

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

James F. Osterbur
2191 county road 2500 E.
St. Joseph IL 61873
www.justtalking3.info
www.trialoflife.info

versus

State of ILLINOIS
Gifford, IL; police department
dated 12/ 28/ 11

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.**

pretrial; the preparations for trial

Common to the development of critical justice, is the element of fundamental awareness, as to the purpose and proper prediction of what it is that will or will not be decided in this action against the defendant James Osterbur.

Therefore, we look to the previous filings, police record (tape and recording), and the ticket to understand: no denial of failure to come to a complete stationary stop, at the stop sign in question exists. Rather statements as will be backed up by the expected police video/ audio recording (its typed transcript for trial)/ and, or required testimony of the police officer/ will prove that true. The officer states, after stopping: that he followed me through 3 stop signs (immediately following each other, a trip around the block), wherein a complete stop did not occur/ I went through 4 stop signs. I agree stating clearly, at no time what anyone or anything in danger/ not the slightest threat existed: HE AGREED.

Therefore stopped for the infraction of a rule. Following through an admitted total of 4 stop signs: Offers the question, IS THIS STALKING (the act of a predator)/ or is the supposed crime as indicated by the words “the people against James Osterbur”; so minimal that it needs no interdiction until the price or claim is sufficient to be extreme. The penalty being \$120.00/ DID HE, OR THE TOWN, simply want the money? Which is operating under disguise: for the illegal seizure of assets. Let the record prove what is true. Let the jury decide if criminal investigation is necessary.

I am charged with running one stop sign/ that is the case here today, as proven by the ticket. But the question becomes if I could have been charged with three tickets/ thereby allowing the removal of my drivers license for a year or more. The addition of massive increases in insurance: for years/ **just because I did what this entire county does on a regular basis.** THEN WHY NOT YOU TOO? Is it the discretion of a police officer to decide, a tiny infraction is enough/ is it the discretion of a tiny few making rules for the rest of us to obey “the law”. OR IS THAT TOO MUCH POWER; too much sewage to tolerate as a democracy. I say it is, because the difference between freedom and tyranny is the cause an authority is given to intervene. In this case, no cause for intervention, because of a threat; is real/ consequently freedom rules, not a rule. Freedom being the greater right or law. As is consistent with other rights as is not wearing a seat belt (my life not yours); as is not being “separated out” for extreme punishment as is consistent with much that is “drunken driving”/ when texting for example is the same choice (didn’t have to do it), with the same result (dead is dead), only more so. Freedom is not your decision/ ITS MINE.

So then the question is freedom, the reality or difference between: **IS THERE A LEGITIMATE CAUSE/ to interfere in my life, and penalize me, for the lack of complete slavery to a rule.** THE ANSWER IS NO.

A rule, is the essence of power, as it describes the level of interference a supposed law may provide, without a true right. **Justice however is the governing element; of when that power may be exercised, and in what form. Justice rules society, only when the rules are limited so as to protect freedom itself.** The rule of justice is then: the people govern themselves as in democracy, by their behavior, and their willingness to understand: freedom requires the maximum leniency possible, therefore it is asserted: UNLESS A THREAT exists, or a true potential for harm, or a distinct invasion of someone else’s rights exists. There is no cause to penalize or arrest. Which means the minimum of rules do apply/ the intent: FAIR PLAY is expected to govern our lives.

The rule of rules, is at the opposite edge of freedom/ wherein a tiny infraction can in fact cause UNDUE HARM. A rule then: Becomes the power to dismantle and destroy democracy itself. A rule has little or no acceptable value, in maintaining or contributing to justice, fair play, or equal sustained rights for us all/ because it exists to exert power and control, not democracy. Thereby the corruption of power, the conspiracy and collusion to control the people; exist in a rule. The pride of a police army choosing to make war against us all, elevates itself, as they decide to be “different or separate, from the rest”.

