

In champaign county court
101 E. Main st. Urbana IL 61801

James F. Osterbur
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St. Joseph IL 61873
www.justtalking3.info
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versus

State of ILLINOIS
Gifford, IL; police department
dated 1/ 2/ 12

RE: The citation for: a failure to come to a complete stop, in the town of Gifford IL. At a stop sign therein. Ticket number 3171 Gifford police. The charge \$120 dollars. **I, the accused, DEMANDING A JURY TRIAL.**

DEFENSE ARGUMENT BEGINS:

The over-riding reality as has been proven in the past for this trial is: that the various judges in numerous trials, have failed due process/ denied the law/ disgraced the constitution of both this state and nation/ and refused to obey WE THE PEOPLE, by our standard of employee conduct which is their own sworn oath to obey, rather than deny our democracy.

Consequently as has been proven before: an opportunity to speak to the facts in an open courtroom will likely be denied to me/ a fair and impartial jury, uncorrupted by at least one or two, extremely unlikely. The reality of “proper and real” examination of witness: likely denied to me, as it has been before. The reality of contempt by the court, through interference in my own defense/ as demonstrated by one judge, a complete lack of respect for the courtroom by silencing his microphone: so as to “illegally instruct me”, a probability. And more, all testify to the fact: my defense MUST BE WRITTEN, and presented into evidence prior to any courtroom date. **Because the war against constitutional**

guaranteed REDRESS OF GRIEVANCES is so viral and diseased throughout the judiciary: that evidence of threat, even the reality of murder on my life could easily occur. ***Just to silence the constitutional right called redress.*** After all, what could be more important: than keeping all the people confined as livestock behind the gate. People die for less across this world, every day. No democracy here, or more correctly a dying democracy: established by “herders and pens”, the refusal of law by a corrupt judiciary and legal system. The propaganda of money, and the **“lies, its not worthless” (one trillion dollars, is ten thousand dollars, per each and every one, of one hundred million people: roughly one in three. Your baby going to pay? then its worse than you think.): even though they printed AT LEAST one half million dollars per citizen.** To use against us. DID YOU GET YOUR “FREE MONEY”? The rich, the powerful, and the proud did/ the university did! So we end that introduction with the words: if I am dead/ the trial is not: because it demands the constitutional guarantee of redress must be allowed to decide; by jury. That is for all of us/ not just me. **WHERE THEN IS YOUR COURAGE, if you don’t prove it true?**

THIS trial, is about the limits and boundaries of what is JUSTICE. What is fair and legitimate as to the intrusion allowed between FREEDOM and the protection of society. What is equal treatment in the punishment of our citizens, by democracy: “Its our right to decide for ourselves”. Its our right to change anything we so desire, by our vote. NOT our vote for someone to vote for me/ but our individual vote, on the direct issues of law, life, and society as a true democracy of the people.

To ascertain what that really means: we investigate the reality of this demand to punish me/ for the infraction of a rule. That rule is basically: “You must come to a complete and deliberate stop, before proceeding across the lane of traffic”.

While none argue this is a bad rule, we need it/ we want it/ we demand it for the safety of our highways and streets, so as to make it clear: who does or does not have the right away/ or who is responsible in case of an accident. The reality of every rule is: **WE GIVE UP our freedom for this!** So then lets ask of freedom what has been surrendered?

The answer is, as clearly viewed in my own case: that a lack of perfection in the adherence to this rule/ means I can be PENALIZED. *None claim, my driving was reckless/ none claim I did not respect the stop sign ignoring it*

entirely/ or that potential people that could have been involved (as there were none). None claim that I nearly caused a wreck, property damage, or in any conceivable way endangered the public at large. Nor was I in any manner or way going to fast as to not be able to fully and deliberately stop, prior to proceeding across a lane of traffic, had I missed something. The entire purpose of this ticket, is assumed to be, a reminder to me: “that I did not obey the perfection of the rule”.

That is thereby akin to saying to you: for example if you are caught driving 32 mph in a 30 mph zone. **YOU TOO, should receive a ticket for one hundred and twenty dollars/ because you were not “perfect”. DO YOU AGREE?**

They have proof/ “you didn’t obey their law: perfectly”.

But I TOO; have proof, BY IRREFUTABLE COURTROOM

PROCEEDINGS: neither your judiciary, the state police, the governor, the lawyers of the attorney general for the state of IL. Plus the federal government/ FBI/ supreme court/ legislators/ president/ and others ABSOLUTELY REFUSE TO PROVIDE OUR CONSTITUTIONAL GUARANTEE; called REDRESS OF GRIEVANCES. THEY LITERALLY DENY AND DESTROY, THEIR SWORN OATH TO THE PEOPLE OF THIS STATE AND NATION: ridiculing, due process, by refusal to acknowledge the law. A first amendment national law/ a state of IL fifth guaranteed right of the people of this nation and this state called IL.

