

**Illinois Appellate Court
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Springfield IL 62794**

**Out of the CIRCUIT COURT, OF CHAMPAIGN COUNTY ILLINOIS;
located at 101 E. MAIN ST. URBANA IL 61801**

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VS

STATE OF ILLINOIS
city of Gifford IL

The appeal of case 2011 TR 022442

DATED: 5/ 7/ 12

APPEAL #4-12-0429

The elemental task set before the appellate court is to prove DUE PROCESS existed in this trial. To prove, that constitutional first amendment right called redress of grievances/ and it support in the fifth guarantee of the state of IL constitution are LAW, and not merely fraud. To prove the foundation of a jury, it true and real purpose is to decide for society itself, what is justice and fair play; apart from, or in association with inconsequential rules; as they see fit. To prove that judicial intervention, which limits a jury so severely: that it has NO right or opportunity to choose for society itself: IS IN FACT tampering with that jury. To prove what is justice & fair in terms of financial penalty: MUST include a reference and a reality that is consistent with the income or assets or both of the individual: or it cannot be fair/ thereby representing an undue burden on the poor.

What is due, to me: is each and every guarantee of the constitution as written/ and interpreted in fair and deliberate resolution with the purposes of the preamble of these documents so as to establish the truth, of what was promised. That is the guarantee, the constitution, our democracy gives to me. The failure to provide it/ the failure to document and establish a deliberate accounting of what redress of grievances does represent or guarantee for each and every citizen is rebellion against "we the people". Either we are guaranteed, or we are not/ that is

NOT a judicial discretion/ it is law: therefore a fundamental citizen right.

Therefore the failure to establish the law/ the refusal to identify that law in its proper context with the constitutions both state and nation: is an illegal action, that constitutes treason. The court conspires to withhold/ its representatives deny, and seek to destroy this law of this land. 302 US 319. The preamble of these constitutions identifies the legal substance and governmental objectives of “we the people”. Or more simply, the legal/ governmental/ and democratic foundations for this interpretation has been laid. The compelling interest, is accountability to WE THE PEOPLE, as the true, sovereign, and deliberate owners of this state and nation.

The essence of process with regard to what is owed becomes: WHAT IS FAIR! 237 U.S. 309. The foundation of this appeal/ this case extending from Champaign county 2011 TR 022442 understands, not only the considerations established above: but the truth of a litigant who has assembled a jury to decide and determine redress of grievances in the matters that pertain to EXTREME THREATS, and BLIND ARROGANCE. A governmental effort or allowance that gambles with every life on earth. A governmental reality that has bankrupted both this state and nation. A reality of failure so extreme by governmental workers, that our future as life on earth can be declared “we will become extinct” if these things are not corrected. Therefore our employees are not only protecting terrorists/ they have aligned themselves with actions that are in fact the essence of terrorism: which is, “we DON’T give a damn about society, or you”. And so on, as established by trial filing. The judge considered: “Redress is not welcome here/ not understood or accepted here/ and if it is brought up to the jury; contempt shall be issued”. Redress is accountability: thereby our decision as a society, under the influence of trustworthy knowledge accomplished. NOT THEORIES/ but facts identified. A reality of chosen securities, for life and society first/ NOT gambling with our lives, but protecting them. Any scenario that can end with life on earth being destroyed: IS GAMBLING/ and it does not matter how confident you are it can’t happen. **THAT IS, simply treachery!** It is an unacceptable risk, unless WE THE PEOPLE do so choose it, being fully informed, for ourselves! Our lives, are not your toys. 397 U.S. 254, 262-263. THE DEMAND: RESPECT OUR LIVES, OUR OWNERSHIP OF THIS DEMOCRACY!

The elemental demand is for justice, the foundation upon which every society depends: you CANNOT simply take what you want, from me or us. The critical creation of an oath of office which is demanded upon all high ranking officials is: OBEY the constitution. Choose for us, LIFE, AND A FUTURE, that will endure 341 U.S. 123, 162-163. In all substantive realities of our existence

in this time as this nation: our employees have failed. Threatening us, discarding life and the children/ choosing evolution as the religion which governs this nation instead of truth. Ending with the failure to recognize everything necessary for life to survive, by the consequence of slightly lesser threats. Choosing instead: with all manner of chaos and death; the demand “they can play god/ establishing they can enslave/ forming the basis and weapons for war; and in all ways working to destroy the nation itself. From absolute insanity and selfishness.

Therefore we MUST have redress, as the law allows. The investigation of facts/ the foundation of evidence and penalty to establish the truth: and the recognition, that only WE THE PEOPLE. Are allowed to gamble with our lives, by vote. YOU are NOT. Redress elevates this summary of concerns to a question before this people; for their decision: as representatives of us all. A jury/ NOT a politician. A legal right/ not a political one; so says the constitution itself.

