

In US TAX COURT
400 second street NW, Washington DC 20217

James Frank Osterbur
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vs

United States of America

commissioner of the internal revenue

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case docket number 11108-12L

dated 8/ 14/ 12

a first amendment trial, of the US constitution

the charge is now TREASON
in this US court. By these realities:

- 1) the deliberate denial of first amendment constitutional law and subsequent law removed from the court under false pretense. *“Not a proper document to be filed with the court”*.
- 2) aiding and abetting terrorists/ protecting them from investigation and/ or prosecution. *The return of exhibit #7*
- 3) the illegal destruction of evidence in a court of law. *The deliberate removal of due process: the right to be heard/ the demand for democracy/ and the elevation of governance by the constitution itself.*

This demand: the charge of treason now exists
accordingly: these others, sworn to protect and defend the constitution; are called to do their duty!

the FEDERAL BUREAU OF INVESTIGATION
the US ATTORNEY GENERAL OFFICE
THE PRESIDENT OF THE US
have been added as participants in this suit
to insure they do: other high ranking officials are now called, to fight for this democracy as

well; the list of governors starts it.

THE LEGAL DEMAND of this lawsuit.
FOR CONSTITUTIONAL LAW, TO BE UPHELD!

The identity of a nation, *the preamble of the US constitution/ the bill of rights/ and the declaration of independence: each of which unites us, and is the FOUNDATION; CARRIED forth BY LAW: to its rightful RESPECTED PLACE in the governance of this nation.* 229 A. 2d 388, 394.

IS: THE CLEAR AND CERTAIN DEMAND UPON THIS TAX COURT: **To provide redress of grievances as is the law: To this citizen so guaranteed.** That is your job! That is your oath. That is our democracy in action/ **our right as owners to enforce the constitution itself on you;** as you did swear to do.
That is: "A claim upon which relief can be granted"/ IT IS constitutional law!"
There is NO excuse.

RE; The evidence begins as **official tax court document** dated 8/ 6 /12 showing the following documents returned unfiled in this case

- 1) charge of legal treason, requesting a jury trial
- 2) the demand for constitutional law to be upheld; the petition for clarity "evidence titled petitioner exhibit #6".
- 3) the petition to simplify "evidence titled petitioner exhibit #7".

These along with essentially every other filing apart from the very first are returned as not a proper document/ even though they are now exhibits of evidence (a conspiracy to overthrow this democracy/ by disemboweling the constitution itself) established under the rule of law.

The clear purpose to: "gut the trial itself/ and remove the law, the constitution itself: from this proceeding." That is an illegal use of authority/ whose deliberate purpose is to defile the intent and protections of due process and the constitution itself. To declare the law does not exist, by hiding it through the removal of evidence from the court file. These actions, being premeditated and organized to insure first amendment redress of grievances dies; are established throughout the judiciary by US supreme court cases 08-1339 & 11-100/ and supplemented by extra-ordinary writ 2023. These are actual efforts by our judiciary; to betray our democracy; when compounded with a true legal right to know/ the foundation of threats so extreme we can die. These facts stand on the grounds of treason: because their purpose is to battle democracy not support it, hide justice so there can be no "fair play", or deny the agreement of our preamble, the essence of our government, by taking it away in court. These traitorous acts; against the basis and foundation of our democracy/ our freedoms/ and our rights; are on trial in this case today. We have moved beyond the contractual duty owed to each citizen by constitutional law/ what our employees must do. To examine and investigate those who war against us, taking away our rights/ discarding their oath/ and denying us all the most BASIC LAW OF ALL: **THE ABSOLUTE RIGHT, TO DECIDE FOR OURSELVES: IF ANYONE SHALL BE ALLOWED TO GAMBLE WITH OUR LIVES/ OUR NATURE/ OUR FUTURE/ AND OUR WORLD.** Excerpts follow.

We examine the petition to simplify, exhibit #7; “investigating for proper, in a courtroom of law” and discover the following words:

THE LAW IS: first amendment redress of grievances

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

THESE ARE LEGAL RIGHTS. To legally participate in redress: (we demand answers) as we the people in this our government, by demanding accountability and ownership, over our nation; as we the people under law. This Requires, A courtroom and its jury shall identify the right, by their vote: to call a greater audience, thereby to demand by majority a trial. The decision: IF WE SHALL investigate “this grievance” in our own presence, as a people? By examining the evidence, demanding the truth, punishing those who refuse. In trial, for the clear purpose to decide for ourselves: what is the truth; as best we can.

To discover: if we have or have not, been betrayed, or turned to disaster; to decide for ourselves, if there is a better way to achieve both society and governance as we desire it to be under the constitution.

as a democracy.

