

SUPERIOR COURT FOR THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN DIEGO, NORTH DISTRICT

RICHARD SHAPIRO,

Petitioner

v.

THE CITY OF CARLSBAD, et al.,

Respondent

CASE NO. 37-2010-00060267-CU-CR-NC

Second DECLARATION OF SHARON NOONAN  
KRAMER IN SUPPORT OF PLAINTIFF RICHARD  
SHAPIRO'S CLAIM OF JUDICIAL MISCONDUCT  
& BIAS BY THOMAS P. NUGENT CAUSING  
INABILITY TO ADMINISTER JUSTICE & NEED  
FOR DISQUALIFICATION

Hon. Thomas P. Nugent Presiding, Dept. 30:

This Declaration in support of the need for Honorable Judge Nugent, "INSTANT JUDGE" to be disqualified from "SHAPIRO V. CITY OF CARLSBAD"; the documents referenced; and exhibits attached may be read online at ContemptOfCourtFor.Me. Short link: <http://wp.me/p20mAH-gl> Links may open slowly.

**Second Declaration of Sharon Noonan Kramer**

I, Sharon Noonan Kramer, reside at 2031 Arborwood Place in Escondido, California. If called to witness in the matters of SHAPIRO v. CITY OF CARLSBAD<sup>1</sup> and/or "SHAPIRO v. SHAPIRO"<sup>2</sup>, and/or Federal SHAPIRO v. CITY OF CARLSBAD, I could and would testify under oath as follows:

1. For good cause because of event that have occurred in Department 30 between March 9 and May 17, 2012; and in the Federal case of SHAPIRO v. CITY OF CARLSBAD on May 1, 2012<sup>3</sup>; I am concerned for the physical safety of Mr. Richard "SHAPIRO" should the INSTANT JUDGE keep jurisdiction of the above named Superior court cases, hereby jointly referred to as "SHAPIRO v. CITY OF CARLSBAD".

2. On May 4, 2012 I submitted a declaration in support of SHAPIRO's motion for disqualification in which I stated with regard to the need for INSTANT JUDGE's disqualification "**A person aware of the facts might reasonably entertain a doubt that the judge would be able to be impartial**".

<sup>1</sup> RICHARD SHAPIRO V. CITY OF CARLSBAD Case No. 37-2010-00060267-CU-CR-NC Hon. Thomas P. Nugent

<sup>2</sup> RICHARD SHAPIRO v. JUDY SHAPIRO Case No. 37-2009-00056400-CU-MC-NC Hon. Thomas P. Nugent

<sup>3</sup> May 1, 2012, Federal SHAPIRO v. CITY of CARLSBAD et al, <http://freepdfhosting.com/e2fa0f1e0e.pdf>

1 . (Attached hereto as **Exhibit 1** is the evidence SHAPIRO submitted my declaration to INSTANT  
2 JUDGE on May 4, 2012)

3 3. On May 17, 2012, I read INSTANT JUDGE's "VERIFIED ANSWER" OF HON. THOMAS P.  
4 NUGENT TO PLAINTIFF RICHARD SHAPIRO'S RENEWED: MOTION TO DISQUALIFY INSTANT  
5 JUDGE PURSUANT TO CCP 170.1.(a)(6)(A)(i),(ii), (iii), (B) dated May 14, 2012.

6 4. The VERIFIED ANSWER of INSTANT JUDGE states on page 2, line 12, item 6, "***I know of***  
7 ***no facts or circumstances that would require my disqualification or recusal in the case***".  
8

9 5. In my May 4<sup>th</sup> declaration, I stated and provided the direct evidence that INSTANT JUDGE  
10 demonstrated bias toward SHAPIRO when he told me on March 9, 2012 that "**NO MATTER WHAT, YOU**  
11 **DON'T WANT TO SPEND A LOT OF TIME WITH MR. SHAPIRO. HE'S DISTURBED...**"; and then INSTANT  
12 JUDGE proceeded to sentence me to jail for refusing to be coerced to commit criminal perjury and  
13 sign a fraudulent document that was submitted to INSTANT JUDGE on February 10, 2012 by plaintiff  
14 counsel, KEITH "SCHEUER" in the matter of KELMAN v. KRAMER<sup>4</sup>. I attached the transcript of  
15 March 9, 2012 to my May 4<sup>th</sup> declaration as Exhibit 4. (Attached hereto as **Exhibit 2** is the March 9,  
16 2012 transcript from KELMAN v. KRAMER in which INSTANT JUDGE deemed SHAPIRO "disturbed"  
17 and then incarcerated me for refusing to be coerced to commit perjury)

18 6. My required signature under penalty of perjury to avoid incarceration would have absolved  
19 seven years of judicial, clerk, attorney and plaintiff misconduct in litigations impacting public health,  
20 public health policy and literally billions of dollars in insurer fraud over the past seven years.

