby stealing our nation, our property, our future, by destroying the value of our money: claiming debt/ when in fact it is nothing but inflation (because we cannot pay it). But by claiming debt: our numbers remain the same/ while their numbers increase last year by the equivalent of \$15,000.00 per each one of 100,000,000 workers. We get the debt/ they get the numbers called money; and we cannot compete.

Threatening us with realities that are clearly UNJUST/ and with the university intent to gamble with this entire world, our ability to survive, our nature upon which we are totally dependent; is left to chance. The difference between extermination as a world, as life on earth/ DEPENDENT upon their theories. TERRORIST means, caught in the act or after/ trying to destroy countless people, creating weapons of mass destruction! These scientists are terrorists. And you assert “relief that no more directly and tangibly benefits him than it does the public at large”. LIAR. Not only is the assertion proven that there is damage to me/ but to the nation as well; have they not established fear? **OUR RIGHT to decide if someone else can gamble with my life/ our lives, our everything: IS NOT less than a guaranteed right within the constitution of this USA.**

ESTABLISHING, whether I live or die, this case moves forward. Is Allowed

to be directed by an organization of proven women “*change is coming*”, whose purpose can be distinguished by the public as, they work for: **LIFE MUST COME FIRST.** Should I die.

This is a case construed to be: **DAMAGE DONE/ DAMAGE BEING DONE/ A FUTURE LOST**, by employees who have traded us all, for nothing more than greed. How is that not treason?

The preamble to the US CONSTITUTION states what is or is not the subject matter for directional analysis and intent by law, defining what our employees can or cannot do; and what is expected from them within the demand of what our authority over these employees should be, in our expectations of this democracy.

It reads: “We the people of this 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.”

YOU, the employees of this democracy. YOU the employees of WE THE PEOPLE, AND OUR GOVERNMENT. Have failed, at nearly all levels, purposes, and possibilities. YOU are a danger to the nation. WE MUST HAVE REDRESS OF GRIEVANCES. Simple as that. Article 3 is proven: standing is secured. The list of failure is very long.

RE: THE DEFENDANTS RESPONSE TO PLAINTIFFS MOTION

for verification by the court/ that they will not act in a similar fashion to the & 7th appellate court resulting from district case 10-2055. When it was brought to their attention in the docketing statement: “ain’t going to allow” this court to make fantasy statements in their decision again. As was a previous case decision (completely without basis or fact, entirely made up). You can find that case; In the abstract case file at www.trialforlife.com the court destroyed it. In response to: the US appellate court as mentioned in that motion, failure to accept its duty; blaming this district court instead. Proves Blatantly untrue, because they and you KNOW: until the price is paid, there will be no case number/ and it will not be sent on to the appellate court. They lie, proven without even trying. In other words corruption, and a sewer of disgrace are common in the courtroom.

That Explains, I want proof of trial, proof conditions are met. Your return motion meets this condition/ thereby motion for proof is granted & received.

FIRST AMENDMENT REDRESS OF GRIEVANCES, in federal court IS EXPECTED TO BE:

After sufficient news and other media have been employed to provide the public with an understanding of what this redress trial means to them in terms of democracy “their decision, as owners: regarding accountability from employees, and the determination of their own futures”. So as to provide the opportunity to participate as jurors for themselves.

A jury composed of not less than 24 individuals whose job it is, to determine if sufficient evidence either by what is presented in court or by their everyday lives suggests that WE AS A PEOPLE NEED OR DESIRE to make decisions for ourselves, based upon the court proving truth in the evidence/ thereby an accounting from our employees as to the truth, understanding, and reality of this situation within which we have found ourselves; and our future will be, as best we can. Therefrom; Based upon the threats that exist, which can damage or destroy our lives, nation, or future. Based upon the existence of cause to believe “that adjustments” must or shall or should be made, by we the people. In order to achieve the stated goals of the preamble of this OUR government as is proven by the constitution. The decision shall be made.

Because NONE are exempt from the confrontation that this shall influence “my own life too”/ there can be NO allowance for a “jury picked from individuals”. Rather ONLY JURORS selected by random methods such as “lottery balls” for instance/ shall be allowed the position of declaring for the majority, if they believe we should indeed have redress in the matters presented or as shall be added too, through the various state trials to come. Prior to subsequent its subsequent national trial. Through the different states: This demand for redress shall be established, by not less than two-thirds majority in subsequent redress trial cases; throughout the land. Two thirds majority as is reached by the decision of 37 states in affirmation: YES there shall be redress for the nation. Rules the decision/ yes or no. Or more specifically, this redress trial, asks the people of this state of IL, by jury trial of 24 : if they will ask the nation to vote on whether we MUST govern ourselves and seek accountability from our employees/ protecting the future for these children. If they say yes, WE WILL have redress here in this state of IL. Then it is expected and demanded that within the 49 alternate United States, there shall be an immediate access and opportunity for trial under the same conditions, as this state of IL. They

people may ask for additional issues to be presented/ but they cannot reduce the original cause presented. Redress trial shall be mandatory, because the state of IL (in this case) demands it, as we the people. But the trial shall not go forward to national adjudication, thereby full and impartial hearings unless two thirds of the state trials agree: this shall be done. Let the people themselves serve notice on their US federal courts/ it is their duty: there can be more than one/ but NOT more than one per district court (majority decision, for the state; rules). There cannot be more than one, court case in the presenting state trial decision: that decision goes to trial before the other states/ not its own, based upon this singular decision: “no double jeopardy”. Let each respective state be responsible for informing their people, the media, and for costs; that the people of their state have this right to demand redress of this nation; along with and in conjunction with, the state of IL, and its stated redress trial. National trial follows immediately, there is no wait period/ we have decided, there will be redress upon this land.

This is a democracy/ by the vote, and will of the people themselves! Our nation, means our decision; not yours or mine. **THE LAW**, says: I have the right to ask! Democracy says, the people themselves have the right to refuse. But the court HAS NO AUTHORITY, other than to obey the law. Our nation, not yours; as the employee.

THIS COURT, SHALL DECLARE: A MORATORIUM FOR THE NATION/ with severe penalties for anyone who fails to obey. Following the decision for redress trial: instantaneously. At each and every state trial that discovers another purpose for redress wherein our lives, our world, or our future is immediately in threat! They too shall demand a moratorium for the nation itself/ by participation as we the people for this nation. The demand for this IL trial is: **ON EACH, OF THE PRIMARY theories GAMBLING WITH OUR WORLD** (at cern), **GAMBLING WITH OUR NATURE** (through mutilation, the practice and intent to play god by changing biological design), **AND OUR LIVES** (as is the national ignition facility, attempting to bring the same fire as is on the sun, here to earth: **WE CANNOT** put it out, or control it. Too late is too late/ we’re dead). These are, as is represented within the argument filed in court, dated 11/26/ 10.

WE THE PEOPLE DESERVE OUR SAY/ not your failure to respect our lives. Your failure is our lives/ literally our everything!