

**Superior Court of California**  
COUNTY OF CONTRA COSTA  
COURTHOUSE  
725 COURT STREET  
P.O. BOX 911  
MARTINEZ, CA 94553-0091

OAKLAND  
CA 945  
07 SEP '16  
PM 9:1

Sharon Noonan Kramer  
2031 Arborwood Place  
Escondido CA 92029

92029-ES1691



# Superior Court of California

COUNTY OF CONTRA COSTA  
725 COURT STREET  
P.O. BOX 911  
MARTINEZ, CA 94553-0091



September 6, 2016

Sharon Noonan Kramer  
2031 Arborwood Place  
Escondido CA 92029

Dear Ms. Kramer,

This is to respond to your letter of August 15, 2016 regarding the contempt proceedings involving Joseph Sweeney in Case No. D13-01648. I am the Presiding Judge of the Contra Costa Superior Court. Upon receipt of your letter I reviewed this entire file and reviewed the transcript of the August 12 and August 16 court hearings.

At the outset let me note the limited nature of my inquiry. Your complaint primarily objects to the merits of decision by Judge Mills to sentence Mr. Sweeney to jail time. I am not permitted to overturn decisions of other judges or commissioners simply because I might disagree with the substance of their decisions. If a party believes that a judge has reached a decision in error, the proper course of action is to seek relief in the Appellate Court. I am limited to reviewing the case to see if the bench officer was guilty of any misconduct. In reviewing this matter, I do not find that any misconduct has occurred.

The contempt proceedings at issue were initiated by the opposing party in this case in December of 2015, not by the court. Although such matters are often resolved by the parties without a hearing, Mr. Sweeney's case did not resolve and a hearing was required to be conducted by Judge Mills. Mr. Sweeney was represented by counsel throughout the proceedings. A full evidentiary hearing took place and Judge Mills was engaged and respectful throughout. In reviewing the transcript I saw nothing to indicate that Judge Mills was biased or prejudiced against Mr. Sweeney or that he committed any ethical transgressions. I should note that this contempt proceeding was not coercive in nature as you indicate in your letter. It was punitive contempt for violations of a court order pursuant to CCP 1218.

Very truly yours,

A handwritten signature in black ink, appearing to read "S. K. Austin".

Steven K. Austin  
Presiding Judge of the Superior Court