



**BEFORE THE BOARD OF DISCIPLINARY APPEALS  
APPOINTED BY  
THE SUPREME COURT OF TEXAS**

**IN THE MATTER OF** §  
**DAWN DARICE HANDY** § **CAUSE NO. 50075**  
*State Bar of Texas Card No. 24002223* §

**JUDGMENT OF DISBARMENT**

On the 27th day of July 2012, the above-styled and numbered disciplinary action was called for hearing before the Board of Disciplinary Appeals. Petitioner appeared by attorney and announced ready. Respondent, Dawn Darice Handy, although duly cited to appear, failed to appear and wholly made default. All matters of fact as well as all matters of law were submitted to the Board of Disciplinary Appeals for determination. Having considered the pleadings on file, having received evidence, and having heard the argument of counsel, the Board of Disciplinary Appeals is of the opinion that Petitioner is entitled to entry of the following findings and orders:

**Findings of Fact.** The Board of Disciplinary Appeals finds that:

- (1) Respondent, Dawn Darice Handy, State Bar Card Number 24002223, is licensed but not currently authorized to practice law in the State of Texas by the Supreme Court of Texas.
- (2) On or about April 13, 2006, Dawn Darice Rhoden was charged by Complaint with Fraudulent Possession of a Controlled Substance or Prescription III/IV in Case No. 1018104 in the 396th District Court of Tarrant County, Texas.
- (3) Dawn Darice Rhoden was charged by Indictment with Fraudulent Possession of a Controlled Substance or Prescription III/IV in Case No. 1018104D in the 396th District Court of Tarrant County, Texas.

- (4) On or about April 20, 2007, an Unadjudicated Judgment on Plea of Guilty or Nolo Contendere and Suspending Imposition of Sentence was entered in Case No. 1018104D, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas, wherein Respondent pled guilty to Fraudulent Possession of a Controlled Substance or Prescription, Namely: Dihydrocodeinone (Hydrocodone), a third degree felony. Respondent was sentenced to community supervision for a term of five (5) years.
- (5) On or about April 20, 2007, Conditions of Community Supervision were entered in Case No. 1018104, styled *The State of Texas v. Dawn Darice Rhoden*, in the Criminal District Court No. Two of Tarrant County, Texas.
- (6) On or about April 20, 2007, a Supplement/Amendment to Conditions of Community Supervision Prescription was entered in Case No. 1018104, styled *The State of Texas v. Dawn Darice Rhoden*, in the Criminal District Court No. Two of Tarrant County, Texas.
- (7) On or about November 15, 2007, a Supplement/Amendment to Conditions of Community Supervision Mentally Impaired Offenders was entered in Case No. 1018104, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (8) On or about November 15, 2007, a Supplement/Amendment to Conditions of Community Supervision was entered in Case No. 1018104, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (9) On or about November 5, 2008, a Supplement/Amendment to Conditions of Community Supervision was entered in Case No. 1018104, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (10) On or about January 9, 2009, a Supplement/Amendment to Conditions of Community Supervision was entered in Case No. 1018104, styled *The State of Texas v. Dawn Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (11) On or about July 29, 2009, Dawn Darice Rhoden was charged by Complaint with Fraudulent Possession of a Controlled Substance or Prescription I/II in Case No. 1166830 in the 396th District Court of Tarrant County, Texas.
- (12) On or about September 25, 2009, Dawn Darice Rhoden was charged by Indictment with Fraudulent Possession of a Controlled Substance or

Prescription I/II in Case No. 1166830D in the 396th District Court of Tarrant County, Texas.

- (13) On or about October 1, 2009, a Supplement/Amendment to Conditions of Community Supervision Substance Abuse Felony Punishment Facility (SAFPF) was entered in Case No. 1018104D, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (14) On or about November 2, 2009, an Order of Deferred Adjudication entered in Case No. 1166830D, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas, wherein Respondent pled nolo contendere to Possession of a Controlled Substance by Fraud, namely: Zolpidem, a third degree felony. Respondent was sentenced to community supervision for a term of five (5) years and SAFPF as a condition of probation.
- (15) On or about November 2, 2009, a Conditions of Community Supervision were entered in Case No. 1166830, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (16) On or about November 2, 2009, a Supplement/Amendment to Conditions of Community Supervision Substance Abuse Felony Punishment Facility was entered in Case No. 1166830D, styled *The State of Texas v. Dawn Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (17) On or about November 2, 2009, a Supplement/Amendment to Conditions of Community Supervision Prescription was entered in Case No. 1166830, styled *The State of Texas v. Dawn D. Rhoden*, in the District Court of Tarrant County, Texas.
- (18) On or about August 16, 2010, an Order Releasing from Substance Abuse Felony Punishment Facility was entered in Case No. 1018104D, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (19) On or about August 16, 2010, an Order Releasing from Substance Abuse Felony Punishment Facility was entered in Case No. 1166830D, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (20) On or about January 6, 2011, a Supplement/Amendment to Conditions of Community Supervision was entered in Case No. 1018104/1166830, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas.

