

IN THE UNITED STATES COURT OF APPEALS

For the seventh circuit  
219 S. Dearborn st.  
Chicago IL, 60604

case 10-2146

Osterbur Vs USA, STATE OF IL, ET AL..

Dated: 6/ 11/ 10

MOTION TO RECALL THE MANDATE

The trial to displace and reduce corruption within the court system of this USA/ the foundation of law, which guarantees DUE PROCESS in a courtroom of law. The reality of constitutional law, as is the first amendment redress of grievances: defiled by the judiciary/ and disrespected by the hierarchy, who have had their say.

The functional reality of treason is then identified by this appellate court: as their allowance that a clerk can and expects this trial will go away just because SHE LIES! The docketing fee was paid, and there is no rule of the court which allows anything less than justice to be its foundation or respect for the people. Rule 3 (b) is about a joint appeal/ and there are no other litigants apart from the truth called WE THE PEOPLE, AND OUR GUARANTEED RIGHTS.

Therein, the process by which a clerk of the court denies my appeal with absolute disregard for law, justice, constitution, right, or the reality of Democracy granting FAIR PLAY to all: is treason within the courtroom of this USA/ and within this state of IL, as it participates for the nation.

**THE MANDATE IS JUSTICE. THE MANDATE IS CONSTITUTIONAL LAW, according to first amendment redress of grievances as the law demands. THE MANDATE IS, THE JUDICIARY SHALL CLEAN OR BE CLEANED OF ITS CORRUPTION. THE MANDATE IS, THIS STATE OF ILLINOIS EITHER FUNDAMENTALLY ADHERES TO JUSTICE, or its officials participate in the fraud and tyranny of terrorists within the court; who are trying to destroy the foundations of this government.**

To the clerk: Pamela E. Robinson You have no authority to dismiss. That fact, identifies three distinct realities: you are breaking the law/ and the law tells you; unless you immediately dissolve these your attempts to destroy my

participation in this courtroom. You are liable for the damage you cause/ the crime you have committed.

The appellate judges who have allowed you to retain this job, assuming others have been illegally withheld from their own cases/ or the judges in this case allow you to continue: without their signature and authority attached. Are equal, in criminal actions: and found in contempt of their own court. Because the law governs the courtroom/ NOT a judge or a clerk!

The foundation of a charge of corruption in the judiciary and the courtrooms of both state of IL, and USA are found and supported as true; in this evidence of contempt for the people of this United States of America. Whereby absolute proof has been established: NOT THE LAW, but a whim or discretion by those without ANY AUTHORITY TO JUDGE: EXCEPT BY THAT LAW, of we the people of this state and nation. YOU are not judge/ THE LAW IS JUDGE. YOU HAVE NO AUTHORITY WITHOUT LAW, and the law has been held by traitors taking hostile possession of it. A reality of open and defiant rebellion against the nation, state, and this whole people.

The question is: will this people cower and hide from those who attack it? Or will they stand up, and demand JUSTICE BY CONSTITUTIONAL LAW.

The question is: will this courtroom of this state and nation continue to hide behind locked doors, and pretend the law cannot enter here! Or will they confess: IT IS, the law who judges, and the constitution who decides.

Make your decision now! Understanding  
clearly, that the law now threatens you/ not me, but the law of this land.  
Defy it at your own risk.

DATED 6/ 7/ 10

reply to: dismissal from Pamela E. Robinson

RE: DISMISSAL BY A CLERK, in a case developed as treason in the court/ open rebellion against the constitution and the people of this UNITED STATES OF AMERICA. THE OUTRIGHT THEFT OF A FIRST AMENDMENT LAW, by the court system of this USA. Constituting conspiracy and denial of this people to their guaranteed constitutional rights and freedoms. That is a traitorous act! And it is hostile possession of the law/ through corruption: by the judiciary involved in this case.

THAT MEANS: MS. Pamela E Robinson has agreed to participate in that conspiracy to rob and destroy the constitutional rights guaranteed to me, and to the

people of this nation. That means: the criminal act of lying in court has occurred because there is no reason to believe either 3 (b) affects this case/ there is no reason to believe the \$400.00 paid in filing this case, was not sufficient/ and there is no cause to believe: that being pro se: I am not entitled to notice of this tiny irritation in stupidity and arrogance against me. YOU, have broken the law. And there will be a warrant for your arrest coming. You are the guarantor: that I shall have my day in court/ and YOU CHOSE to file a document which proves: YOUR INTENT was to rob me of my right to the law/ my right to a legitimate day in court, wherein the law shall be obeyed! With false oath and testimony/ establishing false and malicious pretense: YOU STOLE MY PROPERTY CALLED "the MY guaranteed rights of as citizen in this USA". That is a value beyond frivolous and insufficient rules. That is a value beyond minimum value, and exists as a foundation and a demand for EQUAL RIGHTS. And I will not be discriminated against.