This law/ this redress: IS in fact, the very foundation of our democracy because this **redress law provides: we the people shall decide for ourselves**, if the employees hired to represent us in our government: did or did not do their job. **By taking them to court, and establishing a true accounting/ an investigation of the evidence/ and the absolute requirement: THIS IS OUR NATION, WE ARE THE OWNERS HERE.** That means: WE THE PEOPLE, through redress shall decide for ourselves: what is true, fair, and justified or law. More clearly: You will not tell us how to judge you, or what to think/ rather we will tell you: “Guilty as charged/ or innocent as we desire it to be”. *Perfection or not, as we deem necessary. IT’S THE LAW! Of our democracy, that we decide for ourselves, by vote of all the people, for ourselves. NOT a vote to vote for someone else/ but each one, their own vote on the law, the rights, and the reality of our government which is the agreement which joined us together: called the constitution of this UNITED STATES of America. Same for IL.*

So the question begins: IS THIS OUR LAW, IS THIS OUR RULE OF THE ROAD/ the penalties we demand, by the limits and boundaries we accept or

impose upon ourselves. AS IS CONSISTENTLY DONE THROUGHOUT ALL SOCIETY, in a democracy? Or more simply, do you stop completely at every stop sign/ do you obey every speed limit all the time, within less than two mile per hour/ do you beg and plead, just because a cop tells you to; roll over like a dog. Or accept: just because a cop demands it; you allow yourself to be tazered, beaten or abused; without cause or complaint just because some shithead in a uniform decides he or she wants to. Do you expect to get killed, because fear made you run away; or your son or daughter dead, because they could not trust someone of a different color? Do you accept a violent attack on your life, while handcuffed: just because of, the literal charge of jaywalking”. As in these last two instances mentioned; **the police stick together, so that justice cannot come.** They say, we have too; “because they fear the people”. But fear is a terrible enemy, allowing horrible things, and is a consistent seed of hate. Because it will assume as time goes on/ that I must attack him, before he can attack me. “*The police state begins.* Or no justice allowed, because we are afraid: therefore allowed to be brutal, vindictive, and deadly. That “police state” increases: **every time justice, and fair play: does not rule over us all/ whether a police officer is involved or not: “they make mistakes too”.** And **the reality of “perfection” in the law works both ways.** Which means even the police or judiciary, that makes one single movement out of line with that law/ then must be punished to the maximum. The critical truth of all the constitutional promises is EQUALITY. Who then cannot be locked up for life, for the infraction of a rule. It is already law: S. 1867 “indefinite detention without a trial”. The police state is here! Beware of perfection, they do intent to use it against you. **The reality against them: is then, That perfection, is not isolated to me/ rather, if I must be perfect: THEN SO MUST THEY. Its called “fair play”.** Fair play however is irrelevant in a police state, ask many other nations/ ask most immigrants. Not here? Really, you are not like the rest? Prove it.

The reality is then: **perfection is NOT our law/** nor is it the rule of our roads, or society. Because we ain’t perfect. Perfection is for tyrants and fools alone. For the powerful, so they can steal, imprison, and destroy.

The element of this arrest then turns to the critical comprehension called PUNISHMENT! As the intent to enforce law, revolves around punishing those who have in fact threatened, or risked society and life, to the degree that harm could have easily been done. That is the difference between freedom and law, or its rule. NO threat done here/ which means that the demand for

punishment: in the land called freedom, has now become HARASSMENT, and the threat of a courtroom, is called an assault. There is no cause.

Alternately: if there had been cause for this ticket to be submitted (for example: no intent to stop, or carefully negotiate the roads occurred), no argument can be made. However the call for this punishment is ABSOLUTELY UNFAIR. **Because it contains NO DEGREE OF EQUITY OR EQUALITY as would be consistent with JUSTICE.** Justice demands, the same punishment for me, as would be given to you/ regarding the very same offense. Which then means for justice to be exhibited here: THERE MUST BE a reality of punishment that is accepted as fair, BY SOCIETY ITSELF/ and is applied EQUALLY to all.