21 7. INSTANT JUDGE attempted to coerce me to sign the document that stated I do not believe  
22 Plaintiff BRUCE "KELMAN" commit perjury, when the direct evidence is extensive in INSTANT  
23 JUDGE's case file that KELMAN did commit perjury to establish manufactured theme for malice and  
24 all his judicial peers to oversee KELMAN & GLOBALTOX v. KRAMER<sup>5</sup> suppressed the evidence.  
25

26  
27 <sup>4</sup> Bruce J. Kelman v. Sharon Kramer, Case No. 37-2010-00061530-CU-DF-NC Hon. T. P. Nugent "presiding"

28 <sup>5</sup> BRUCE J. KELMAN & GLOBALTOX, INC., v. SHARON KRAMER Case No.GIN044539, Five  
superior & six appellate court jurists presiding 2005 to 2011 <http://freepdfhosting.com/99805ff490.pdf>

1 8. INSTANT JUDGE required I be coerced into apologizing for being framed for libel with actual  
2 malice by the courts and then gagged by INSTANT JUDGE from writing of the unlawful misconduct.

3 9. Specifically, on March 9, 2012, INSTANT JUDGE was trying to coerce me to sign the below  
4 fraudulent statements under penalty of perjury of:

5 *"It was not my intention in writing the press release to state or imply that Dr. Kelman had*  
6 *committed perjury. **I do not believe that Dr. Kelman committed perjury.** I apologize to*  
7 *Dr. Kelman and his colleagues at Veritox, Inc for all statements that I have made that stated*  
8 *or implied otherwise. I sincerely regret any harm or damage that I may have caused. I*  
*declare under penalty of perjury under the laws of the State of California that the foregoing*  
*is true and correct. Executed on February 10, 2012 at Vista, California."*

9 10.. On April 5, 2012, INSTANT JUDGE falsified my Sheriff Department record to state he had  
10 lawfully incarcerated me for civil contempt of court under CCP1218(a) and attached the January 19,  
11 2012 ORDER & JUDGMENT FOR CONTEMPT OF COURT as false exhibit of why INSTANT JUDGE  
12 had me incarcerated. FALSE I was incarcerated by INSTANT JUDGE for refusing to be coerced to  
13 sign the fraudulent document submitted to INSTANT JUDGE by SCHEUER on February 10, 2012.

14 11. At the time INSTANT JUDGE had me incarcerated and falsified my Sheriff Department record  
15 to state I was incarcerated under CCP1218(a); INSTANT JUDGE was aware I could not comply with  
16 his January 19, 2012 Contempt Order because website owners refused to take the direct evidence off  
17 of the Internet of INSTANT JUDGE et. al. colluding to defraud the public by what they have been  
18 doing to me for now seven years.<sup>6</sup>

19  
20 12. On March 9, 2012, my matter was heard directly after SHAPIRO's. In INSTANT JUDGE's  
21 VERIFIED ANSWER, he implies he had someone from the Sheriff Department in his courtroom on  
22 March 9, 2012, because of the SHAPIRO case and SHAPIRO's behavior.

23 13. This is false. INSTANT JUDGE had four sheriffs in the room to intimidate ME into coerced  
24 perjury, with a female sheriff standing closely behind me as I spoke on March 9, 2012. INSTANT  
25 JUDGE told me my only two choices were to be taken into custody immediately or report myself on  
26

27  
28 <sup>6</sup> Declarations of website owners Kevin Carstens & Crystal Stuckey; and declaration of Dr. Lorna Schwarz  
submitted to INSTANT JUDGE on February 10, 2012, <http://freepdfhosting.com/e3589ba4f7.pdf>

1 March 12, 2012, when I refused to sign the fraudulent document containing the sentence, **I do not**  
2 **believe that Dr. Kelman committed perjury,** under penalty of perjury.

3 14. On July 15, 2011, in oral argument INSTANT JUDGE used vulgar and obscene language by  
4 stating it was “frivolous” all prior courts suppressed the evidence that KELMAN committed perjury.