28 USC 453: *Each justice or judge of the United States shall take the following oath or affirmation before performing the duties of his office: “I, XXX XXX, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as XXX under the Constitution and laws of the United States. So help me God.”*

{THE ELEMENTAL DEMAND FOR INVESTIGATION OF TERRORISTS: DEMAND TO KNOW, WHAT HAPPENS IF THEY ARE WRONG! No guessing: HOW do they put out a fire that burns atomic bonds (EVERYTHING IS FUEL), at millions of degrees, and miles high? THEY CANNOT: they gamble with this planet, and every living thing on it.} ASK THEM!

The establishment of this trial asserts:

1. That our lives, our nation, your children, and our world are being threatened with energy experiments that are now beyond the level of clear and certain survival as a planet. The evidence shows: (a) that machines are being built (ELI, extreme light infrastructure), which if successful are intended to create a laser equal to the heat from our sun, hitting this entire earth/ focused in one tiny laser beam expected to be quote “about one million times more powerful than 10 billion 100 watt light bulbs./ and a fourth machine is coming with beams twice as powerful.” A fire so ferocious, fusion (the ignition, and subsequent sustaining; of atomic bonds burning is guaranteed); same fire as is on the sun, here on earth. Destroying us all! “Simple satan”/ for lack

of a better word. If their theories are correct, and it works/ the earth becomes a sun; and all life dies.

Demanded of the court: LET THE PEOPLE DECIDE, their own fate/ THROUGH REDRESS!

(b) that a machine is created and now in use for the purpose of creating fusion on earth called the national ignition facility(nif). Gambling with this entire planet, that they can in fact control the same fire as is on the sun, here on earth: because in theory, “fusion cannot be sustained here, because there is insufficient gravity here”. **Or more directly: these scientists are betting every existence on this planet, that their theory is correct/ EVEN THOUGH, they do not have a clue about what gravity actually is.** Regardless of that fact, our leaders fund them through our taxes. Their proof of concept, that they can create fusion here is: “That pulse of energy lasted for just 23 billionth of a second, yet it generated 411 trillion watts of power. NIF said 1000 times more than the entire USA consumes in at any given instant”. Quote, “we will generate 180 million degrees F (supernova explosion 18-54 million degrees F). Densities of environment equal to 1,000 grams per cubic centimeter (1,000 times the density of a solid in stellar/ stars and planets; interiors; more than a core-collapsing supernova), and pressures more than 100 billion times as large as earth’s atmosphere. Quote, “only three places in our universe have produced anything close: the big bang/ an exploding star/ thermonuclear explosions. Now available for laboratory experiments. What could go wrong? Ever hear of an engineering disaster! Take a look at the sun, “right here on earth, where everything is fuel”/ all of us, everything about this earth: dependent upon their theory, “not enough gravity here”, to sustain the fire. They will point to thermonuclear weapons and say, “see, it doesn’t last”. But this is an entirely different machine than a bomb/ THIS is designed to hold all that energy into one tiny spot; or more simply to force the energy released, back in upon itself. That is, the basic process that forms a black hole as well, as the potential for fusion. No possibility if it remains lit/ that we can put it out. PROVE me wrong? Can’t, without gambling with this entire world. For a trophy, “we played god”. If their theories are proven wrong, this earth becomes a sun, and we all die.

Demanded of the court: LET THE PEOPLE DECIDE, their own fate/ THROUGH REDRESS!

(c) The energy experiment at CERN is built, for the singular purpose of “**recreating the single most destructive event in the history of this entire universe**; the big bang”. Right here on earth, by revisiting the critical means of weakening atomic structure so as to prepare it for instantaneous collapse and explosion”. These are processes beyond the limits of time, where action and reaction control each other/ once achieved: it becomes “eternal”, and cannot be stopped. Therefore it will do exactly what it did prior to the big bang; destroying the atomic disciplines which hold all matter and energy together. Gambling with the entire planet, everything, and every life on earth: as a toy. The machine is now being rebuilt to operate at twice the power of before 7 trillion volts. That does represent the expansion of atomic structure

by increasing the orbital existence or distance of an electron from its center point called a proton neutron nucleus. So that the proton can be dislodged, and the explosion as established by the collision of two protons being directed into each other; as if a train wreck, from opposite directions into each other, at the speed of light. That explosion represents a force, that will accelerate protons already moving at the speed of light/ that pass through the destruction, like a nascar driver through a track wreck. Some will escape, and be accelerated. We cannot go back. If their theories and purposes to recreate the single most destructive event in the history of the universe, are proven correct: then how can our fate on this planet be different?

Failure in each of these; is death to this world/ that does mean it is terrorism!

Demanded of the court: LET THE PEOPLE DECIDE, their own fate/ THROUGH REDRESS!

2. That the life experiments, the literal and real mutilation of nature through DNA, the instructions that build a body of life: are terrorism, without the slightest doubt, giving the enemy of life (those who refuse to care); an ability to destroy us all.