In terms of money, as the means to punish: *THAT REQUIRES, a critical assertion, IF THIS IS NOT the same level of harm or injury to me as it is too you/ then the punishment is not the same for both either.* For example: the man who makes ten thousand dollars a year, and is fined one hundred dollars= is required to surrender one percent of his earnings/ his labor and ability to care for him or herself in this society by money. BUT THE MAN who earns one million dollars a year if penalized one hundred dollars= is required to surrender one hundred times less/ than the man who earns ten thousand dollars. HOW IS THAT FAIR? **The answer; it is absolutely unfair/ and serves only to enslave and threaten the poor: while letting the rich man go free.** *Therefore redress must include the reality of justice in penalties/ the reality of punishment by money as a description based upon income or assets as a whole to achieve the same or EQUAL FOR ALL. Relationship in society by its rules: that is called "justice".* THERE IS NO JUSTICE, unless the punishment is the same, by real measure, one to the other. Even then the poor man pays more, because what is left to the rich man does not threaten his economic survival. Only his trinkets & toys.

In redress: we turn to JUSTICE ITSELF, and inquire of perfection: just how did our leaders do? **Are we not bankrupt/** absolutely and without the possibility of less. **Are we not threatened** with loss of water/ oceans/ oxygen/ resources/ and every other potential for a future, for a child: indeed we are.

The enforcement of perfection also looks at the **"perfect storm of extermination"**. As has been Created: by the leadership, the money, power and pride, through its university religion (they know it all). *What has proven to be an absolute insanity*, as is the reliance on the university, bowing down: as their, "all knowing god". This is now proven to be: the foundation of ARROGANCE THAT CONSUMES LIBERTY, AND DESTROYS DEMOCRACY. Thereby

the demand arises: **HOW and WHY: DOES, “the reality of perfection in threats (we can exterminate them all)” exist/ against this nation, OURSELVES, every child, and this world, by their decisions?** Your leaders have established: a machine to bring the same fire as is on the sun here to this earth. *That fire if it cannot be contained: will turn this earth into another sun, destroying the planet.* Your leaders have established with your money: another machine that they state “will recreate the big bang”. *The single most destructive event in the history of the universe, right here on earth.* But if they are wrong in any perception or sense of theory: this entire planet can blow up just like the big bang. **Both use tremendous amounts of energy:** *“quote we will create one thousand times more energy release in this experiment than all the electricity generated in the USA.”* **Your leaders have elected to crucify nature itself, by mutilating DNA(the building plans of life: is nature itself)/ altering boundaries, choosing thereby to create pandemic/ and purposely destroying the structural integrity of the working element that gives us all, “life on the planet”.** Their claim for perfection is: *“We can be gods too”.* Their threat is: if wrong/ this entire planet is dead, one way or the other. THEIR PURPOSE, clearly being to rob us blind, as they have already done. BUT more importantly it is to play god, & make us their slaves/ to demand we beg/ and to steal democracy so they can be tyrants over our lives, as clearly: *we are nothing more than a game to those whose greed and absolute INSANITY threaten everything on earth.* Just expenditures of the federal reserve alone, which did not find its way into the accounting of this nation gave away \$16 trillion dollars (reports claimed, from GAO: *and you wait to be told by their propaganda machines, “what to think”!* <http://news.firedoglake.com/2011/07/22/initial-fed-audit-shows-web-of-conflict-of-interest/>) investigate for yourselves, demand the truth. But understand: that equals \$160,000.00 of unreported debts, *added to each one, of one hundred million people/ or one in three of us.* *The money, OUR money, is a fantasy:* **WE NEED REDRESS NOW,** or we die as a nation, and will go to civil war. **WAKE UP.**

What is then the punishment they deserve? What is our need for redress of grievances against those who would enforce tyranny instead of justice. Against those who demand they can play god, and gamble with our lives/ **instead of be equal.** As **We the people UNITED: owners of this nation:** Instead of them who rule us. Against those who have assaulted and battered our lives and our nation by stealing from us our future/ threatening every child: gambling to

exterminate our world, “betting our everything, they can be gods”? Its up to you, as a jury to decide: IF we shall present to this state or nation **a demand for accountability, the clear and true facts of our lives, our world, our future, and our nation & state. Nothing hidden, the truth, the whole truth, and nothing but the truth.**

Answer the question: **REDRESS OR NOT** for the state, and for the nation before they kill you and me. YES OR NO? Simple and plain: will you help me search for truth and justice/ will you establish FAIR play and equality through equity of position and process/ democracy itself through freedom and redress of grievances: due process in a courtroom, OR NOT! “IT’S A CHOICE”/ but it ain’t free.

More importantly as members of this jury, and the first in the history of this nation to have an opportunity to choose: to begin the process of redress for state or nation: **It is now, YOUR choice.**

Sufficient argument and testimony have now been given to establish both cause and effect: whether I live or die, this matter shall be determined by a jury/ because it is my guaranteed right, “to be tried by an impartial jury of my peers”. My life deserves the verdict, either way/ alive or dead. I have been slandered: accused of threatening society, so says the ticket, and the case as is “the people against James F. Osterbur”. Prove it is true.