- (21) On or about January 20, 2011, a Supplement/Amendment to Conditions of Community Supervision was entered in Case No. 1018104/1166830, styled *The State of Texas v. Dawn Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (22) On or about March 3, 2011, a Supplement/Amendment to Conditions of Community Supervision was entered in Case No. 1018104/1166830, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (23) On or about April 21, 2011, a Supplement/Amendment to Conditions of Community Supervision was entered in Case No. 1018104/1166830, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas.
- (24) On or about July 25, 2011, a Judgment Adjudicating Guilt was entered in Case No. 1018104D, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas, convicting Respondent of Fraudulent Possession of a Controlled Substance or Prescription, namely: Dihydrocodeinone (Hydrocodone) and sentencing Respondent to five (5) years in the Institutional Division of the Texas Department of Criminal Justice.
- (25) On or about July 25, 2011, a Judgment Adjudicating Guilt was entered in Case No. 1166830D, styled *The State of Texas v. Dawn Darice Rhoden*, in the 396th District Court of Tarrant County, Texas, convicting Respondent of Possession of a Controlled Substance by Fraud, namely: Zolpidem and sentencing Respondent to five (5) years in the Institutional Division of the Texas Department of Criminal Justice.
- (26) Respondent, Dawn Darice Handy, is the same person as the Dawn Darice Rhoden, who is the subject of the Judgments described above.

**Conclusions of Law.** Based upon the foregoing findings of fact the Board of Disciplinary

Appeals makes the following conclusions of law:

- (1) This Board has jurisdiction to hear and determine this matter. Tex. R. Disciplinary P. 7.08(G) ("TRDP").
- (2) Respondent, Dawn Darice Handy, has been convicted for purposes of TRDP 8.04 of intentional crimes as defined by TRDP 1.06(T). Such crimes are as well serious crimes as defined by TRDP 1.06(Z).
- (3) The convictions are final. Respondent, Dawn Darice Handy, therefore, should

be disbarred. TRDP 8.05.

It is, accordingly, ORDERED, ADJUDGED, AND DECREED that Respondent, Dawn Darice Handy, State Bar Card No. 24002223, be and she is hereby DISBARRED from the practice of law in the State of Texas and her license to practice law in this state be and is hereby revoked.

It is further ORDERED, ADJUDGED and DECREED that Respondent, Dawn Darice Handy, is hereafter permanently prohibited, effective immediately, from practicing law in Texas, holding herself out as an attorney at law, performing any legal service for others, accepting any fee directly or indirectly for legal services, appearing as counsel or in any representative capacity in any proceeding in any Texas court or before any Texas administrative body, or holding herself out to others or using her name, in any manner, in conjunction with the words "attorney," "counselor," or "lawyer."

It is further ORDERED that Respondent, Dawn Darice Handy, shall notify in writing, no later than thirty (30) days from the date of this Order, each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent, Dawn Darice Handy, has any legal matter pending, if any, of her disbarment, of the style and cause number of the pending matter(s), and of the name, address, and telephone number of the client(s) Respondent is representing in that court. Respondent is also ORDERED to mail copies of all such notifications to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Dawn Darice Handy, shall immediately notify each of her current clients and opposing counsel, if any, in writing, of her disbarment. In addition to such notification, Respondent is ORDERED to return all files, papers, unearned fees paid in advance, and all other monies and properties which are in her possession but which belong to current or former clients, if any, to those respective clients or former clients within thirty (30) days after the date on

which this Judgment is signed by the Board. Respondent is further ORDERED to file with this Board, within the same thirty (30) days, an affidavit stating that all current clients and opposing counsel have been notified of her disbarment and that all files, papers, unearned fees paid in advance, and all other monies and properties belonging to clients and former clients have been returned as ordered herein. If Respondent should be unable to return any file, papers, money or other property to any client or former client, Respondent's affidavit shall state with particularity the efforts made by Respondent with respect to each particular client and the cause of her inability to return to said client any file, paper, money or other property. Respondent is also ORDERED to mail a copy of said affidavit and copies of all notification letters to clients, to the Statewide Compliance Monitor, Office of the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Capitol Station, Austin, Texas 78711.

It is further ORDERED that Respondent, Dawn Darice Handy, immediately surrender her Texas law license and permanent State Bar Card to the Chief Disciplinary Counsel, State Bar of Texas, P.O. Box 12487, Austin, Texas 78711, for transmittal to the Clerk of the Supreme Court of Texas.

It is further ORDERED that a certified copy of the Petition for Compulsory Discipline on file herein, along with a copy of this Judgment, be sent to the Chief Disciplinary Counsel of the State Bar of Texas, P.O. Box 12487, Austin, Texas 78711.

Signed this 30<sup>th</sup> day of July 2012.

  
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CHAIR PRESIDING