Their words, as useful are: “Scientists have begun blurring the line between human and animal, by producing chimeras- a hybrid creature that is part human/ part animal.....successfully fused human cells with rabbit eggs....created pigs with human blood...create mice with human brains...watching how human cells mature in a different living creature..for years scientists have added human genes to bacteria and farm animals. Artificial life refers to, “not only life as we know it/ but life as it might be”. Synthetic biology is: synthetic cells, organisms, biological engineering, artificial chemistry, and origins. “*Going to rebuild life on earth as men want to play with it (mine)*”. First human embryo’s cloned.....”created an organism with manmade DNA....worth more than a trillion dollars...its pretty stunning when you just replace DNA software in the cell. The cell instantly starts reading that new software, starts making a whole different set of proteins, and in a short while, all the characteristics of the first species disappear and a new species emerges; Venter said”. ...ultimately synthetic biology means cheaper and widely accessible tools to build BIO-WEAPONS. Virulent pathogens and artificial organisms that could pose grave threats to people and the planet. The danger is not bio-terror, but bio-error. Biological samples, sequenced and stored in digital form, will move instantaneously across the globe and be resurrected in corporate labs thousands of miles away. Synbio-dubbed genetic engineering on steroids- is inspired by the convergence of nano-scale biology, computing and engineering: “Using a laptop computer, published gene sequence information and mail-order DNA just about anyone has the potential to construct genes or entire genomes from scratch; including lethal pathogens”. *Or more simply from me: people will be able to mutilate you, simply by making you breathe their concoctions. Once inside; it is too late. Women are particularly vulnerable as the living incubator of life, those who want “something other than human” : want you.* This is far worse than any other form of terrorism, as the consequences are not essentially instantaneous, **but absolutely HORRIFIC.** **Nature is DNA, the**

building of a life body/ the instructional format and capability to use that body for yourself. Mutilation is: a different purpose, to bring nature into chaos, “to play god/ we are the creators”; to cause evolution by their own design. Nothing is more deliberately disrespectful of life and body, than to mutilate it. Nothing is more disastrous **to our survival, than to play with everything we need to survive, as if it were nothing more than your toy. Nothing is more distinctly religious, than to believe in what cannot be true: “We will be gods”/ unless you understand, the only god mutilation will let you be is death. The defined purpose of geneticists world wide is: to dissolve the genetic disciplines/ the balance of body and mind/ to cause intentional collapse of everything nature is: so they can then believe, “we WILL learn how to put it back together as we want! Nothing is more worthy of the word SATAN (there is no other word to describe it, other than devil). Nothing is more correctly identified as a cult: than those who are so unable to defend themselves, even when clear death and destruction of everything they value is immanent: they still cannot or will not react even to save themselves: as is the current situation in this nation, even world. Because it would kill their beliefs, and ruin the trust they bet their lives, their future, and their children on: “the university is our savior”. **So they gamble & die instead/ of ending INSANITY.****

Demanded of the court: LET THE PEOPLE DECIDE, their own fate/ THROUGH REDRESS! Let the people LEARN HOW HORRIFIC THIS CAN AND WILL BECOME; DESTROYING THEIR LIVES, THEIR HOPES, AND THEIR ENTIRE WORLD. LET THE LAW called Justice, identify the truth. Not the temptations/ but the reality of failure, the consequence all life on earth cannot be repaired. “The living dead”, will arrive.

3. The elemental horrors of a world filled with weapons of mass destruction, that are now falling into the hands of “many people” across this world. Presents us with the fact: release of biological weapons CANNOT be undone/ they are expected to kill over 97% of humanity or more. The dead, will take care of the rest.
AND IT GOES ON/ READ IT FOR YOURSELF AT THE WEB SITES LISTED.

We examine the petition to clarify exhibit #6; “investigating for proper, in a courtroom of law” and discover the following words:

THE CRITICAL RELATIONSHIP WE SHARE AS A NATION, IS THE DECISION: that only the constitution shall be ruler over us all. Everything else, is a decision that we the people assemble and participate within/ because that is our right, under the clause called FREEDOM; and it is, the essence of the constitutional preamble which in and of itself states: ***our decision as a people SHALL BE HONORED AND RESPECTED, by these fundamental truths.***

So there can be no delusions: the preamble is repeated here.

“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 that culminates and controls the purposes of the governance that is, “the American contract”/ with our employees. Or more simply the RIGHT, to participate in our interest, and on our behalf, for the furtherance of these particular goals, and decisions; employees are hired, so that these fundamentals become: “the essence of an American life”. Our reality of life and society.

This legal case called 11108-12L is about the difference between what is a guaranteed right,/ a democratic authority; and its legal definition as is the first amendment of the constitution itself, and its clause called LEGAL redress of grievances.

