

**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 10<sup>th</sup> and Constitution avenues NW Washington DC  
20530  
the President Barrack Obama; 1600 Pennsylvania ave NW , DC 20500

dated: 12/20/10

trial number: 10-2257

**PLAINTIFF REPLIES**

RE: the defendants response in regard to motion for judgment asserts: “I don’t understand/ nothing valid, nothing concise/ no rights or guarantees afforded by the constitution/ and this court, this judge is not obligated to enforce, obey, honor, or respect constitutional law. Cannot uphold his or her sworn oath of office/ because the attorney says “no jurisdiction” to obey the law, or provide the guarantees of our Democracy called the constitution; by himself. Indeed no judge & no litigant gets to assume control over the constitution. Rather a judge must obey the law/ and a litigant must obey this Democracy: “we are owners/ NOT you”, or in this case “me”.

This attorney asserts “no merit to constitutional law/ or democratic decree:  
**The legal demand for constitutional guarantees, as is the first amendment right called redress of grievances. Is not a game.** This is a question before the court, answer yes or no.

**This case is nothing more or less, than a primary foundation built upon this guarantee of redress/ and the democracy of this United States of America which guarantees it to each and every citizen.** This is a conclusion of fact before the court, answer yes or no.

**What the people then decide, IN REDRESS; makes them WE THE PEOPLE/ instead of you, a judge: “them, who think they be, the rulers”.** This

is a conclusion of democracy before the court, answer yes or no. Democracy is the law, answer yes or no.

**This case demands the law shall be upheld, by every citizen; and in particular those employed to HONOR the constitution as LAW.** This is a conclusion of law before the court, answer yes or no.

This attorney believes there is something frivolous **about enforcement of the law! Guaranteed constitutional rights! Due process of law, the gift of this democracy to me, its citizen.** Indicative of the training and teaching established by a law degree/ the reality of “school” comes to derision. The truth of a university teaching rebellion against the people, and their constitution comes forward; as an act of treason.

This attorney believes, that in each of the cases he submits from my own hand; are to be considered frivolous, and without substance. But as is plain and clear in this text and this case/ the evidence proves otherwise. Each one asserts, “redress of grievances, is first amendment law”/ each one denied with a myriad of excuses, each denying law, and proving contempt, conspiracy against redress, and collusion within the court: against this people and their democracy.

That he has not had his chance to “raise constitutional issues on his own”. Simply untrue.

This attorney asserts: this motion for judgment dismisses arguments not yet made, for lack of cause. But that is not true, as the cause of this motion for judgment is the assertion by **this judge/** that he fully intends to simply discard the case/ thereby setting it aside; by refusing to continue the arguments. Judges text order: quote *“no response deadline will be scheduled an no response is required from defendant. These filings will be considered by the court when ruling on pending motions.”*

**Therefore to continue DUE PROCESS,** and a legitimate schedule as is “fair to me”/ both motions had to be filed! One to destroy the assumption that no response is required, and one to demand a deadline shall be kept. So they are/ **REQUIRED,** because the court intends to play the game, and I am not willing to do so. **Rule today,** OR establish a deadline/ and demand the defendants response. Create constitutional obedience to the law, remove the obstacles, that refute and disgrace, the first amendment.

- **THIS CASE IS ENTIRELY ABOUT: ESTABLISH A FIRST**

**AMENDMENT REDRESS OF GRIEVANCES CASE FOR ME, IN A COURTROOM OF LAW/ WITH JURY AND PRESS AS INDICATED, to establish the people know.** Everything else involved is simply: THEY, THE JURY DECIDE! It is their right, this is their democracy called WE THE PEOPLE. Redress here seeks: the necessary involvement of WE THE PEOPLE, as true owners of this nation/ because we are a democracy. Redress knows: by vote, of the people themselves/ or more specifically as a jury of 24. We decide to go to trial or not, as a nation. One vote per each state.

- It is beyond question: Within the absolute truth: this nation is not only in trouble economically, but threatened with extermination/ and a future lost by tragic, foolish, and careless gambling with our lives. NO further demonstration of cause is needed. **REDRESS ASKS, IN A COURTROOM OF LAW: AS A DEMOCRACY, shall we the people of this jury; representing this state of ILLINOIS. Say to our fellow citizens in each and every other state: shall we, Demand accountability from our employees in government? Demand control, by our own vote: where the foundations of democracy, the fabric of our lives and society and our very world; are threatened? OR NOT?**
  - **EACH STATE DECIDING for itself, by legal (in court demand) vote: *we are the owners, let our employees give testimony to what they have done/* SAME QUESTION to each state; their answer, and their alterations if desired. *If our leaders shall justify their decisions and prove their truth in terms of this nation, its future, and our impact on this world.***

Majority rules, let the people themselves bring the question to their own state: federal district court. If twenty six states rule by jury in each state: **WE SHALL have redress for this nation/ then our leaders go to trial. Or more specifically OUR FUTURE GOES TO TRIAL, to determine its truth, and what can be changed or revealed.** Its called democracy: we the people, rule ourselves/ because we are the power, and we are the owners here. By vote among themselves as a nation, one citizen/ one vote: we decide what shall or shall not be done, for our future, ourselves, and our nation/ our employees. By the consequence of that trial.

