

1                                   **COMPLAINT ABOUT A CALIFORNIA JUDGE,**  
2                                   **COURT COMMISSIONER OR REFEREE**

3   *Confidential under California Constitution*  
4   *Article VI, Section 18, and Commission Rule 102*

5   **Today's date: MARCH 30, 2012**

6   **Your name: RICHARD A. SHAPIRO**

7   **Your telephone number: 760 681-4926**

8   **Your address: PO BOX 2334, CARLSBAD, CA, 92018**

9   **Your attorney's name: IN PRO PER**

10   **Your attorney's telephone number: N/A**

11   **Name of judge: THOMAS P. NUGENT**

12   **Court: CALIFORNIA SUPERIOR COURT, 325 S. MELROSE DR., VISTA, CA, 92081**

13   **County: SAN DIEGO**

14   **Name of case and case number:**  
15   **SHAPIRO V. CARLSBAD, 37-2010-00060267-CU-CR-NC, AND**  
16   **SHAPIRO V. SHAPIRO, 37-2009-00056400-CU-MC-NC**

17   **Please specify what action or behavior of the judge, court commissioner or referee is the basis of**  
18   **your complaint. Provide relevant dates and the names of others present.**

19   **THE FOLLOWING INCIDENT PROCEEDINGS WERE HELD IN OPEN COURT, AT**  
20   **VISTA, CALIFORNIA, FRIDAY, 3-9-2012; 1:30 P.M., IN DEPARTMENT 30**

21   **ATTACHED TRANSCRIPT CERTIFIED BY LESLIE G. MAST, OFFICIAL COURT**  
22   **REPORTER, CSR NO. 3363**

23  
24   **1. RELEVANT PORTIONS OF TRANSCRIPT SHOWING DIRECT VIOLATION OF**  
25   **THE JUDICIAL COUNCIL'S OWN POLICY ON PROPER, APPROPRIATE AND**  
26   **RELEVANT JUDICIAL OFFICER CONDUCT AND ITS OBLIGATION TO DESIST**  
27   **CONDUCTING EX-PARTE COMMUNICATION WITHOUT FORMAL CHANNELS**  
28   **FOR SUCH SO TAKEN.**

27   **(SEE: EXHIBIT A) FULL TRANSCRIPT CONTAINING THE FOREGOING**  
28   **STATEMENT BY JUDGE THOMAS P. NUGENT:**

1 **2. THE COURT: “YOU DON'T WANT TO DO THAT. NO**  
2 **MATTER WHAT, YOU DON'T WANT TO SPEND A LOT OF TIME**  
3 **WITH MR. SHAPIRO. HE'S DISTURBED, IT SEEMS TO ME,**  
4 **AT THE WORLD. IT'S UNFORTUNATE BUT THAT'S THE WAY**  
5 **IT IS.” (9:25-10:1)**

6 **3. THIS COURT APPARENTLY EQUATES FREE SPEECH WITH A MENTAL ILLNESS,**  
7 **NOT UNLIKE RED-CHINA OR COMMUNIST RUSSIA WHERE UNAUTHORIZED**  
8 **THOUGHT AND SPEECH IS A CRIME. THE FOLLOWING (EXHIBIT B) IS THE FULL**  
9 **TRANSCRIPT OF THE FOLLOWING EXERPTS FROM ANOTHER LITIGANT, SHARON**  
10 **KRAMER, WHO DARES TO STATE WHAT SHE KNOWS TO BE TRUE, AT ALL COST TO**  
11 **HERSELF, ON AN IMPORTANT PUBLIC ISSUE, “HEALTH,” AND THIS JUDGE DOESN’T**  
12 **MERELY FINE HER A CIVIL SANCTION (IN A CIVIL PROCEEDING) VIA ANY**  
13 **INJUNCTION IN PLACE, BUT FINDS HER IN CRIMINAL CONTEMPT OF COURT FOR**  
14 **EXERCISING HER FIRST AMENDMENT RIGHTS, AND SENDS HER TO JAIL FOR FIVE**  
15 **DAYS, AND HE SEEMS TO BE ATTEMPTING VIA ANY AVENUE TO EITHER HAVE HER**  
16 **PSYCHIATRICALY EXAMINED BY FORCE, OR COMMITED. THIS IS A STUNNING**  
17 **OUTRAGE AND MUST BE STOPPED FORTHWITH.**

