

# IN THE ILLINOIS STATE SUPREME COURT

Supreme court building 200 E. Capital Springfield IL 62701

in the matter of Champaign county court 11TR22442  
coming out of the fourth district appellate court/ Springfield IL.  
This trial

**Case 4-12-0429**

**Osterbur, James Frank V. City of Gifford/ State of IL**

DATED: 6/23/12

**REBUKED is:** *The court order, “6/13/12, appellants pro se motion for class action suit DENIED”.*

The petition at the IL supreme court

CLASS ACTION STATUS: **IS A REQUIREMENT OF “WE THE PEOPLE”**  
**IT IS, a foundation demand of democracy itself.**  
**IN ANY LEGAL MATTER, THAT INVOLVES US ALL, particularly when**  
**a constitutional guarantee is denied, and treated with contempt.**

**When justice and fair play are ordered “removed from this trial”.**  
**or, more simply these legal rights guaranteed by the constitution and sworn by**  
**judiciary: “we will obey”. To WE THE PEOPLE, as our law!**  
**Is NOT discretionary!**

**This IL SUPREME court** is hereby petitioned to identify and substantiate  
**the failure of this appellate court/ and its denial of democracy. RETURNING**  
**THIS CASE TO ITS RIGHTFUL LEGAL STATUS:** *as class action for we the people.*

Where the foundation of this case looks directly at the corruption of the judiciary/ not only in the current case, but as a conglomerate of cases that extend OUR NEED as a people to bring the judiciary itself to trial: because we are denied redress of grievances/ a first amendment guarantee of the US CONSTITUTION. And a fifth amendment guarantee of this state called ILLINOIS. **Not only denied to me/ but ridiculed, and removed from the**

**courtroom with a claim (contempt, even to say the word redress; in front of this jury) by the judge in trial 11TR22442 Champaign county court.**

**THERE IS A CHOICE, that choice is to choose for WE THE PEOPLE of this state/ or against us all.** This appellate courtroom chose against us all, in class action status: in this case of corruption, **the denial of justice, fair play, equality of purpose (which is democracy itself), and the foundation of due process which is: THE EQUAL PROTECTION OF THE LAWS.** —

REDRESS, is the law! And there is NO judicial discretion allowed, IT IS THE LAW! It is the law by our constitution/ it is the law, by decree/ it is a guarantee of our democracy, “the agreement between ourselves as a single people, a state or nation”/ it is the law by your sworn oath to uphold and defend every constitutional mandate. IT IS OUR CONTRACTUAL reality of employment with you, the employees of OUR STATE/ OUR NATION. Or more simply, YOU are hired to do the work that we demand of you/ NOT whatever damn thing you fantasize or delude yourselves is an authority given to decide. WE THE OWNERS, DECIDED: that for you to work for us/ YOU would obey these rules, this mandate established by our agreement between ourselves called a constitution. Or you would not be paid/ and you would go to jail, or whatever form of punishment is fitting to those who rebel against us all. The refusal to obey our constitution/ our sovereign right TO BE THE AUTHORITY of our nation as owners here: Is not little or benign/ it is treason.

*This court has refused the demand for class action in what IS SO CLEARLY, “Our right as a people to protect ourselves, by participating in judicial review/ the reality and the examination of evidence against those who claim to be: ENFORCING the laws and privileges, the rights and immunities of the citizens of this state, and this nation.”*

OR MORE SIMPLY, this appellate court refused: **EVERY CITIZEN has a right to be informed/ a right to hear the truth regarding our inherent and guaranteed rights to each and every citizen in this courtroom, and in this case/ that is NO LESS THAN, the demand for redress of grievances according to constitutional law.** Defined and incarcerated by judicial oath of office, as the SWORN AGREEMENT, that you the judiciary SHALL obey the law, put this democracy first, and construct, nor allow to be constructed NO impedance, definition, or reality that is NOT within the constitutional guidelines or mandates, of our rights and guarantees as citizens of this state; as is an

amendment, called redress. As is the right and the reality of JUSTICE SHALL RULE/ not the rule shall overcome and seize justice; which is oppression. JUSTICE comes first, every time/ or it is a failed and corrupt court. FAIR PLAY establishes a courtroom and a jury/ NOT the judge: when fair play is not allowed, when society itself or its individual members, are refused the right to be judged by a jury, UNTAINTED by a judge. The foundation of due process is not only corrupt, but in danger of being called a traitor, to us all.