5 15. On May 2, 2011 INSTANT JUDGE had enjoined me from being able to write of how  
6 KELMAN’s perjury and SCHEUER’s suborning of it, was used to frame me for libel with actual malice  
7 for the words, “altered his under oath statements” and its continued adverse impact on the health and  
8 safety of the US public – which is a vulgar, obscene and unlawful act by INSTANT JUDGE – with no  
9 jurisdiction. (SCHEUER then mailed INSTANT JUDGE’s enjoinder via the postal service, interstate,  
10 to threaten Texas blog owner, Crystal Stuckey with litigation should she publish want INSTANT  
11 JUDGE et.al., have done and continue to do.)

12 16. In my May 4, 2012 declaration, I accurately stated that **SHAPIRO witnessed** INSTANT  
13 JUDGE state on April 12, 2012, that INSTANT JUDGE understands it does not even have jurisdiction  
14 in the case. (because the judgment document and remittitur from the prior case, KELMAN &  
15 GLOBALTOX v. KRAMER, are fraudulent) I attached the transcript of April 12, 2012 as Exhibit 2 to  
16 my May 4, 2012 declaration in support of INSTANT JUDGE’s disqualification and showing INSTANT  
17 JUDGE knows SHAPIRO witnessed this, along with my statement that uncontroverted evidence of  
18 KELMAN’s perjury is all over vulgar and obscene language using INSTANT JUDGE’s case file.

19 17. In my May 4, 2012 declaration, I stated that on April 27, 2012, I witnessed INSTANT JUDGE  
20 produce, direct and perform theatrics in his courtroom before a packed captive audience to give a  
21 false portrait of SHAPIRO being criminally “disturbed” while again using the Sheriff Department as  
22 stage props and as a prelude to act II, i.e., tampering with my witness to INSTANT JUDGE’s unlawful  
23 and obscene actions and words which are aiding to harm the lives of thousands.

24 18. This retaliatory and character assassinating courtroom theatrics of April 27, 2012 to portray  
25 SHAPIRO in false light occurred *after* SHAPIRO submitted the transcript of March 9, 2012 from  
26 KELMAN v. KRAMER, as a reason for disqualification for bias and in which INSTANT JUDGE is  
27  
28

1 evidenced to state SHAPIRO is “disturbed” as INSTANT JUDGE then sentence me to jail for refusing  
2 to be coerced into criminal perjury to aid INSTANT JUDGE et.al., to continue to defraud the public.

3 19. INSTANT JUDGE’s courtroom theatrics of April 27, 2012 occurred *after* SHAPIRO witnessed  
4 INSTANT JUDGE state on April 12, 2012 that INSTANT JUDGE understands he does not have  
5 jurisdiction (because the judgment document from KELMAN & GLOBALTOX v. KRAMER, submitted  
6 as the sole foundation for KELMAN v. KRAMER by SCHEUER on November 4, 2010, is known to  
7 INSTANT JUDGE to be fraudulent, inconsistent with the jury verdict and inconsistent with the Abstract  
8 of Judgment obtained by the same attorney, SCHEUER).

9 20. I stated in my declaration of May 4, 2012 that I was **“gravely concerned for Mr. Shapiro’s**  
10 **physical safety”** because of what INSTANT JUDGE is doing in KELMAN v. KRAMER – with no  
11 jurisdiction - that is unlawfully aiding to continue to defraud the public and that SHAPIRO has  
12 witnessed.

13 21. Because of the magnitude of the fraud, the positions of many involved (including ex Chair of  
14 the Commission on Judicial Performance & ex Chair of the Executive Committee of the Judicial  
15 Council); and my first hand knowledge that INSTANT JUDGE has no qualms of causing bodily harm  
16 or attempting to deem someone mentally incompetent to conceal the evidence of his and others’  
17 misconduct; **I state now that I am gravely concerned for Mr. Shapiro’s physical safety should**  
18 **INSTANT JUDGE have the ability to tamper with my witness, Mr. Shapiro, and the ability to**  
19 **cause him bodily harm and false imprisonment by keeping jurisdiction over SHAPIRO v. CITY**  
20 **OF CARLSBAD.**

21 22 (Attached hereto as **Exhibit 3**, is a portion of the January 6, 2012, Civil Contempt of Court  
22 hearing in KELMAN v. KRAMER in which INSTANT JUDGE is evidenced to be conspiring with the  
23 public defender adviser he assigned to me (not my legal counsel) and SCHEUER, to have me  
24 charged with a misdemeanor so he could “*get me downtown to the psych unit*” for a mental status  
25 evaluation under Penal Code 1368 and deem me incompetent to speak of the massive fraud of which  
26 INSTANT JUDGE is unlawfully involved. (I currently have a misdemeanor on my sheriff record and  
27 civil contempt – when in reality, I was incarcerated for refusing to be coerced into criminal activity).  
28