Redress establishes democracy as our right to choose, within constitutional legal definitions as presented by: its preamble/ the bill of rights/ and the declaration of independence; as is our contract with ourselves, and those we employ to do the work of governing. As we choose, for all of society, by vote.

Or more simply: WE THE PEOPLE, enforced!

THE ILLINOIS CONSTITUTION.

The contract, by definition: its purpose for our future, the instructions to our employees, is the preamble: “We, the people.....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.....”

The guarantees:

Sec. 12. Every person shall find a certain remedy in the laws for all injuries and wrongs which he receives to his person, privacy, property or reputation. He shall obtain justice by law, freely, completely, and promptly.

ARGUMENT 1:

When being WRONG means: *this world is dead, no possibility of “a second chance”/ then every life HAS A RIGHT to be involved. A legal right to BE INFORMED; and decide to say, “NO, is our right as democracy”. THOSE*

WHO HIDE, AID OR ABET; “TERRORISTS” become guilty of the same!

There is no reality of truth, wherein being wrong about your theories, assumptions, arrogance, fantasies, delusions, or religious fervor as is evolution: can end as life on earth destroyed: WHEN THIS NOT TERRORISM.

*THERE IS NO GREATER INJURY: than to be threatened, with the true and real means, weapons, or madness: that is destroying our nature, by mutilation/ our planet, with energy experiments that demand to play god/ our everything needed to survive: **WITHOUT our consent.** No greater risk to life, society, the future of every child and every individual: than to gamble with everything on earth, **we need to survive. The reality simply: a demand to be “satan (destroyer of life)”.** Religious or not, it is the only word that fits.*

*That fact demands: an investigation/ the examination of facts, within the reality of a truth that cannot be denied/ and the clear determination of a people who must then choose for themselves. **There can be NOTHING LESS,** than a true and impartial jury: to hear this grievance, and then decide for society itself.*

***Or there is NO democracy!** It is merely fraud/ or organized crime.*

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.

ARGUMENT 2:

*In this trial, the reality and the words of the United States Constitution control/ its first amendment **IS THE AUTHORITY.** Because there is NO authority of a state to override the constitution of this nation. That given its proper respect understands: that section 5 of the IL constitution adds only. That to properly comply with the IL legislature, **IT IS THEY who must prosecute REDRESS OF GRIEVANCES/** when the people do so decide to take their employees to trial. An opinion is not the law/ **REDRESS OF GRIEVANCES IS THE LAW, OF THIS UNITED STATES OF AMERICA.***

IN the “criminal court hearing” as this case was described by the judge himself. A reality constituting slander, and with judgment; then libelous based upon “the crime”.

This trial transgresses over the line in so many ways; that an appeal is not only necessary, it is a duty.

*Quote: US **bill of rights** section 3, “that government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or*

community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of mal-administration; and that, when any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, inalienable, and infeasible right to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.”

The questions presented are:

1. Is the constitution the legal law of this land, this state. Or more simply: IS THE CONSTITUTION THE LAW; “what must be obeyed, BY EVERY citizen, including the judge”?

Answer: the oath of office/ you do so swear; proves it is.

2. Is the constitution valid, and authorized to rule over this state and nation; by all means necessary; including over the court?

Answer: the legislature and the governor/ president DID SIGN INTO LAW, and accept, authorizing this constitution as the foundation of our democracy. The LEGAL ARM of our democracy, by its words, guarantees, restrictions upon our employees, and rights guaranteed to each and every citizen.

3. Is it criminal contempt, an open rebellion against our democracy; in a court of law: to vacate and violate the sovereign truth: that the constitution AS WRITTEN; rules here, and NOT the employee? Establishing clearly that every law written SHALL be obeyed: as is redress of grievances; both state and nation! **Is it not, a demand upon the policing bodies to arrest anyone** in clear violation of the law. To find guilty anyone: using that decision to propagate, abuse, damage and initiate/ or continue, the deliberate destruction against our democracy itself? By removing the very laws which protect us all. Is this not: Choosing terrorists and rebellion, instead of democracy in action? The true question being: did this judge OBEY THE CONSTITUTION, by denying redress of grievances exists/ or did he not?

Answer: WE THE PEOPLE, shall decide. We are the owners here/ it is OUR DEMOCRACY, and this is our employee: NOT “our ruler”.

4. IS IT, criminal trespass, and deliberate criminal conspiracy to, “form a barrier of rules and a compounding derivative action: 138 NYS 2d 257, 259; to deny the rights that do belong to: **we the people**”? WE ARE, “the stockholders” in this enterprise called democracy. We are the people who have contracted our employees to do, “a very specific job” by contract: TO UPHOLD AND OBEY OUR CONSTITUTION, thereby respecting and defending our DEMOCRACY.

We are the owners, and we do demand the duty you have sworn: is our right to uphold/ our authority to decide if you failed to keep your oath.