**In furtherance of this cause which is for CLASS ACTION STATUS, in this case of absolute state of IL interest/ because it is our democracy at stake.**

Because the REFUSAL to obey the constitutional grant and guarantee that is a first amendment right within the US constitution, the fifth amendment of this state of IL (which cannot diminish a US constitutional right); **that is, EQUAL in all aspects to the guarantees of religion/ press/ and speech.** That redress, has been denied to us all/ by a CORRUPT court and judiciary. But even so: in this case, in its filings, the reality of life has produced the necessary evidence to claim and prove: **THERE ARE TERRORISTS in our midst/ a reality, or set of realities, that must be resolved.**

THAT simple and easy to understand fact IS, an absolute demand for class action status/ as there are those who literally gamble with this entire planet, every life on it, and every conceivable future that will die: ; if their miserable pathetic disease of a life, is allowed to further invade our existence as life on this planet. This claim of terrorism IS NOT governed by “the evidence of irrevocable proof”/ by those who pursue arrogance so extreme, they are willing to destroy us all if proven wrong. They have only a theory/ they cannot even conceive of what gravity actually is: yet these parasites/ this cancer of arrogance so damned extreme, is WILLING AND NOW ABLE TO DESTROY A PLANET with their games. They are willing to gamble all nature on this planet, with endless mutilation: because their religion= evolution/ says to them, “you can be gods too”. Making them, A horrific disease of dissolved slime; instead of a brain. Because a brain, would understand how absolutely insane/ stupid/ and beyond the possibility of reason or right/ thought or value, this utter disgrace and disrespect for our existence as a planet or its life, absolutely is.

**THIS CLAIM further consists OF:**  
**A RIGHT TO BE INVOLVED AS “WE THE PEOPLE” / in these**  
**experiments that WILL irrevocably destroy us all, our nature, and our world:**  
**when they are proven wrong!**

**YOU**, are not allowed to play with our lives, our money, our anything. **YOU** are merely employees hired to do what our constitutional contract says you shall do, or be imprisoned for failure as your sworn oath demands.

As is consistent with our democracy: **WE, OWN THIS STATE, THIS NATION.** Not our employees. **WE, ARE SOVEREIGN** under the constitution as “first rights” called **WE THE PEOPLE**; not our employees assuming control. That is treason. As is duty: **OUR NEED** to supervise **OUR DEMOCRACY** through accountability such as is described by redress of grievances cannot be denied in this state or nation on this day. **YOU have proven that, without the slightest doubt.**

**I/WE, demand a say, DEMAND that you shall NOT gamble with our lives,** without our immediate examination of the consequences being wrong demands. **And OUR DIRECT PERMISSION AS A PEOPLE BY VOTE:** before any further experiments may proceed. A moratorium on all that threatens us. A demand for the legal accountability that is **REDRESS OF GRIEVANCES.**

**I DEMAND, that we the world have a right to participate, in the decisions/ the experiments that can make us all EXTINCT.** These are not “scientists” who mutilate all of nature/ who claim they can bring the same fire as is on the sun here to earth and control it, because by their theory “not enough gravity here”. Or who claim by any other parasitic means, their failure shall: ravage our existence, by destroying everything we require to survive as life. **THEY ARE TERRORISTS,** and must be treated accordingly. Let the evidence prove the reality/ the demand is clearly: **THESE THREATS/ THIS LACK OF JUSTICE/ THIS FAILURE OF DEMOCRACY at its most elemental reality which is redress of grievances: the right/ the authority/ and the power to be involved in what affects our state, our nation, our future, our children, our world; and everything else of substance or value to our existence.**

**IS AN ABSOLUTE RIGHT: IS A TRUE LEGAL CONSEQUENCE, THAT ESTABLISHES CLASS ACTION, within a courtroom of law today.** Cannot be denied! **Because NONE can claim it does not concern us all.**

Class action CANNOT be denied, by legal action/ therefore reinstate that truth. Making this trial, for “**WE THE PEOPLE**”/ because it is our right, and our need to do so. We are every single member of this society, and even this world involved in the outcome of these things, this denial of democracy itself. We do all have a distinct and real interest in the consequences of those who gamble

with life and death for a planet or its ability to survive. These facts identify and isolate the foundations of Fed R. Civ Pr. 23. THEREBY requiring this court, this government entity hired to work, **for we the people, with the distinct directive “to notify, all members of the class (all citizens)” with the pendency of this action/ thereby granting opportunity to make their own decision. ITS YOUR JOB!**

IN ADDITION to these matters, in this case and in this trial:

**the appellate court has DENIED: CLASS ACTION**, in the subpoena of evidence in this trial/ that is about FREEDOM AS WELL AS JUSTICE.