18 **4. EXCERPTS: (3:1-2), (3:16-17), (4:4-5),(4:8-9), (4:19-23), (6:8-12), et al.**

19 **5. (EXHIBIT C) THE FULL TRANSCRIPT OF EXCERPTS BELOW SHOWING SAID**  
20 **LITIGANT, SHARAN KRAMER, REFERING 1) TO ME AS A “DISTURBED” INDIVIDUAL**  
21 **BY JUDGE THOMAS NUGENT, AND NOT TO BE “ASSOCIATED WITH,” AND 2) HIS**  
22 **CLEAR (BETWEEN THE LINES) INTIMATIONS THAT BEING AN IN PRO SE LITIGANT**  
23 **MEANS ONE IS MENTALLY ILL AND NOT WORTHY OF GRACING HIS COURT. AS**  
24 **WELL, AN INVOLUNTARY COURT ORDERED COUNSEL FOR SAID LITIGANT ONLY**  
25 **MANIFESTLY RESULTED IN SAID COUNSEL’S FURTHERING THE COURT’S**  
26 **ATTEMPTS AT GETTING HER FORCEFULLY EXAMINED, COMMITED OR JAILED**  
27 **FOR HER EXERCISING HER FREE SPEECH AND PETITION RIGHTS GUARANTEED BY**  
28 **THE UNITED STATES CONSTITUTION.**

**6. EXCERPTS: (7:20-8:12), et al.**

**7. A LAST MINUTE SUPPLEMENT WILL BE INCLUDED AS (EXHIBIT D) WITH THIS**  
**COMPLAINT OUTLINING SPECIFIC JUDICIAL COUNCIL ETHICS VIOLATIONS**  
**HEREIN OCCURRING, IF I RECEIVE THEM TOMORROW, MARCH 30, 2012, BEFORE I**  
**MUST MAIL THIS COMPLAINT OFF.**

1 **8. THIS JUDGE HAS MADE ONE PREJUDICIAL DECISION AFTER ANOTHER IN BOTH**  
2 **MY AFOREMENTIONED CASES BEFORE HIM, DUE TO TWO REASONS: I'M AN IN PRO**  
3 **PER, AND I SPEAK MY "UNFETTERED" MIND, TITLE AND AUTHORITY BE DAMNED.**  
4 **THIS COMMENT IS CONCLUSIVE EVIDENCE THAT THIS JUDGE IS NOT SITTING IN**  
5 **IMPARTIALITY, BUT IS RULING FROM A PERSONAL AGENDA OF WHAT IS JUSTICE,**  
6 **AND WHO DESERVES TO ENJOY IT.**

7  
8 **9. I WISH THIS JUDGE BE REMOVED FROM OFFICE. IN THE ALTERNATIVE, HE BE**  
9 **REMOVED FROM BOTH MY AFOREMENTIONED CASES. AND IN THE LAST**  
10 **ALTERNATIVE, HE BE DISCIPLINED FOR HIS EGREGIOUS IMPROPER CONDUCT.**

11  
12 **I DECLARE, UNDER THE PENALTY OF PERJURY, OF THE LAWS OF THE STATE OF**  
13 **CALIFORNIA, THAT THE FOREGOING IS TRUE AND CORRECT ACCORDING TO MY**  
14 **KNOWLEDGE AND BELIEF:**

15  
16 \_\_\_\_\_  
17 **RICHARD A. SHAPIRO, PLAINTIFF, IN PRO PER**

18  
19 \_\_\_\_\_  
20 **DATED:**

21  
22 **Return to: Commission on Judicial Performance**  
23 **455 Golden Gate Avenue, Suite 14400**  
24 **San Francisco, California 94102**  
25 **Telephone: (415) 557-1200**  
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27 **6/09**  
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