Answer: **any organization** bent upon ruling over the constitution itself/ rather than obeying it as they are sworn to do. Conspires to overrule the constitution, to deny our democracy/ regardless of the law we depend upon, as its foundation for our democracy, as is defined by our guaranteed rights and respect for its sovereign authority over us all: **IS CRIMINAL.**

5. IS due process, 302 U.S.319: The referral of judicial review unto the legislatures of both state and federal governance: as these created the laws, and they subjected themselves, or were subjected by the courts, to constitutional review. Therefore it is NOW TIME to establish whether the courts HAVE INDEED upheld the purpose, the passions, and the procedure that is lawful created by legislature, and is within the meaning of the laws which they did establish, by amendment or other; as our constitution? THEREFORE THE PROSECUTORS of the judiciary as we investigate their behaviors as our employees: against the will of this people/ as defined by the law that is our constitution.

Answer: it is indeed time to refer and create “balanced government”/ by establishing in this case: the accusation, of a criminal conspiracy within the court system of america: **to deny constitutional law/ both state and nation.** It is the judiciary that is charged with the act of rebellion, against we the people. Through their own deliberate and dedicated refusal to acknowledge or accept OUR LAWS, as defined by the constitution itself, through redress of grievances; both state and nation. It is our right, to see it “full scale/ all lights on/ with absolute integrity showing on all sides: or penalties in place”. The authority called WE THE PEOPLE, in defense of our democracy.

Let the courtroom evidence, provided by James F. Osterbur, as the litigation of cases past and present: **prove the truth.** Let the clear, critical, and certain realities involved with REDRESS OF GRIEVANCES be limited to plain and simple: did you the judiciary OBEY THE LAW?

6. **Is justice, or action by our employees on our behalf:** the demand that every penalty SHALL “fit the crime”; the purpose of each and every courtroom in this state or nation?

Answer: let the people decide.

7. **Is fair play, the critical reality of a jury being allowed to establish “THEIR DECISION”;** an association with the realities and facts associated with the penalty, or not? Thereby constructing the fact: we, the people; do understand that the rule is not enough, the judge “is NOT god/ nor ruler”.

Therefore a rule is not the law/ rather the constitution itself IS the law, and a rule nothing more than “ a suggestion”/ WHERE FREEDOM and REALITY intervene as the demand “I, didn’t threaten or risk anything, or anyone”. The question called right of authority, then exists: Where freedom does not rule?

As established in this case 2011 TR 022442 the reality of trial begins: by the definition, “running through a stop sign at one mile per hour”: **95% of the rule existed as obeyed, and one hundred percent of the law (didn’t threaten, risk, or harm,) is established.** The freedom, to understand the law: *don’t risk, or require of others what they refuse to do, did not participate in* was upheld; by the knowledge: THIS IS “common practice”, in most of rural America/ state of IL; and its small towns. The rule excessively applied/ removed freedom. The rule, by its definition DOES NOT/ IS NOT substantially altered, the purpose of safety: by this practice. Because none can prove, a greater safety could have been had, in any other way. Rather the purpose of this action, by this police officer: **MUST BE EXAMINED**, to determine if indeed this situation does not represent a trap, either implemented by the police officer or the city officials/ for the purpose of collecting extortion, by targeting “society, as opposed to themselves”.

Answer: the judge is nothing more than a citizen who swore, “to obey the constitution: the demand for freedom; the defense of democracy”. The purpose of a judiciary is to provide **justice to the people** by understanding their liberty: is in practice the difference between whether you risk or gamble with our lives. As everything else that does not take from me, is a freedom allowed to you. A jury, by its own knowledge of society/ is granted to intervene where they choose in fact “common practice/ what we decide for ourselves”, or not. The question of a rule is used, to understand the basis for a decision/ **NOT to create a ruler.** A ruler created, IS THE DENIAL OF WE THE PEOPLE/ and must not exist in the courtroom of WE THE PEOPLE. Reality, by its truth: is used to demand democracy itself; as is the guarantees of a constitution. Those who consider our laws to be, “irrelevant and worthless”; only the ruler decides. CANNOT be judge/ That is tyranny.

8. IS DUE PROCESS, the lifting of society; whereby all members may learn what is necessary for their survival. IS DUE PROCESS, wherein all matters to be discussed in this trial, “WERE sufficiently filed”, well in advance of the court date, denied? The substance and intent called REDRESS; “let the people investigate/ examine/ demand accountability/ and decide: what is or is not OUR DEMOCRACY. Our authority to decide who and what can be gambled or destroyed by those employed or given “monies or authority in our name”. As proven by the filings in this trial: the prosecution WERE, given more than enough

opportunity to contest prior to this trial. With NOT ONE WORD, filed in advance, or suggested by the prosecution that a challenge would exist. With legally assembled representatives of the people, my standing: **A constitutional guarantee from both state and nation WAS DEMANDED. That I, a citizen so guaranteed:** SHALL have my LEGAL right/ my critical grievance against these threats, established by exhibits and words. **Be given their opportunity as provided by constitutional law. To the jury for their own decision/ as representatives of our society, “legally assembled”.**

In the presence of those who did represent our society: as WE THE PEOPLE. I am not only denied/ but threatened with contempt, by the judge with regard to REDRESS: twice.