1 23. Attached hereto as **Exhibit 4**, is the mental status evaluation of me by Dr. Lorna Schwarz,  
2 January 21, 2012 (see fn 5, pdf pgs 21-26). Upon reading the transcript of the Contempt of Court  
3 hearing – that I attended by declaration for fear of bodily harm from INSTANT JUDGE<sup>7</sup> - I felt it was  
4 necessary to have this evaluation performed to thwart INSTANT JUDGE's et al.'s only defense for  
5 their criminal behavior, i.e. that I must be disturbed . Dr. Schwarz deems me more than mentally  
6 incompetent and a superior problem solver [**Emphasis added, NOTE THE PATTERN OF INSTANT**  
7 **JUDGE WHEN CAUGHT IN JUDICIAL MISCONDUCT OF SUPPRESSING EVIDENCE OF**  
8 **PERJURY, ETC]**

9 24. Directly stated, the evidence is undeniable that INSTANT JUDGE is a bold faced liar with the  
10 verified statement of, ***"I know of no facts or circumstances that would require my***  
11 ***disqualification or recusal in the case"***.

12 25. INSTANT JUDGE needs to be disqualified to prevent him from witness tampering to conceal  
13 judicial misconduct in KELMAN v. KRAMER, while endangering the health and safety of Mr. Richard  
14 Shapiro.

15 26. Canon of Judicial Ethics 3(D)1 states, *"D. Disciplinary Responsibilities (1) Whenever a judge*  
16 *has reliable information that another judge has violated any provision of the Code of Judicial Ethics,*  
17 *the judge shall take or initiate appropriate corrective action, which may include reporting the violation*  
18 *to the appropriate authority."*

19 27. I have no qualms of stating and providing the direct evidence that INSTANT JUDGE is a  
20 menace to society and a physical threat to litigants who appear before him. He is clearly evidenced to  
21 have unlawfully forsaken his sworn oath to uphold the Constitution.  
22  
23  
24  
25  
26


27 <sup>7</sup> Sharon Kramer appearance by Declaration, January 6, 2012 Contempt of Court hearing & stating fear of physical  
28 harm from INSTANT JUDGE because of all the evidence of collusion to defraud & malicious litigation he is concealing.  
<http://freepdfhosting.com/bb20504ec0.pdf>

1 28. As Assistant Presiding Judge of the San Diego Superior Court, Judge Danielson, who now has  
2 superior knowledge of what is really occurring in Department 30 of the North San Diego Superior  
3 Court, also now has a legal duty and ethical obligation to report INSTANT JUDGE's unlawful actions  
4 in KELMAN v. KRAMER and SHAPIRO v. THE CITY OF CARLSBAD to the proper authorities for  
5 disciplinary actions. (one such proper authority would be the dysfunctional Commission on Judicial  
6 Performance<sup>8</sup>.)  
7

8 29. Judicial Code of Ethics, Canon 3(D)(2) states "*Whenever a judge has personal knowledge*  
9 *that a lawyer has violated any provision of the Rules of Professional Conduct, the judge shall take*  
10 *appropriate corrective action.*  
11

12 30. As Assistant Presiding Judge of the San Diego Superior Court, Judge Danielson, who now  
13 has superior knowledge of what is really occurring in Department 30 of the North San Diego Superior  
14 Court, also now has a legal duty and ethical obligation to report SCHEUER to proper authorities for  
15 conspiring with INSTANT JUDGE in KELMAN v. KRAMER to defraud the public via malicious  
16 litigation carried out by unlawful means. (Do not bother reporting to Jill Spuber of State Bar. She has  
17 ethics violations of her own over the matter with which to contend & the file is always sent to her.)  
18

19 I declare under penalty of perjury under the laws of the State of California, that the foregoing is  
20 true and correct, and as to matters stated on information and belief, I believe those matters to be true  
21 with the evidence found extensively in this Court's case files and that this document was executed  
22 this 17<sup>th</sup> day of May, 2012, at Escondido, California.  
23