This is the case to be decided upon. But the law that governs this trial is: Constitutional first amendment, REDRESS OF GRIEVANCES belongs to the people themselves as their law/ their democracy, as owners: enforced.

Every issue brought up in consideration of why this is important/ becomes a foundation of that trial; or is added to/ or reduced from trial by majority rule state by state.

Democracy is not a game/ it is the right of the people, the duty of the people, the honor of the people, and **the power of the people to rule over themselves. *That is done by our vote, for ourselves, on the most important issues of our lives.*** That is NOT DONE, by voting for someone else to vote for me. That day is done, true democracy stands at the door. Redress opens that door/ and it is the law!

This attorney is assigned the duty: to respond to the above. And avoid all the other frivolous details and innuendo, as he has produced. None of which is relevant to this case. This case is based ENTIRELY UPON CONSTITUTIONAL LAW. There are no substantive rulings/ no judicial wrangling/ no pertinent authorities (never has there been a redress case)/ and no sovereign immunity from obeying constitutional law. YOU are employees of this people/ YOUR JOB is to obey the law, and the people through their democratic rights: as listed in the constitution of this United States. **I ask for the law of this USA constitution to be obeyed:** in a courtroom within this state and this nation, as the LAW PROVIDES TO ME, and to every other citizen; as written, and legally bound to every judge by oath. There are NO excuses. **Redress is the law! It is not discretionary/ it is compulsory.**

These are constitutional arguments: based upon THE OWNERS DEMAND. **As is, we the people.** *The constitution is the law/ and no law, no possible rule of the court stands above it, or can rule over it. No judge can assume it is not, their duty to uphold it. The constitution is our law/ and your sworn duty to obey:* this document, and honor its companion foundations “the bill of rights/ the declaration of independence”; which built this nation. BY OUR HANDS, not yours. We are the rulers here, by law/ NOT you. Your job is to respect that authority, and serve our law. We are the nation/ we are the owners/ **we decide** by redress IF YOU the employees have treated us

fairly and with respect, OR NOT. **Its our legal right/ by majority rule.** By jury trial, as indicated; among the states: we decide to exercise our right as owners, over this nation.

**The fact is, this nation is in trouble/ NONE have a right to dismiss that known fact. As a people, WE HAVE A RIGHT: to the truth! That is the purpose of redress/ not to rebel, but to own the facts, to own this nation: and decide our own future. Is that not democracy?** Indeed it is!

The job of the court, every court: is to enforce constitutional law. This law, guaranteed to every single citizen/ needs no other subject matter jurisdiction. It is the law of this land/ the duty of every judge and every courtroom to enforce. The right of every citizen to use; IF the others agree. No excuse exists, to deny a constitutional right and law. You cannot win.

As to the cases I have filed asking for redress/ they prove this citizen has been withheld from due process and legal protection as identified by law: by the legal profession, proves compulsory lying as a group, is that not conspiracy and collusion! To deny the nation its own law/ this democracy its ownership? Indeed it is.

#### Conclusion:

The end result is, a contract broken/ our employees refuse to do their job as demanded by our democracy. An inference by the facts: “PAY THE DAMN lawyer BILL”; OR we throw you out without merit, on any frivolous claim of incompetency or rule, excuse, or lie, or just plain pretend “we cannot understand, what any grade school child would”. Doesn’t matter what/ we control the law/ the law does not control the court. Each case brought up by the defense, to assert “I have no place in this court”, and more. Represents the criminal conspiracy within every courtroom in this nation, to withhold justice/ UNLESS YOU PAY THE PRICE; while only the whim of a judge decides. Unless you pay the lawyer: means, a criminal organization! Extortion demands assert: “the competency of a court is based upon money/ power/ and pride”; let the law be damned, “they got rules, & closed doors”. Each case proves: the legal right guaranteed to me, as the first amendment to this USA CONSTITUTION; **is held hostage, by traitors.** Simple and plain. This case again, represents democracy: THE LAW is upheld/ Or it reveals, the criminal conspiracy and fraud, that is the judicial reality of this USA. One way or the other/ it cannot be both. Either the law rules/ or the nation has been overrun by rebels/ anarchy/ and shades of tyranny. Make your decision.