

IN THE US SUPREME COURT

CASE #08-1339

DATED: JUNE 2, 2009

In consideration of the governments' waiver/ dated May 29, 09; whereby the government has found no "cause/ grounds/ or merits, under law to contend with lawsuit 08-1339. Nor does it intend to respond to the lawsuit as presented, unless ordered to do so. The reality is then settled upon the members of the supreme court, and not less than 5 of these members, who must under their own duress decide if they will honor the law/ or assert that anarchy is better. Either the nation is ruled by the law, and that law is judge/ or the nation is not ruled by law, thereby those in charge are guilty of anarchy.

The law is clear/ the first amendment is certain/ there is NO "gray area". This lawsuit is valid and shall go to trial, either in court/ or through media as best I can. The purpose of this letter to the court is simply to remind the court: MOST PRESSING OF ALL MATTERS, REPRESENTED BY THIS TRIAL IS. The motion against the national ignition facility, and their potential for such horrific consequences: that we as a nation simply cannot be wrong: our lives and our world is at stake.

The motion presented, establishes a right to be heard, a right to vote; and there is NO contention by the government. Therefore The government waives its right to contend with the issues and motion created by petition within this court, and thereby agrees. The extra-ordinary violence/ and potential for absolute failure at this facility, while risking all life, even this earth: IS FAR TOO SIGNIFICANT, to let time pass by. The court is ordered, by the preamble of the US CONSTITUTION: our words as WE THE PEOPLE: to protect us from this harm. To preserve freedom and the liberty to choose for ourselves. And do this now.

THEREBY the court is ORDERED: to cause this laboratory/ to cease and desist all actions/ all experiments/ all potential risk in any form: UNTIL such time as those people of this nation, can be properly informed: and make the decisions for themselves. IF THEY WILL INDEED gamble with all life on earth, for this experiment. You risk my life, nation, and world/ thereby I AM ENTITLED TO MY VOTE; the proclaimed energies they themselves have declared; are sufficient enough. WE THE PEOPLE ARE entitled to our vote, when having been duly informed: so that we know prior to a vote. That is not the case today/ and the constitution does not give authority to anyone to gamble with the nation, world, or the citizens thereof. It is against the proclaimed and agreed upon intent of the constitution, and the only variance allowed: is by vote.

An experiment is an experiment: it means "WE DON'T KNOW"! Thereby NO allowance is given/ NO credibility allowed, to those who suggest "its all safe". They don't know, or it would not be an experiment.

The court is reminded: TO ERROR, on the side of life/ NOT the potential of

death. The court is told to enforce this action either by closing/ locking the doors of this facility until this vote is taken. And by having it guarded by those who can in fact be trusted. It is a criminal act, to violate and dismiss: the fourth amendment. "The right to be secure in their persons, houses, papers, and effects against UNREASONABLE searches and seizures. Seizing the potential to so this nation great harm: is indeed a critical violation of the intent and purposes of this constitution, for this United States of America.

James F. Osterbur