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The assumption by the internal revenue service, that it can demand a payment for what is so clearly: a betrayal of everything the American contract, which is in the preamble states. Called frivolous and gibberish, as a cover up/ a betrayal of democracy itself; the fundamental here is, what is an employee that deliberately tries to destroy the values, security, and participation in governance of us all/ if not “traitor”?

That is Treason, by its intent to destroy the sanctity and sovereignty of our constitution. It is a duty to fight against those who deliberately and with clear intent: expect and demand to dismantle democracy itself. Those who work to threaten, discard, and destroy the entire nation with their arrogance and religious expectations (we are like gods/ we know everything: let the people be our slaves). The reality of this day does prove: those in powerful positions in fact have stolen every security for ourselves, and threatened the future of every child, without a right. They have degraded America, and disgraced our existence.

That is then, the fight for life, duty, nation, and world/ the demand for RESPECT as a people, the return of our sovereignty under the constitution/ and above our employees. This is the right of democracy itself, being reborn/ because it is so badly damaged. This is the legal right called REDRESS, the foundation upon which democracy defends itself, from employees who have proven themselves to be an enemy rather than friend. This is the demand for accountability/ the right to expect, examine, and investigate the evidence to be collected: FOR TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH.

Therefore this trial is about the resurgence of DEMOCRACY; or more simply, a redress trial that assembles the people/ BY LAW. So they can make their own decision, regarding their own futures, and the people who gamble with their nature, their lives, their children, their nation, and even our entire world. NOT A GAME. NOT FRIVOLOUS, nor it is misunderstood; as is the common intent, by our employees: to cover up all that threatens or deceives us, that decision: proves and confronts a thief and a liar.

We examine the petition summary demand: obey the constitutional first amendment/ or be

accused of treason; “investigating for proper, in a courtroom of law” and discover the following words:

RE: TAX COURT RETURNS THESE EXHIBITS; with the words, “Not a proper document”.

This filing addresses **the return of petitioner exhibits #5 “the second filing”/ the demand for constitutional law to be upheld** becomes exhibit #8/ **motion for class action status; petitioner’s exhibit #4. Court returns 7/ 24/ 12 with the words :“not a proper document to be filed with the court”**.

Each of which are now evidence in this trial of the judiciary, and/ or those who consider themselves to be, the leadership of America; that refuse redress of grievances for this people.

The demand is for constitutional law to be upheld, the first amendment guarantee to each and every citizen established for me, as the legal right of ownership that democracy grants to WE THE PEOPLE; **through our right under redress to demand accountability from our employees/ and establish true democratic control; as we the people** desire it to be. That is neither “light nor frivolous”: it is democracy itself taking root. It is our lives, our honor, and our freedom at stake in this trial for constitutional sovereignty over the court, its hierarchy, and those who would call themselves our rulers.

The evidence of this case is: that the judiciary DOES NOT obey the law/ DOES IN FACT disregard and destroy the purpose of their own oath: which is to guarantee “if we give you this job”/ your every action and response will be within the purpose and desire of the constitutional document to which you swear: **shall govern our lives, our nation, and our future.** Not you the employee, but our constitution as written.

These are merely excerpts; read the rest at www.justtalking3.info/ trialforlife.info/ or trialoflife.info. The tax court not a proper document becomes **petitioner exhibit 10/ the summary demand: obey the constitutional first amendment/ or be accused of treason; exhibit #11.** All direct participants having already received these documents are instructed to identify them as such. These are returned to the court as evidence; along with the other legal evidence.

THE CONCLUSION: Arrogance believes this is a game/ it is NOT. The foundation reality of extreme threat against our very world **REQUIRES** an investigation/ a courtroom whereby truth as the evidence will allow: **MUST RULE.** Nobody gets to claim “we know what we are doing”/ unless they are willing to suffer the consequence if terrorism shall be proved. The elemental essence of this people, is now tested for cowardice: you have betrayed yourselves long enough/ either fight for your future, or die with their failures. It is a choice/ but not for much longer, as the world itself continues to die, so do you! Understand what it means to be wrong/ and choose **LIFE FIRST!** Nothing less than truth, must decide.

The oath: thereby the demand to protect our nation includes every high ranking official

PROOF OF SERVICE

I, James F. Osterbur: do hereby declare, that a true and correct copy of this first filing has been mailed to the following parties at the addresses so listed: *by certified mail (to the court)*. Placing the parcel, in the US postal service/ as prepaid mail on the date of 8/ 14 / 12
US TAX COURT 400 second street NW, Washington DC 20217

the internal revenue service Brookhaven appeals
1040 Waverly ave. Stop 906
Holtsville NY 11742 refer reply to: AP:FE:LI-BR2: JXS

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each of: check these links, on the web page, to find out:
[the list of governors / those who say they represent me](#)
[the book of "life or death"](#)
and any other as I desire.