As is consistent with recent policing behaviors: it is clear, that some police are separating themselves from society, “as their own little group of superior people”: those who own the power. What comes to mind is: the violence established against an individual charged with “jaywalking”/ and earlier an individual, that failed to stop in “Taylor-ville, I believe”: which resulted in his death. When six people with guns surround you in a semi-circle/ they intend to kill you; NOT simply arrest you. OR more simply even though no adequate cause existed for the stop in the first place/ no intent to find out why was initiated or intended: all the elements of a police state then exist. It is a clear threat/ the fact, someone about to die then chooses to say, “not without a fight”. Is not justification, for death in the face of overwhelming force/ unless there is true cause. That, Never established by the police, supports a coverup: “we must stand together/ against these people” instead of we failed justice itself: the man died/ and there is no known evidence of criminal intent, only the failure of a police force.

The infraction of a rule: establishes power, to the police/ not the people. The creation of freedom by establishing justice: creates a formal foundation upon which we all agree, “THIS IS HOW WE ALL SHALL BE TREATED”. That is power to the people, by their own demand and rule. It is not so simple as a rule (the game, of I said, they said, or he said)/ it is not so simple as an infraction of a rule (you didn’t do exactly as “simon says”)/ it is not so simple as a police officer has a right to threaten me with his gun, because he is afraid (he, ain’t fit for the job, is what that says). Profiling me, as a potential deadly criminal/ stalking me, as a potential money pit, or just for bullying/ assuming superiority, because of an infraction against a tiny rule: **is NOT a participation in justice.** It is a crime against society: THAT NEEDS modification. **So there can be no more delusion about what authority through justice, in this democracy, can or must mean. We must do that for ourselves, to be free.**

Consequently, in this trial to determine whether the rule of the road or the

freedom of democracy: which is the right to decide and determine for myself, what is a fitting or respectful obedience as is consistent within this society: to a rule. Which clearly is: The evidence that a threat was imposed, or an expression of freedom was excessive and in violation of what is fair play/ thereby diminishing justice to us all. The consistent demand here is: WHAT IS FREEDOM/ MY RIGHT TO DECIDE FOR MYSELF, and where does my own individual demand for freedom exist, *as a threat to great for society to bear/ and who decides, if not we the people.* Where is my guaranteed rights? Regardless of any damn rule so described; as to take freedom away/ by replacing that freedom “where tiny infractions, can significantly penalize me” excessively. By allowing the few (who make the rules) to command, I must obey/ because they say so”. **The experts:** brought us here today, TO BANKRUPTCY/ FRAUD/ LIES/ THEFT IN GOVERNMENT/ THREATS ALL AROUND; AND MORE. That is not democracy unless we the people do so agree. **To agree, WE MUST not only be involved in the process of law, by making it ourselves/ but also in the foundations of justice, which honor us all, by establishing freedom, liberty, truth, and restrictions upon those who claim to be “our authority”.** They must be held accountable, at a higher level than me: if they wish to impose authority over me. They must be proven to be correct in their methods and means of arrest and their individual participation in the correction of human behaviors if they are to carry deadly force or inflict damage onto our lives, by such things as “rules”. **Not an end to rules, a demand that democracy means: the justice WE THE PEOPLE CHOOSE, for ourselves.** Not the rules imposed by those who say they are our authority: but our right/ and our decision as we the people in democracy to establish that law and punishment for ourselves: NOT your right/ but ours. **THE LAW WHICH SAYS, YOU THE EMPLOYEE, SHALL BE HELD ACCOUNTABLE TO THIS PEOPLE: AS IS REDRESS.**

The method imposed upon us all in pursuit of these things/ *by both state and national constitutional law is:* REDRESS OF GRIEVANCES for the people. Redress is: An accounting of our employees, a demand of we the people for change, as we choose it to be. NOT simply by a vote. **BUT BY A COURTROOM BATTLE to determine the truth,** the evidence, the foundations of influence and their consequence, the law as democracy intended, and our authority as “we the people” over ourselves, in governing this state or nation: as OUR democracy. We are the owners here.

