

In champaign county court
101 E. Main st. Urbana IL 61873

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

versus

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

While there is NO denial, that I did not come to a full stop at the stop sign/ there is an absolute denial: established by NO traffic/ NO pedestrian/ and NO possibility of public endangerment. That No law was broken/ only the minor, “infringement of a rule”. The reality then becomes, the disgrace of a rule that infringes upon the basic requirement of our agreement as a society TO BE FREE. Or more simply: IF as is critically true, I endangered none/ in a situation where no obstruction of view is involved: THEN it is equally true in a minor infringement of rolling through a stop sign at one or two miles per hour, after approaching slowly; instead of a complete stop. As is done throughout this rural community, by all/ from time to time: that I owe no money. A rule is not a right/ because a rule is not fundamentally a law, it is merely the right to insist on “a little better” without substantial penalty. That did not happen here.

UNTIL a behavior creates a substantial, “a true potential endangerment” or established public threat that needs interdiction in some form; for the public safety itself/ freedom must rule. Rules are what religion uses to control/ religion is banned, as a means of determining behavior; in this government. Had I gone through that sign at 30 mph or some such thing *which could have endangered someone*/ that would be different. **I did not**/ consequently, the authority of the

police to determine a fine or issue a ticket that can influence other costs or consequences: **is called into question.** The price of that fine is called into question/ exceeding all concept of justice. Which means it is harassment: the intent of “the schoolyard bully to take, lunch money away”, with power against society. Harassment means, not the police/ just a uniform: contempt breeds contempt. Injustice breeds violence, for those undisciplined or unable to defend themselves; which means this act like many, are seeds for social unrest at a minimum. Who then is responsible/ if not the uniform?

The reality of social justice is called into question. And the ability of this society to govern itself/ rather than be governed by those who believe themselves “superior”: is identified as a reality in need of supervision. Or more specifically, **the foundation of our democracy is:** *that when called into question, by a citizen who believes there is a need for society itself to be involved. A need for redress of grievances as is identified by the fifth amendment of the ILLINOIS CONSTITUTION. WHICH DOES grant to me a jury to decide if in fact, they do or do not agree: with my assessment, that “our employees of state government” have exceeded the authority to insure public safety; the authority to assess any price they wish to a fine on our behavior, such as is driving; the authority to impose “special rules: I can take your money, even though society itself/ nor any individual was ever threatened or involved but me”:* **is a judgment TOO FAR, from freedom to be recognized as law.**

The only threat that existed, WAS THE POLICE OFFICER APPROACHING MY VEHICLE with his hand on his gun. And that, after I had exited from the vehicle; clearly showing no gun or weapon in hand, or on me.

There is NO additional safety to be had by an absolute stop, as opposed to a very slow speed with plenty of time to assess the situation in front of me; by looking two or three times in both directions. The rule fails to protect society. There is NO additional safety for a police officer by having a gun “ready”/ when in fact, a gun could be hidden inside a vehicle. Disrespect does not enjoin “safety for the officer”. I could not have hidden a gun to any degree outside the vehicle/ particularly since a 360 degree view had been obtained: thereby the officer had no cause to assault. Therefore a threat, without a cause/ I am profiled without a cause/ I am denied “Innocent until proven guilty”; ***because if that degree of suspicion or expectation for violence (fear) exists: then deadly force could have been used had I simply sneezed, or made any other sudden movement; and if not dead, accused and imprisoned; without a shred of proof. how is that,*** “public safety”?

FREEDOM IS NOT, a rule; that allows me to be followed and entrapped by a tiny “didn’t do EXACTLY, what he, the ruler commanded/ didn’t bow down to the rule, therefore entitled to be whipped”: to pay ANY DAMN FEE they proclaim! That is tyranny, that is the demonstration of a disease infecting society that portrays “democracy is dead”. Because a rule is greater than freedom. A true law protects society/ a rule gives a tyrant cause to destroy democracy. Particularly demonstrated: when it is proven that such rules, and the reality of a courtroom in this state; ARE ONLY USED against the people instead of for society.

A Proven statement, without any possibility of refusal, by irrefutable witness within the courtroom at trial, in this state of IL: over numerous lawsuits, such as 10-MR-906 James Osterbur versus state of IL et al. The most recent. The judiciary proves in open rebellion to the law itself: as identified from this excerpt of trial.

*In this courtroom E, 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

The court, both state and federal, & leaders of this state and nation: **DENY constitutional law/** a criminal act of conspiracy and corruption/ established by collusion. Not a rule, where an infraction has no real substance for complaint/ BUT A LAW, A GUARANTEE ESTABLISHED BY AND FOR THE PEOPLE THEMSELVES. Destroyed by traitors!