Answer: *Where is my constitutional guaranteed right/* OUR RIGHT ESTABLISHED BY our own, LAW?

9. OUR AGREEMENT as a people, is held under the contractual demands of a US constitutional preamble. Or more simply “this is the nation we shall provide to each other/ the reality for which we will defend each other”. **DOES NOT INCLUDE ANY ISSUE, CAUSE, OR COMPLAINT:** that allows our employees in government; to threaten our lives, or allow others to do so/ abuse our money/ LIE, CHEAT, OR STEAL from us/ risk our future/ mutilate our nature/ conceive of weapons or other realities of energy that can destroy our world/ gamble with our planet/ or in any other way cause this nation “critical collapse, chaos, or absolute surrender to the potential called catastrophe”.

All of which are currently being done/ or have been done, as described. In DIRECT VIOLATION of our law/ and our contract as a nation with you: our employees. Those facts, are initially explained, and have been accepted: in the court filings/ trial transcript; of case 022442.

Answer: tyranny is recognized as the demand to rule **instead of be ruled by the constitution/** anarchy is established, by the demand “NONE shall question us; as is the purpose of redress”. REBELLION/ thereby conspiracy is firmly entrenched, by the proof: **not one court, either state or nation did accept its duty** to apply the constitutional law called redress of grievances. Therefore **Enemies exist in the courtroom/** these enemies were confronted with CHOOSE: for the state or nation, by the preamble as your directive. ALL REFUSED. By the list of defendants in the supreme court cases 08-1339 & 11-100: this conspiracy to deny constitutional law, extends beyond the judiciary. The democracy expressed, in these cases brought to the door of each defendant/ demanding do your duty to the nation, was refused: in each of these cases, including the extra-

ordinary writ 2023. None are free of guilt, the law is the law; and each high ranking official is sworn to uphold the law, as is the constitution. A procedural rule is nothing more than a suggestion without merit: in cases that demand constitutional adherence. **That is the truth.**

10. ***At no time and in no place, does the constitution of America grant the right, to threaten in any way shape or form, either this people or the world, or nature, or the future of every child.*** Our employees, have done all these things/ they have invaded our democracy with their rules, to steal it from us: because with rules, “rulers are born”. With laws, a people protect and defend themselves from those who would be their rulers. **THAT IS the difference. The reality is based upon “your freedom may NOT substantially threaten me, gamble with what I need to survive/ risk my life or property or survival/ nor cause me intentional grief”.** The promise of AMERICA is, that there shall be freedom, for the individual. **The reality of America IS: there must also be realistic liberty to insure the freedom and blessings of life, for us all/ are NOT overrun by you.**

Answer: “Enemies are in our midst”/ pretending to be employees. Doing everything to deny us our democracy, by pretending to be our employees, when in fact it is their desire to be our RULERS. That is an illegal usurpation of democracy: your employment/ an act of treason against us all.

11. LIARS stand in front of us, pretending that a debt is not inflation/ when in fact, a debt that cannot be paid as is proven true by the federal reserve table exhibit E: establishing **\$121 trillion dollars** divided by no more than one hundred million actual workers **equals \$1.21 million dollars of debt per each and every single one. Thereby, IT IS INFLATION!** The numbers are being counterfeited, and retained by only “the few”, who then do use it, **to steal every property, and enslave** (your numbers as income, have no basis in reality: therefore counterfeit, you just don’t know it yet: but you will.) **all**; but the tiny few.

The foundation of all legal law, and authority IS: **the critical reality of judicial and legislative power and authority UNDER THE CONSTITUTION!** THERE IS NO power or authority outside of, the words of our constitution as WE THE PEOPLE; for this nation, or this state called ILLINOIS/ **there is NO other law that defeats our constitution! IT ALONE IS SOVEREIGN.** Not an employee, not a judge or courtroom or law conceived of by legislatures: NOTHING surmounts or controls or defeats constitutional law._

That fact assigns the truth, only we the people have more authority than the constitution: because we can change the agreement that unites us, for ourselves. Therefore our lives, our future, our nation, our world/ are protected, NOT those whom we employ, and cause to swear: they WILL obey the constitution itself. THEREFORE: **Our contract with our employees. But by our vote: one citizen equals one vote ON THE LAW, that governs our life.**

In this nation called the United States of America, or state of IL. *There is no law, there is no right to collect tax or any other power: UNTIL the guarantees and demands of the constitution ARE MET.* That is our foundation of legal truth, as applied to democracy: you must do, as the contract demands/ OR, you shall not be paid. There will be penalties applied/ is the sign this law, this oath; is not to be tampered with or taken lightly.