24   
25 Sharon Noonan Kramer  
26

27 <sup>8</sup> RECORDER, MAY 4, 2012 "JUDGES SAY BENCH WATCHDOG SHOULD BE ON SHORTER LEASH"  
28 [HTTP://WWW.LAW.COM/JSP/CA/PUBARTICLEFRIENDLYCA.JSP?ID=1202552062683&SLRETURN=1](http://www.law.com/jsp/ca/pubarticlefriendlyca.jsp?id=1202552062683&slreturn=1)



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>Sharon Noonan Kramer</b> <b>2031 Arborwood Place</b> <b>Escondido, CA 92029</b> TELEPHONE NO.: <b>760-746-8026</b> FAX NO. (Optional): E-MAIL ADDRESS (Optional): <b>SNK1955@aol.com</b> ATTORNEY FOR (Name):		<b>FOR COURT USE ONLY</b>          CASE NUMBER: <b>37-2010-00060267CU-CR-NC</b>  JUDGE: <b>Hon. Thomas P. Nugent</b> DEPT.: <b>30, NC Superior Court</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: <b>San Diego</b> MAILING ADDRESS: <b>220 W. Broadway 3rd Floor Dept 24</b> CITY AND ZIP CODE: <b>San Diego, California 92101</b> BRANCH NAME: <b>Assistant Presiding Judge</b>		
PLAINTIFF/PETITIONER: <b>Richard Shapiro</b> DEFENDANT/RESPONDENT: <b>The City of Carlsbad et al.,</b>		
<b>PROOF OF SERVICE—CIVIL</b> <b>Check method of service (only one):</b> <input type="checkbox"/> By Personal Service <input checked="" type="checkbox"/> By Mail <input type="checkbox"/> By Overnight Delivery <input type="checkbox"/> By Messenger Service <input type="checkbox"/> By Fax <input type="checkbox"/> By Electronic Service		

*(Do not use this proof of service to show service of a Summons and complaint.)*

- At the time of service I was over 18 years of age and **not a party to this action.**
- My residence or business address is:  
**2031 Arborwood Place, Escondido, CA 92029**
- ☐ The fax number or electronic service address from which I served the documents is *(complete if service was by fax or electronic service)*:
- On (date): **May 18, 2012** I served the following **documents** *(specify)*:  
  
**Second DECLARATION OF SHARON NOONAN KRAMER IN SUPPORT OF PLAINTIFF RICHARD SHAPIRO'S CLAIM OF JUDICIAL MISCONDUCT & BIAS BY THOMAS P. NUGENT CAUSING INABILITY TO ADMINISTER JUSTICE & NEED FOR DISQUALIFICATION**  
☐ The documents are listed in the *Attachment to Proof of Service—Civil (Documents Served)* (form POS-040(D)).
- I served the documents on the **person or persons** below, as follows:
  - Name of person served: **Richard Shapiro, Thomas Nugent, Paul Edmonson**
  - ☒ *(Complete if service was by personal service, mail, overnight delivery, or messenger service.)*  
 Business or residential address where person was served:  
**P.O. Box 2334, Carlsbad/325 S. Melrose Dr, Vista/1200 Carlsbad Village Dr., Carlsbad**
  - ☐ *(Complete if service was by fax or electronic service.)*
    - Fax number or electronic service address where person was served:
    - Time of service:☐ The names, addresses, and other applicable information about persons served is on the *Attachment to Proof of Service—Civil (Persons Served)* (form POS-040(P)).
- The documents were served by the following means *(specify)*:
  - ☐ **By personal service.** I personally delivered the documents to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.



CASE NAME: <b>SHAPIRO V. CITY OF CARLSBAD et al.,</b>	CASE NUMBER: <b>37-2010-00060267CU-CR-NC</b>
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6. b. ☒ **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 5 and (*specify one*):

- (1) ☒ deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
- (2) ☐ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at (*city and state*):

- c. ☐ **By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 5. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- d. ☐ **By messenger service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 5 and providing them to a professional messenger service for service. (*A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.*)
- e. ☐ **By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 5. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.
- f. ☐ **By electronic service.** Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed in item 5.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: May 18, 2012

Mrs. Sharon Noonan Kramer

(TYPE OR PRINT NAME OF DECLARANT)

►   
(SIGNATURE OF DECLARANT)

(If item 6d above is checked, the declaration below must be completed or a separate declaration from a messenger must be attached.)

#### DECLARATION OF MESSENGER

- ☐ **By personal service.** I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package, which was clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on (*date*):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
(NAME OF DECLARANT)

► \_\_\_\_\_  
(SIGNATURE OF DECLARANT)