**THAT DECISION IS REBUKED; THIS ILLINOIS SUPREME COURT IS PETITIONED TO GIVE THIS CASE TO “CLASS ACTION STATUS!”**

As we all have a right to examine the policing actions that determine our ability to live within the promise of freedom/ which is the RIGHT to make responsible decisions; that do not threaten or inflict any harm on society or anything else: FOR OURSELVES. You, are not involved/ therefore you have no right to interfere, or bring me your rules, or expect obedience beyond what you demand of yourselves. That is oppression/ and it will not stand. 95% compliance with a rule of the road, IS MORE THAN SUFFICIENT/ where no threat of any kind, exists.

We then come to the review of the policing actions/ of any group, representing any people, in this state of IL. UNDERSTANDING without compromise: that the opportunity to provide or sustain a police force, over the populace is NOT a right of yours as employees or even representatives of this people/ **BUT IS IN FACT, a privilege we the people grant ourselves.** For the purposes we design: by **THE REALITIES of constitutional truth and our own social NEEDS.** As are consistent with our own values and elemental peace or security as a democracy. That grant of policing power is NOT simple, as in anyone can do it/ but remains within the purposes of our democracy as a state called ILLINOIS

those purposes include:

## PREAMBLE

We, the people of the State of Illinois - grateful to Almighty God for the civil, political and religious liberty which He has permitted us to enjoy and seeking His blessing upon our endeavors - in order to provide for the health, safety and welfare of the people; maintain a representative and orderly government; eliminate poverty and inequality; assure legal, social and economic justice; provide opportunity for the fullest development of the individual; insure domestic tranquility; provide for the common defense; and secure the blessings of liberty to ourselves and our posterity - do ordain and establish this Constitution for the State of Illinois.

## ARTICLE I

### BILL OF RIGHTS

Sec. 1. All men are by nature free and independent and have certain inherent and inalienable rights among which are life, liberty and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed.

Within this city called Gifford, actions have been taken that are not consistent with freedom (*my way need not be "as you demand", so long as none are harmed, none are threatened, and no intent or reason to expect harm can be identified. Its called freedom*)/ are not operational with the demand and truth of society (*as is seen by "95% compliance within a rule of the road/ wherein none are threatened; is not enough*).

In this little town, where the reality of fair play is NOT consistent; or more distinctly; my punishment in no conceivable way: is like "others" on the police force; for instance.

I do then demand: that FAIR AND EQUAL TREATMENT shall be

applied. I do demand, that the public files of policing activities in the city of Gifford, MUST be reviewed. To ascertain what the real evidence will show. So the people will know, and if there be an oppressor (you pay/ for what we want) revealed. An appropriate legal action can THEN commence/ if found guilty.

The foundation of democracy is WE THE PEOPLE/ not, you the representative no matter what your specific job of employment may be. YOUR JOB is, to do the work properly for which you were hired; deliberate failure, is anarchy, and a rape of our democracy. WE HAVE A RIGHT, “to accountability”. We have a right, to remove oppression wherever it is found. WE ARE THE OWNERS HERE! Not you. Instead of cowering, in a democracy WE THE PEOPLE may rise; and throw you in jail instead. It is literally “our right”/ to examine the evidence, for your identifiable and true failure. If the policing effort in the city of Gifford reveals “a blessing” for this state/ then that will be cause for “celebration”. But if not: then their ability to remain as a policing force in this state: is our choice, for the greater good; not theirs!

This state of IL supreme court is petitioned to remove the appellate courts denial of our right to hold the city of Gifford accountable.

Thereby: Grant the subpoena for evidence: And return them to review before the people of this area/ this county, and this state as democracy itself requires.

Instead Of being preyed upon, by any and every means available to extort my property and deny my freedoms/ **the demand is SHOW ME THE TRUTH**, regarding the evidence that reveals your true intention. Section 5 of the IL constitution is redress

Sec. 5. The people have the right to assemble in a peaceable manner, to consult for the common good, to make known their opinions to their representatives and to apply for redress of grievances.

The foundation of democratic law by representation is: either review the evidence in the legislature and define freedoms and rights and responsibilities before the people/ as is the purpose of “governing”. OR RELEASE THE INFORMATION to this case/ establish CLASS ACTION: and we or I, shall do so myself.

In a court of law, whereby what is justice, fair play, and equal treatment: **CANNOT be legally denied.** NOT A GAME, this is the truth of democracy in action/ the validation of WE THE PEOPLE/ owners here: exercised as true.

**proof of service:**

I, James F. Osterbur, do hereby declare and prove that I have sent in this day June 23, 2012 by first class US mail service/ with postage prepaid. A copy of this filing to the IL supreme court described above; **at Supreme court building 200 E. Capital Springfield IL 62701**

**to Illinois Appellate Court; FOURTH DISTRICT  
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