Every form of authority/ every power or right: is given or removed by the constitution; IT IS SOVEREIGN, and only subject to the people themselves! Which means literally, “the constitution itself, is our government”/ the employees merely work for us, as the contract with ourselves, as is the constitution: **governs them.** By establishing rights for us, and duties, restrictions, and realities for them.

The criminal conduct of ANY court, that supposes REDRESS of grievances **as is the law** of both state and nation: **“Is frivolous”.** Proves each and every judge/ every single police official in any capacity that does not stop or enforce: DEMOCRACY; **“our contract with ourselves”.** **DOES Act in direct rebellion against our democracy, supporting the enemy, BY deserting your duty,** and giving aid and assistance to the enemy. THIS IS, Our nation/ our state/ our democracy: NOT yours as an employee. Your job, recognizes: ONLY as a citizen you are equal, and treated the same/ as an employee, you are reduced from equal: **to the demands** we have made upon you/ entrusted to you, by oath.

Every foundation of WE THE PEOPLE is under attack. That cannot be “by accident”.

THE CONTRACT between us, the rights guaranteed will be provided: BETWEEN A CITIZEN and his democracy. IS A DEMAND upon their employees. This refusal of redress: **is a direct exercise, and deliberate intent to deny and control “free speech”.** Just as the judiciary has already took control of “the press”: and gave that business, that opportunity to protect and defend the people; to just a tiny few. Is this not a matter for democracy to decide, for the people to understand: YOUR STATE AND NATION/ YOUR FUTURE, YOUR

CHILD, YOUR EVERYTHING, is under attack. Yet the press are silent, because they want to be bribed, have a thirst for riches and power. Owned and controlled, only by the tiny few, who can then “blacklist, and deny work, if you disobey”. The laws of our land clearly under attack/ the enemy close at hand: the press are missing in action. We have been betrayed.

The conspiracy to deny redress exists & expands/ as the ultimate proof of each and every courtroom, by trial. In this land there is now absolute proof/ established in a “courtroom of law”. That, Our own employees are guilty of conspiracy against us: **proven by open rebellion against our constitutional law** is now complete. That means “AN ENEMY” HAS invaded our government/ our courtrooms, and must be removed.

THE LAW thereby, a constitutional guarantee called redress of grievances: **DOES rule over this appeal**.

Redress WAS DENIED in this trial: **Refused in this court/** disrespected in this courtroom, and controlled, with a direct threat called contempt. Established in this trial, “as redress, is worthless to this judge”. A constitutional law, both state and nation rejected and denied/ thrown out, “ as, with the garbage”.

This appeal then focuses on two distinct guaranteed rights that were refused not only for this trial, but explained to me by the judge: that these laws, this constitutional **redress: had no place in the judicial system (a courtroom) of this state or nation.**

He further goes on to declare: there is no definition/ no case/ no interpretation that would allow it in this courtroom.

He then states: unless the legislature writes it, and the governor signs it, it is not law. **EVEN THOUGH that is in fact what has happened with the constitution itself, and with its current amendments.**

As has been proven multiple times, in many courtrooms both state of IL, and in federal court for this nation: the denial of redress a constitutional guarantee, IS REAL (this is not the only courtroom). **A CRIMINAL CONSPIRACY of the judiciary themselves.**

For the purpose of this appeal, to simplify process and means of discovery: this trial 022442 shall stand as evidence against the state. The denial of redress proven in US SUPREME COURT cases 08-1339/ 11-100/ and the extra-ordinary writ 2023 DO stand for the charge of GUILTY; against the federal judiciary acting as government. The claim thereby: we, the employees; own it all: WE

ARE RULERS HERE. Rather than being obedient to the constitution and its law/ thereby protecting the constitution (we the people are owners here/ we have the power to decide: as is their job). Establishes trial MUST go forward/ conceives of the legislature through the balance of powers act, is then the prosecutors against them. They stand for the designers, and constructors of the law; the people stand as judge and jury; by their vote, to decide who is guilty, and who is not.

For the purpose of this appeal, by the direct investigation establishing the preponderance of the evidence is absolutely clear: that, **THIS CONSPIRACY EXISTS!**

The foundation for the federal cases to be studied shall be the US SUPREME COURT CASE 08-1339, 11-100, and US supreme court case: the extra-ordinary writ 2023.

These Hold merit as the only trials that must be studied to gather the evidence: because these identify **WHO LEADS** THIS ARMY in rebellion against us.

All other cases as represented by the litigant James F. Osterbur are considered: opened to the possibility of review/ but are unnecessary beyond the evidence: for federal trial. Is not the head of the organization/ those who clearly instigate and prove themselves in charge of this decision, to be tried? If found guilty: the charge focuses on treason; as this is treason by the fact. A primary decree and right of the constitution itself: as was, **Their sworn duty**, to uphold, respect, and obey.