The question brought before this court is: The determination of whether freedom is a guarantee, so long as no one is threatened, at risk, or seriously altered from their own choices in life. The reality is: if perfection is more important, to you as a jury/ than your freedom or mine? Choose.

The foundation of choice as to a critical knowledge: **that “our system is broken/ and needs our democratic right of redress to fix it”**. *Is the foundation of what the jury owes to me/ should they find me innocent, or overburdened by this penalty, with regard to the truth of the incident.* If they find for me: then we proceed to fix these failures/ **and apply redress of grievances, to ask:** This state or nation as, **“we, the people”**, if they agree. That process begins in this courtroom/ through these jurors, and will occur in reality, through this courtroom, as the established media presentation of a call to redress, by this court. Its subsequent lottery to determine the jury in each judicial district: as redress allows and demands. A short description follows.

REDRESS EXISTS, SO THAT NO CIVIL WAR OR REBELLION IS

NECESSARY. It is, the foundation of democracy: it is the critical link that governs as we the people/ by applying our ownership of this nation, OVER our employees. To establish OUR DECISION/ over theirs.

Redress does NOT consist of a verdict regarding what is to be investigated/ therefore NO testimony is required at this stage of trial. Rather *redress is a legal assembly of the people to discover the knowledge, and decide the most credible path to OUR DEMOCRACY/ our SECURITY/ and our FUTURE.* By understanding what we the people believe is going wrong/ or being done against the constitutional direction, the security and future of our society. By those employed in **our government. THE GOVERNMENT: which is the constitution itself, and the assisting, foundation documents called “the bill of rights”/ and the “declaration of independence”.** These three built the nation, by forming an agreement among the people: for which they fought. Redress is the same: an agreement among the people establishing the demand of accountability against our employees to prove: “THIS IS, OR THIS IS NOT; the government we established for ourselves!” *And if not, then the question must be: WHY is it not?* If not, the people have spoken: the trial THEN begins, wherein testimony and punishment for liars shall be established/ evidence gathered/ and the people served with justice, through the compilation of verifiable truth.

Just a few people, jury or not: cannot take their government employees to court, that is fair. Rather, **THERE MUST be a consensus among the people, the purpose of redress trial in every judicial district.** *The purpose of redress itself:* to decide as society among ourselves by constitutional law/ whether or not a true consensus exists, to investigate and demand adherence to our constitutional values; by our employees. A return: To declare democracy, as WE THE PEOPLE design for ourselves/ NO “experts” allowed. *Each citizen equals one vote on the important issues and laws to be changed; themselves.* TO DEFINE what is treason against us. Thereby demanding the right, and the need: To understand, if there are criminal actions among those **who swore they will:** protect/ defend/ and obey the constitution of this state or nation, but did not. **Redress is: the right to investigate our governmental employees and their actions/ as we the people, see fit.** Redress trial: is the legal decision, that yes we do or we do not; form a consensus and a majority by constitutional law: to demand that the trial of our employees (*as an entity or individual, who called themselves “the government”.* *Those who stated they and not the constitution were sovereign, and immune*), shall begin. If a consensus is formed: GO TO TRIAL/ by a majority decision; through

jury acceptance; (to redress we go). This is repeated, throughout the judicial districts of IL/ each with its own redress trial, over this case, these matters and their own questions for our employees. The majority decision, yes or no by these juries, throughout the state or nation: **decides**. If yes, Then we the people of this state go to “media trial” against our employees of government: within 30 days. If demanding redress against the nation itself/ there must be a similar consensus created among the federal judicial districts in every state. Majority rules the decision. Yes or no, simple and plain.

a reminder, that it will meet resistance, even though redress is constitutional guaranteed right, as LAW, is this:

*In this courtroom E, [[return of 10-mr-906](#)] in Champaign county IL/ on this day: I am here for redress, the state of ILLINOIS fifth guarantee to the citizens/ I am here for redress, the United States of America; first amendment legal right, to assemble the people; establish our grievances: and demand the investigation of what we believe is wrong, with this state and nation: BY LAW, and constitutional right. **ALL other issues, involved in this case: are abandoned at this time.***

James Frank Osterbur

11/23/11

delivered in court above, as a prepared written statement to the court. **Is above.**

proof of service:

I, James F. Osterbur, do hereby declare and prove that I have sent in this day January 2, 2012; by first class US mail service/ with postage prepaid. A copy of this filing within the court and to

**STATE OF IL attorney general office
500 S. Second st. Springfield IL 62706**

and city of Gifford, chamber of commerce
box 308
308 S. Main st. Gifford IL 61847