Your assumption of dismissal will not stand/ your excuse will not be allowed/ your defective pleading in terms of this case is beyond the authority you possess: because MY RIGHT TO THE LAW, is superior to your complaint "didn't pay a tiny bit of money". PROVE IT IS NOT SO. By proving the clerk, or judge; of the district court stole that money/ rather than reporting it to you.

THERE IS NO RULE OF PROCEDURE BY WHICH YOU CAN DISMISS A CASE OF THIS TYPE. THERE IS NO AUTHORITY FOR A CLERK OF THE COURT TO DISMISS ANY CASE/ AS THE LAW, AND NOT PROCEDURE CONTROLS. THERE IS NO AUTHORITY, OR ALLOWANCE FOR THE SUPERVISION OF A JUDGE OR GROUP OF JUDGES TO ALLOW, A CLERK OF THE COURT TO DISMISS ANY CASE ON PROCEDURE. PARTICULARLY NOT A CASE DEMANDING CONSTITUTIONAL LAW AND GUARANTEES SHALL BE UPHOLD.

That leaves us with the conclusion: that either the clerk acts on her own/ violating the sanctity and honor of law in the courtroom: STEALING the rights of WE THE PEOPLE, by dismissing the constitution itself, with procedural shit. OR the judge or judges of this court, WITH FULL KNOWLEDGE of what the clerk does or does not do/ OR a clerk of the court acts secretly within the demand of a judge who will not accept responsibilities as is required by law, or him or her to do. In the first part, the clerk acting of her own volition establishes a failure obey the jurisdiction of the court, as it applies to her job. That failure created the intent to abuse, criminally assault by taking away my right to due process and the consequences that come, and becomes the notorious possession of my rights as a citizen of this USA. It is a crime, and a treason against this people. In the second part, wherein the judge

secretly knows or allows a subordinate to do, what they are legally NOT allowed to do: BECAUSE JUSTICE IS GREATER THAN A RULE, AND THE LAW IS NOT A TOY, OR A DISCRETION OF THE COURT: THEY ARE BOUND, to officiate as the law itself demands. Only a judge can rule on a case. To impute that responsibility to another, without the legal right to do so: IS A CRIME. That crime by making the impossibility of a defense, as is guaranteed by the constitution to each citizen: do to the insubordinate, constitutes a treasonous act. Because it is hidden rebellion against the constitution itself, and an overt act of aggression, against the people themselves.. It is felony harassment against the law, and the constitution and the people. It is not only corruption, but the organization of participants in crime; whose only purpose can be: TO STEAL OR DISMISS OR CONTROL, my rights as a citizen. The constitution is the foundation of law/ and there is NO allowance to remove justice, law, or guaranteed rights; for a procedural infraction or lie. This kangaroo court, is thus held liable for its conduct: and the federal bureau of investigation shall be informed.

DUE PROCESS OF LAW, within the fifth amendment demands: NO PERSON shall be deprived of life, liberty, or property without due process of law. THAT LITERALLY MEANS: the law shall decide/ not a procedural rule without merit in this case.

DUE PROCESS OF LAW, within the fourteenth amendment means: the same but expands to insist that there citizen rights which cannot be denied or trivialized, or frivolously usurped. The demand for justice, is greater than the trivial assumption that I did not pay a fee, that I did in fact pay. The law rules/ not the foundation of tyranny which is procedural vomit.

Further, the fee of \$400.00 I paid for this appeal/ the docketed number given to this trial: PROVE there is a record, and its removal will not be considered legal.

TO THE CLERK: I give you one week, ending June 14, 2010 to decide if you wish to give testimony regarding any judge or judges who may have given you the idea: breaking the law, and dismissing this case would have a suitable outcome. Failure to do so, opens every door to the possibility of prison. Because it is a felony “to act as a judge/ and create the subterfuge, intentionally and willfully and with full knowledge, and clear intent: TO TAKE AWAY MY DAY IN COURT/ AND ASSUME CONSTITUTIONAL LAW is a game.

Make your decision.

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