That DENIAL of the LAW/ **the constitution which is our contract with ourselves. THE WORDS: WHICH IDENTIFY US ALL, as “WE THE PEOPLE”.** The distinction which is: *our guarantees to each one, our right of authority, our distinction as owners of this nation, and our ability to judge for ourselves and create or cause a vote of the people to decide what is true; FOR THIS STATE, or THIS NATION: OUR LAW, not their right to rule.*

Thereby this our decision to investigate/ this our law called REDRESS: explains who we shall be, as democracy in this day. *This fundamental of law: called WE, the people! IS TO BE, the proof: of how we SHALL govern ourselves.*

THAT Does not represent a game, it is not open to interpretation, “beyond ourselves”: **rather, it is our contract with each other. It is OUR decision**, regarding those who are to be employed: those hired to provide governance, for

our society as we have demanded of them. This democracy IS NOT, the right or power given to our employees; to rule over us/ or be ruled by their decrees. **Rather this democracy is: the power to instigate and control redress as our right: to hold these same employees accountable for what they have done, instead of what they were hired to do.** Which is signified and confirmed; by the oath required from all top officials. This is the demand: **We own this nation**, not you; as an employee.

This case: **Identifies a true and real conspiracy within each and every courtroom of this UNITED STATES, and this state of ILLINOIS.** *That conspiracy is: that NO CITIZEN shall have this guarantee called redress. In support of this fact: Neither is there evidence of ANY other precedent or case in the history of this nation or state that can be found. It is denied us, even though it is our law! Which proves distinctly and without doubt: **this guarantee of the constitution both state and nation, lacks proof:** that it has NOT been provided to a single citizen.*

The judge of trial 022442 by his words, can be interpreted to have said: consider it “worthless”! As have all other members of the judiciary, in every level of state or national courts.

Yet it is the LAW, and those who defy, disgrace, or attempt to destroy the law; are guilty of the terms criminal/ anarchist/ and rebellion or tyranny. To the shame of this nation, and every high ranking official both state and nation: this is fact.

OUR purpose as is redress: is the legal declaration to those employed in this day to day work of governance: **to bring us JUSTICE, FAIR PLAY, EQUALITY, and opportunity:** THROUGH CONSTITUTIONAL LAW.

The evidence declares: they Deny us these very things! Rather these the judiciary have long sought and declared: “accountability to WE THE PEOPLE” shall not stand, in a courtroom of law.

I intend to prove, not only have they failed and chosen criminal intent: BUT now exhibit tyranny (*an intent to rule, rather than govern*). They have rebelled against our law, a constitutional mandate/ a reality of right guaranteed, (*illegally refused, by the power of position; as is a judge*). This is the essence of anarchy, which is to deliberately try to destroy the law, and *thereby with premeditation and clear intent: HAVE CHOSEN to damage this society and its democracy; by corrupting our foundation of democracy itself: as is the*

constitution.

I intend to prove: **THIS IS OUR LAW/ THIS IS YOUR JUDICIAL OATH** given to us, under penalty of law against you. The judge: a reality governed by constitutional law and intent/ rather than the ruler of it, or our democracy.

That having sworn: should you fail to keep your agreement with us: that you declared in fact/ **THAT YOU shall OBEY THE CONSTITUTION**, both state and nation, over and above any other decision. Proves without doubt, a lie! It is perjury to claim otherwise in this case. The fundamental of redress **IS NOT** in doubt/ thereby the law convicts you. The only question is: will the people judge you with mercy or not.

I intend to prove: ***THIS IS OUR OWNERSHIP of democracy itself, OUR AUTHORITY to demand accountability from our employees, AND OUR SOVEREIGNTY over each and every employee as a people united: by democracy.*** The proven reality: **WE THE PEOPLE**, own this nation/ not you the damn employee.

Rather we are as ruler here/ over you by the guarantees provided within the constitution that we gave ourselves. You didn't give us authority to be a democracy/ **WE TOOK IT**, as a people united; as best we could. By blood, sacrifice, and horrible cost to many. **NOT A GAME.**

The guarantees which support, defend, and demand that the definition of **DEMOCRACY IS: We the people rule ourselves, by the law WE CREATE.** Does establish, that **OUR LAW**, Shall be kept. Not a game.

The reality of this case; as is proven to be, the introduction: establishing an open rebellion/ a conspiracy, in every courtroom in this land. Is a fact, that **CANNOT** be disengaged or denied from those who lead the judiciary. This foundation of interpretation, the words we chose as a people: belongs only to us. Not you, the employee/ we chose the words, because it is our democracy: which means clearly that **WE THE PEOPLE**, do have the final say over what our constitution means. Over its alteration or change: over ourselves as the law which governs our democracy, through constitutional law.

The supreme court of the United States of America/ and the supreme court of this state of **ILLINOIS**. Are, Both are held **GUILTY of not providing this law/ this redress, and its deliberate intent; to hold our employees accountable. For their actions/ for the defense and protection of each and every citizen: INCLUDING THEMSELVES.** A law, guaranteed: to "each and every citizen/ and in particular to me; James F. Osterbur.