These things are to be discussed in this trial. These things are placed before

the jury: as you the state, have accused me of “an illegal behavior”/ in a situation, that is in fact, nothing more than the tiny infraction of a rule: commonly dismissed in much the same manner (a complete stop is rare, and unnecessary; as my driving record does prove) as I clearly chose/ *as does this entire community for itself*. EQUAL and FAIR IS MY GUARANTEE FROM THIS GOVERNMENT, both state and nation: not different treatment, not undue penalty, not the police unfettered: **but JUSTICE for all.**

In simple procedural context: the jury must be able to read/ as this is the simplest, and quickest method of understanding the facts of this case. Therefore the filings (both sides) will be prepared and presented at the beginning of trial for their consideration. The video assumed, and police recording will be made available and shown if it exists. The police officer is expected to receive the filings sent to “Gifford”/ and if he wishes to contest any statement made by me: he is then free to do so. Otherwise I do not call him/ but will cross examine if he does testify.

Summary statements will follow.

Primary jury decisions are:

1. is the evidence consistent with a public threat?
2. Is the evidence of excessive or abuse of police power present/ as is this fine? That will include the price affixed to this infraction of a rule.
3. **Are there decisions that we the people require as an accounting of the truth, the reality of freedom recognized:** to establish not the demand, BUT the potential for change. For our own protection and democracy: so as to provide personal freedom, by the decision of all the people; and regain control over our government employees/ our lives, and our society? By the critical truth of our rights under the constitution: as is redress. As is consistent with the constitutional law, the element of true democracy: **“we rule ourselves, by the laws we create;”** proving we the people are owners here. As is redress of grievances?
4. THIS courtroom is summoned to provide, the critical definitions: **Where is the divide between a right, established by the word FREEDOM/** and the opposing authority, as is fundamentally conceived by the words: **“That was NOT, exactly** what we told you to do”?
5. I, the defendant: DO assert, this is an excessive abuse of power/ I DO assert, that any person charged with jaywalking and in handcuffs; SHALL NOT be subject to violence, *as is clearly battery and assault*. I DO assert: that any person,

who is simply “unknown”: NO good cause to stop/ should not end up dead. **Even if they brandish a weapon that is so inferior, as to clearly NOT have a chance to survive in this fight.** That becomes akin to murder/ it has nothing to do with justice; no real or immanent threat existed (because overwhelming force was present): fear is NOT an excuse/ neither is anger. Other methods were possible/ DUE PROCESS, was NOT given.

6. I do assert the foundation of a conspiracy against the common people of this society; exists by the police, in the matters above. **THEY CHOSE, *to stick together as a army, instead of protecting the people/*** they protected themselves, and enlisted others proving collusion, rather than justice. How is that FAIR PLAY: when they carry deadly force, OTHER WEAPONS, and can call on increasing numbers: while we do not.

7. The foundation of this trial then becomes, not merely to exercise the decision that exists between freedom and authority. But over the difference between freedom and rules/ thereby determining and returning the balance that must exist for peace and harmony in society, to form and survive. **That also requires this jury: to decide if the need to call for redress of grievances as a state or nation does exist: so that we may rebuild our democracy, by returning to its simple constitutional foundations: as is consistent with the preamble of this US constitution itself.** The government then: Becomes our own.

That preamble reads: *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 THE AGREEMENT MADE, BETWEEN our people and their government, as a treasure to be protected and defended for the sake of freedom, liberty, and law. As the HONORED guarantees, which then became the fight, to become a nation/ against those who ruled them. “The experts” who said: we will charge anything or do anything we want! This state is so bound as well.

The foundation upon which all human and other sacrifice was made for this nation, it found in these words: it is our heritage as a nation. And it is bolstered by and found supported within: the declaration of independence and the bill of rights/ **ideals, for which people died, were mutilated, lost everything of value to them, and even lost their family: just to build, a life without rulers.**

The people who say: “IF you don’t do exactly what I say, or if I just want you too/ THEN I can kill you, enslave you, imprison you, or anything else I desire: because you are so much less than me, you are worthless, unless a slave”.

Think about that, when you ask yourself, if a damn little rule is greater than freedom, where no threat, and no damage exists to society itself, or any other life. Just a tiny infraction, common to the entire community.