That trial: A demand for redress in issues of democracy and money. The reality of denial by the state of IL, all judicial branches including federal: in refusing to deliver THE CONSTITUTIONAL GUARANTEE TO EVERY SINGLE CITIZEN; is corruption/ conspiracy/ collusion/ and open rebellion against we the people. A promise to each citizen: **that they shall have the right,** to LEGAL redress of grievances; which no governmental employee can deny: **BROKEN.** A promise demanding democracy (we the people) and NOT OUR EMPLOYEES, SHALL RULE! A deliberate decision: proven as a demand on

the judiciary/ the police/ and the government officials of this state: by constitutional command. DENIED, in a criminal act/ a constitutional treason, a broken contract between each citizen and every employee. A decision by the leadership to refuse due process, they would not acknowledge the law: refusal to address the legal boundaries required between money and democracy, the right of the people to choose, refusal to provide after legal notification the names and addresses of the employees of those agencies , a refusal of the law; by refusing to accept the certification that is a subpoena recognized in federal court . A decision to defy this democracy and its people/ by traitorous acts. **NOT just the rule of due process which was broken/ but the LAW OF REDRESS, which is a cornerstone of our democracy itself.** That IS a criminal act.

Proving without doubt, that a rule “is made to be broken” so says “the government officials which include: the state of IL attorney general office/ the judiciary in both state and federal courts/ the politicians so informed; and the police who refuse to protect we the people of this state. In support of that fact, “they can entrap me, with irrelevant details; and deliver a fine that is totally unjustified”. For the reality of a rule, everybody in Rural America breaks, where they are certain: “I have been safe, and considered all life and property involved.”

The penalty for failure to respect the freedoms and rights of a democratic society: which is, to fundamentally decide for themselves/ myself, what is without question FAIR AND LEGITIMATE BEHAVIORS. The consequence and justice of fair play by the terms of freedom. Regardless of a complaint: “he didn’t do, perfect”. Confronted by: YOU ain’t perfect either/ or I guarantee, any citizen, can be found “not perfect either”. It’s a fact of life, regarding imperfection/ *that freedom in and for society is REQUIRED TO ACCEPT: not a game, nobody is perfect. Not a game, a fact of life.*

A law protects society/ this action had nothing to do with protecting society: therefore the assumption of a rule shall obligate, and a tyrant shall control; just because he or she can; becomes tyranny. **That is NOT liberty or freedom.** This action is not justified by rules of the road/ NO endangerment existed. **This is not democracy: as we have had NO fundamental say as society itself, to decide for ourselves what is or is not fair: TO OUR LIVES/ regarding any punishment or fine or interest payment or other. Therefore REDRESS OF GRIEVANCES IS DEMANDED HERE TOO. So that as democracy itself shall be respected, and we the people shall have the life we agreed to fight for and protect.** A society that governs itself, BY THE LAWS WE MAKE, as is the purpose of

democracy/ the promise of freedom, “our way/ NOT yours”.

REDRESS EXISTS, SO THAT NO CIVIL WAR OR REBELLION IS NECESSARY.

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.* As we design it to be ourselves. By understanding what we the people believe is going wrong/ or being done against the constitutional direction, the security and future of our society/ **we search for justice among ourselves. Our government** which is the constitution itself, and the assisting, foundation documents called “the bill of rights”/ and the “declaration of independence”. (ain’t no damn employee in it). Rather, These three documents built the nation, by forming an agreement among the people: for which they fought, and died. **Redress is the same: an agreement among the people establishing the demand, “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, by majority rule: the trial THEN begins, wherein testimony and punishment for liars shall be established/ evidence gathered/ and the people served with justice. By letting the law decide, NOT the employee.

Just a few people cannot take their government employees to court, “that is fair”/ **THERE MUST be a consensus among the people. Which is the purpose of redress:** to legally decide and determine among ourselves: by the authority of constitutional law/ whether or not a true consensus exists, to investigate and demand adherence to our constitutional values; by our employees. Or more simply, and in addition too: To declare OUR democracy, as WE THE PEOPLE. Thereby demanding the right, and the need: To understand the evidence clearly (as is intended to be, within a court of law: NOT judicial whim or refusal of the law). AND if there are criminal actions among those **who swore they will:** protect/ defend/ and obey the constitution of this state or nation, to be addressed. **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 law: to demand that the trial of our employees (*as an entity or individual, who called themselves the government, “thereby a fraud”/ or those who stated they and not the constitution were sovereign, and immune, constituting treason, the act of invading our*

democracy to overthrow it by ruling themselves), shall begin.

The three determinations for this jury are:

1. DEMAND the court shall establish redress: seeking the determination of what is fair, in “rules of the road/ fines/ etc”, **by we the people**. NOT our employees design/ OUR JUSTICE for ourselves. What is fair, for an infraction such as this!
2. DEMAND, that the court shall establish legal redress for this people: establishing EQUAL STANDING before the law, by all parties/ and eliminating by investigation and its result: the charge, “our leaders, DO NOT follow or obey their oath OR our law, called redress? **HOW MANY MORE?**
3. DEMAND, that the court shall establish the legal foundation of this democracy/ by our control, over our employees, called redress. The demand we the people are in charge, and shall be obeyed, and shall decide for ourselves what the future of this state and nation shall be. Because beyond the amendments and foundations created in our constitution both state and nation to control the employees/ WE DO HAVE THE RIGHT TO REBUILD OR REDESIGN OUR NATION, OUR AUTHORITY OVER THE LAW, OUR EVERYTHING, under the constitution as its preamble states. Our rule, by the laws WE CREATE.

proof of service:

I, James F. Osterbur, do hereby declare and prove that I have sent in this day December 1, 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

308 S. Main st. Gifford IL 61847