Both supreme courts, are held GUILTY, of producing an impediment, a true and deliberate war against the first amendment of the US constitution, and its associate the fifth guarantee of the state of IL constitution. Let the court prove: there shall be NO ACCOUNTABILITY, no legal right: to deny our employees, FAILURE in government. For this people called ILLINOIS. Guilty of the denial to me: removing the guarantees of article three of the constitution: by which I did demand IN FEDERAL COURT: the ILLINOIS constitution shall be upheld. THE REALITY OF A LEGAL RIGHT, TO OWN AND CONTROL OUR STATE, AS WE THE PEOPLE: DENIED! THAT, is the essence of being ruled/ the reality democracy does not exist here. Because democracy is the right of the people, to govern themselves. NOT be dependent upon voting for someone to vote for me. Democracy is: we are the owners here/ and we will decide for ourselves, in whatever way we desire, as a people; voting by law. That law: our design and purpose for society/ our reason and reality for uniting as this state: is discovered in the words of the preamble to this IL constitution. Our employees have failed. Simple and plain.

By the authority of position/ by the oath of service required for acceptance of that job: TO OBEY THE CONSTITUTION AS WRITTEN/ to obey this people and their democracy. *There is no allowance for interpretation that diminishes redress; where the reality OF redress LAW, is equal to the freedoms of religion/ speech/ and of the press. The first amendment of the US CONSTITUTION applied to each and every citizen in this nation.*

Or where the reality of written words could not be more clear in the state of IL preamble to its constitution (above)/ or the preamble of the US constitution; as a separate and equal guarantee for the purpose of clarity: of what we the people shall in fact expect our employees to choose: for this society, for our lives, your children, or our world. Simply: everything “LIFE FIRST”, particularly for the planet and its future. Not playing god/ not threatening our lives/ not destroying the sanctity of our securities or any other tragedy, as is constant and current today. Prove me wrong.

With clear premeditation and REPEATED offenses, A GUILTY plea is all that is left for you/ with mercy to be granted only by the jury: which is the people of this state and nation by their vote. As the law of democracy itself allows. In true redress trial, as the constitution creates/ investigation and the examination of evidence defines: and the clear and certain “will of the people” is allowed their vote: to remove/ replace/ or punish the offenders: or not. It is their right as owners here/ these are the workers most responsible: the perpetrators of organized crime.

The demand: the constitution of our democracy is worthless, and shall NOT be allowed.

I, James Frank Osterbur: **was at** the legal door many times, in separate courtrooms, both state and federal: all demanding redress trial.

The conditions have been met: The first amendment **REQUIRES** “a legal assembly of the people (*a jury, as was assembled in this trial 022442: with clear, deliberate, or sufficient definitions established by filing; that the matter before the court would in fact turn this way, to redress, and to threats that do exist to harm or kill us all*). Shall be sustained. As a legal litigant demanding redress from the court judiciary/ and then from, a jury of the people”: a petition is established. Proving by exhibits, and words: the grievance is real. The foundation for, **this people are threatened by their own employees, has been laid**. By the money, privilege, and power being used in our name: to gamble with our very lives/ future/ nature/ world/ and even the planet itself; that evidence shall be sufficient to prove guilty.

While these “high official” employees are accused of raping and ravaging our money, our securities as a nation or state: by the decisions of they have made in our stead. The greater cause by far is: **YOU FAILED TO PUT LIFE FIRST, for this planet or its nature, or our lives!** Causing the need for accountability, and the investigation of threats to proceed to a state “SO EXTREME”. In terms of life and a future and our democracy: we are threatened for years. That NO possibility exists to deny “examining the facts, and leaving the decision to we the people as OWNERS here”. Is the foundation of democracy. Proving, our Employees have very limited rights; **AND MUST BE TOLD**, when they have gone too far. Is the foundation of our authority: **Redress exists for this reality**.

Having been denied true access within the media: whose legal job it is, to protect the nation, our nature, our future, our democracy, and our world. The reality of evidence turns to legal trial/ **the preponderance of the threat establishing: ONLY REDRESS IS SUFFICIENT** to resurrect our nation from the disgrace these leaders have wrought. By defying the very constitution they swore to protect: that is the act of an enemy. Portraying a duty to this state and nation by their employment the evidence at hand, has achieved: a deliberate involvement. How can this be less? The evidence and exhibits presented in court 022442: **DOES PROVE** that this is NO GAME, by threats that can literally exterminate us all. It is NOT the job of the court to decide if these threats are real/ but only to substantiate if they do or potentially do create a threat, risk, or gamble

against our lives. If it is so/ THEN THERE MUST BE TRIAL: to prove or disprove the charge called TERRORIST!

Insisting that Redress is the law/ is not a political solution, **but a legal one**, which then requires a jury. Redress Is NOT created by interpretation/ BUT BY THE WRITTEN WORDS of the constitution itself.