We have not only the right to establish the true intent of democracy itself/ but a duty, and a responsibility to freedom, and those who made this nation possible. **It ain’t free/** because someone always wants to play god, any way they can. Rulers, use rules to demand they can take your freedom away. Laws govern society because they demand: WE ARE ALL EQUAL, NOBODY is better/ WE ARE ALL GUARANTEED, these things shall govern us all: NO exemptions. Everybody the same/ including presidents, or those called bums or women or men or colors or whatever it is. In other words: the constitution is sovereign and immune/ NOT the employee. We the people, are next in line, by our true democratic vote: “a vote for myself, on the major issues and laws, of this day/ NOT a vote for someone to vote for me, BUT a vote for myself on the truth, called WE THE PEOPLE: that then becomes the law, justice, and rights enforced; of this nation.

THE BEGINNING SUMMATION

Our very foundations as a nation have been shaken, by those rulers who didn’t care enough to accept the fact: they CANNOT simply take everything they want. This demand for freedom, even though it is small and insignificant within itself/ **IS NOT small or insignificant in our relationship to the limits and demands called DEMOCRACY.** We do have the right to choose for ourselves, the laws and the rules we shall or shall not obey: because we the people OWN THIS STATE AND NATION. That means, it is our right to choose, what is or is not “the law of this land”. While no one states or demands no rules (descriptions of procedure) should be allowed. The right to expand or contract those rules to include the basic realities of life and freedom as an individual **MUST** be in compliance with our democratic principles. **They must be under our control/ NOT** the control of a tiny few who then do whatever they want to us, instead of for us.

This story: “Some fifty plus” years ago, my parents could have died, when an elderly man by their description came up to a stop sign/ fully stopped, and then

pulled out immediately in front of them: they crashed/ he died. Likely because the story goes “it was very sunny/ and it must have blinded him”. Instead of helping him, that full stop, killed him/ because driving is a “fluid environment” that changes in time. Had he been looking at the road prior to the stop sign/ he would have known a car was there. He depended upon a rule/ but did not account for the sun, and he died. Stop signs have not changed. The further revelation: that a road, close to my home opened in my teenage years/ which claimed lives every year: until new road signs were put up: then not a single death, or accident; in over thirty years hence. It was not the alcohol claimed/ not even the tired drivers/ or pavement: **IT WAS THE FAILURE** of “the experts/ the rulers of the road” who didn’t care enough, and were too stupid and blind, to find out. That caused their death.

As a jury, this is your opportunity to decide: if redress of grievances is suited to the investigation of facts/ the protection of freedoms, large and small/ the foundation of our nation, as we the people are owners here. By calling upon this court: to establish redress trial. That means: this court shall cause to exist a public declaration of trial/ that we the people have a right to decide for ourselves, what the law, the rule, the rights, and the procedure shall be for our employees, and ourselves. By the authority our constitution (both state and nation) gave to us/ as this state, called Illinois. Redress allows us to change, or redirect, or investigate, or examine, or describe, or control: **OUR GOVERNMENT, AS WE THE PEOPLE OF ILLINOIS**. That is not a power given to juries, with good cause. Rather that is a power described legally, through each judicial district in IL: as the will of this people. By gathering a jury, in each judicial district to hear this same trial, and determine for itself: what shall we demand to know about our government, and its employees. Trials by jury, to decide for the people, if we will or will not take control over our government/ our employees as a whole to court before this state or nation: **and demand accountability as the owners here**. Each and every jury so described **MUST** be assembled by lottery/ because none are unaffected with the outcome. Majority rules. **The right to review the job you have been doing at our expense: IS FUNDAMENTAL TO EVERY BUSINESS. Our contract with our employees is: THAT YOU WILL obey the constitution, and its intent. That you will enhance and protect our democracy, and our future, and not gamble with our lives or the children. That you will do the job for which you are paid/ and NOT steal, lie, or cheat us. That you will RESPECT US ALL, AS EQUALS, under the law. Which means NO ONE RULES HERE. The law rules/ not the judge, politician, or**

police. Not the money: BUT LIFE IN SOCIETY, as we decide it to be.

Redress means: WE TAKE OUR EMPLOYEES TO COURT, AND DEMAND TO KNOW BY THE EVIDENCE: WHAT HAVE YOU DONE. THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH. Or we put you in prison, for treason.

CHOOSE!

proof of service:

I, James F. Osterbur, do hereby declare and prove that I have sent in this day December 28, 2011; 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
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