The dictionary meaning listed for redress is: *“Relief from distress/ the means or possibility of seeking a remedy/ compensation for wrong or loss; reparation/ an act or instance of redressing; retribution or correction.”* Wherein this case by its exhibits and its clear and certain filings **SHALL have PROVEN, that the cause was legitimate, the reality of redress was certain. The people’s legal representatives (the jury) were assembled.** But were denied, their right to think and choose for themselves.

I was denied BY MY employees: to be, as we the people guaranteed to me: “united, by our need/ governed by our rights”. The grant and guarantee, we gave to ourselves. The following terms and conditions: that became the foundations of this nation are defiled, by our employees.

The constitution/ the bill of rights/ and the declaration of independence. ALL guarantee, my right to petition these employees of government, for redress of grievances as the law allows: AND BE PROVIDED WITH THAT REMEDY, **by all legal means necessary.** So that knowledgeable choices/ critical defenses and responsibilities can be informed for the people; and their own decisions, made by the people themselves, will occur. As is democracy itself.

To prove me wrong, that redress does not represent a legal right, IS IMPOSSIBLE. **Therefore the only question of substance is:** *this trial shall create, a distinct set of definitions, interpretations, and clear guarantees with the methodology and DUE PROCESS accessible, to all the people.* For implementing this very law.

So that **this law SHALL BE established** for the people themselves. These rights and guarantees, AS PROVIDED by the very foundation of law itself, cannot be undone again. The constitution upheld/ the judiciary denied, the people “have spoken”.

Denied, Even though: *The legislature HAS PROVIDED: the constitution that was ratified and sent to the governor and president respectively for the people.* That law which provides redress of grievances HAS NOT BE KEPT/ for this state or this nation. Proving beyond doubt, that it is NOT the judiciary that shall interpret, or define these things/ the criminals caught in the act of defiance against the law, against our democracy itself. **But we the people ourselves, in**

connection with our legislatures, shall assemble first amendment (“..and to petition..) And establish those responsible for signing and affirming into law OUR RIGHTS, GUARANTEED. Will defend them.

Let none doubt: We the people SHALL HOLD, what is the greater authority and sovereignty of what is fair and legitimate to us, in redress. WE ARE THE OWNERS. In confrontation of this fact: it is recognized, “A group of nine individual citizens, as is the supreme court”: **are not!**

From the bill of rights: section 2: that all power is vested in , and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.

In this trial: the jury were denied, their RIGHT to act in the best interest of society: choosing with deliberate intent and critical wisdom what is JUSTICE. They were denied their opportunity, as a jury; to learn what is a penalty and thereby determine “fair play”; and from this knowledge decide what is in their own best interest, as a society; with regards to this case. Because what is applied to one of us, is said to/ or can be: applied to all of us as one. Instead of justice and fair play: They were reduced to a rule, intimidated by the judge, and THEY WERE: selected by a judge before ever being allowed questioning by the defense or prosecution. The purpose clearly: to demand and select for obedience, to those who call themselves “our rulers”: they decide what is fair or just. NOT we the people. Thereby, when only the rule is allowed/ and the order given: **YOU SHALL DISCARD JUSTICE AND FAIR PLAY, you shall NOT consider the penalty/ as if it had no meaning.** The reality is: the courtroom no longer belongs to we the people. **Instead, IT IS hijacked by the judge.** Who claims by his own authority, only the rule has meaning, or merit.

Thereby with clear and deliberate intent: extinguishing the very purpose of a jury, which is to insure justice for society/ RATHER than the rule, which does give rulers, the power to control. The people are then betrayed.

The jury MUST be protected from those who demand to be “their rulers”, as did this judge. His job is not to control the jury/ but rather to present JUSTICE AND FAIR PLAY to society. Which he clearly does not understand: thereby he should be disbarred. The price of failure.

To control, manipulate, and intimidate the jury: **is an illegal usurpation of the constitution itself: which guarantees that the jury shall be freed of a ruler.** So they may decide for themselves and for their society, what is justice, or fair. That too, is a foundation of democracy, the will, the right, and the critical knowledge by which we do understand, and are fully able to implement the words:..

WE GOVERN OURSELVES, BY THE LAW, WE CREATE AND ACCEPT
/ BY THE CONSTITUTION WHICH UNITES US, AND the
GUARANTEES to US: as is, redress of grievances.

Establishing, through this case: WE, the people are the OWNERS HERE.
Not you, “the employee”.

A second filing will come/ when the transcript is finished.

proof of service:

I, James F. Osterbur, do hereby declare and prove that I have sent in this day May 7, 2012 by first class US mail service/ with postage prepaid. A copy of this filing within the appellate court described above; and to **Illinois Appellate Court**
201 w. Monroe st. Box 19206
Springfield IL 62794

additionally mailed to:
Champaign County courthouse 101 E. Main, Urbana IL 61801

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