

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2695 Disciplinary Docket No. 3
: :
Petitioner : No. 72 DB 2019
: :
v. : Attorney Registration No. 312859
: :
RHASHEA LYNN HARMON, : (Philadelphia)
: :
Respondent :

ORDER

PER CURIAM

AND NOW, this 13th day of July, 2020, upon consideration of the Report and Recommendations of the Disciplinary Board, Rhashea Lynn Harmon is disbarred from the practice of law in this Commonwealth. Respondent shall comply with all the provisions of Pa.R.D.E. 217 and shall pay costs to the Disciplinary Board. See Pa.R.D.E. 208(g).

A True Copy Patricia Nicola
As Of 07/13/2020

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL	:	No. 72 DB 2019
Petitioner	:	
	:	
v.	:	Attorney Registration No. 312859
	:	
RHASHEA LYNN HARMON	:	
Respondent	:	(Philadelphia)

REPORT AND RECOMMENDATIONS OF
THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES
OF THE SUPREME COURT OF PENNSYLVANIA:

Pursuant to Rule 208(d)(2)(iii) of the Pennsylvania Rules of Disciplinary Enforcement, the Disciplinary Board of the Supreme Court of Pennsylvania (“Board”) herewith submits its findings and recommendations to your Honorable Court with respect to the above-captioned Petition for Discipline.

I. HISTORY OF PROCEEDINGS

By Petition for Discipline filed on April 16, 2019, Petitioner, Office of Disciplinary Counsel, charged Respondent, Rhashea Lynn Harmon, with professional misconduct based on allegations that she engaged in criminal conduct, filed a frivolous federal civil rights lawsuit and fraudulent tax documents, engaged in the unauthorized practice of law while on administrative suspension, and failed to cooperate with Petitioner’s investigation. On May 23, 2019, Respondent was personally served with the Petition for Discipline. Respondent failed to file an Answer.

The Board referred this matter to a District I Hearing Committee. On August 12, 2019, the Committee Chair held a prehearing conference, at which Respondent failed to appear. On September 19, 2019, the Committee conducted a disciplinary hearing. Again, Respondent failed to appear. Petitioner presented the testimony of three witnesses and introduced exhibits ODC-1 through ODC-62, which were admitted into evidence. At the conclusion of Petitioner's case, the record was closed.

On October 15, 2019, Petitioner filed a brief to the Committee and recommended that Respondent be disbarred. Respondent did not file a brief.

By Report filed on December 27, 2019, the Committee concluded that Respondent violated the Rules of Professional Conduct and Pennsylvania Rules of Disciplinary Enforcement as charged in the Petition for Discipline, and recommended that she be disbarred from the practice of law. The parties did not take exception to the Committee's Report and recommendation.

The Board adjudicated this matter at the meeting on April 22, 2020.

II. FINDINGS OF FACT

The Board makes the following findings:

1. Petitioner, Office of Disciplinary Counsel, is invested pursuant to Pa.R.D.E. 207, with the power and duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the Rules of Disciplinary Enforcement.

2. Respondent, Rhashea Lynn Harmon, was born in 1976 and was admitted to practice law in the Commonwealth of Pennsylvania in 2012. Pet. For Discipline, at ¶2.

3. Respondent's last attorney registration mailing address is: RLH Ma'at Law Office, P.O. Box 7446, Philadelphia, Pennsylvania 19101. Pet. For Discipline, at ¶2; ODC-3.

4. Respondent's last known office address is: The Philadelphia Building, 1315 Walnut Street, Suite 320, Philadelphia, Pennsylvania 19107. ODC-1; N.T. at 19-21.

5. By Order of the Supreme Court of Pennsylvania dated September 26, 2017, effective October 26, 2017, Respondent was placed on administrative suspension pursuant to Pa.R.D.E. 217(d), for failing to pay her annual attorney registration fee. Pet. For Discipline, at ¶2; ODC-45.

6. Respondent failed to file a Statement of Compliance within 10 days of the effective date of the transfer to administrative suspension status, as required by Pa.R.D.E. 217(e)(1). Pet. For Discipline, at ¶26; ODC-45.

7. By Order dated March 24, 2020, the Supreme Court of Pennsylvania suspended Respondent for five years consistent with the November 4, 2019 Order of the New Jersey Supreme Court, which imposed an indeterminate suspension for Respondent's client neglect, failure to cooperate with disciplinary authorities, conduct prejudicial to the administration of justice, and failure to appear on an order to show cause.

8. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court under Pa.R.D.E. 201(a)(3). Pet. For Discipline, at ¶3.

A. Respondent's Misconduct Resulting in her Arrest and Prosecution for Committing a Criminal Act

9. In 2014, Ms. Francine Simmons Beyer owned an apartment located at 429 North 13th Street, Apt 2A, Philadelphia, Pennsylvania 19123 ("the apartment"). N.T. 26-27; ODC-22.

10. On July 1, 2014, Ms. Beyer signed a lease to rent the apartment to Respondent for \$1,500/month. N.T. 26-28; ODC-22.

11. Respondent failed to make a single monthly payment of her rent. N.T. 28-29; ODC-22.

12. Respondent informed Ms. Beyer that she (Respondent) was not required to pay any rent because "She [Respondent] claimed to be a Moor, an aboriginal indigenous Moorish American, and she owned it all, and I [Ms. Beyer] had no right to do anything." N.T. 35-36.

13. On December 5, 2014, in a matter styled ***Francine Beyer v. Rhashea Lynn Harmon*** (Municipal Court LT No. 1402053548012), Ms. Beyer filed a landlord-tenant action in Philadelphia Municipal Court to evict Respondent from the apartment for failure to pay rent. Pet. For Discipline, at ¶4; N.T. 29-31; ODC-22; ODC-23; ODC-24.

14. Ms. Beyer retained Susan J. Kupersmith, Esquire to represent her in the matter. Pet. For Discipline, at ¶5; N.T. 29, 31-32, 56-57; ODC-25.

15. Respondent was represented by Mark Copoulos, Esquire. Pet. For Discipline, at ¶6; N.T. 32, 58; ODC-25.

16. By Order dated April 22, 2015, Judge Bradley K. Moss approved the terms of a settlement agreement reached between Ms. Beyer and Respondent wherein,

inter alia, Respondent agreed to vacate the premises and return possession of the apartment to Ms. Beyer on or before May 17, 2015. Pet. For Discipline, at ¶7; N.T. 33, 58-59; ODC-26; ODC-27.

17. On May 18, 2015, Respondent and three other individuals broke into the apartment and were arrested by members of the Philadelphia Police Department and charged with criminal trespass, criminal mischief, and criminal conspiracy. Pet. For Discipline, at ¶8; N.T. 36-38; 60; ODC-28.

18. On June 2, 2015, in a matter styled ***Commonwealth v. Rhashea Lynn Harmon***, (MC-51-CR-0015265-2015), following a preliminary hearing before Judge David C. Shuter, Respondent was ordered held for court and her case bound over for trial on all charges. Pet. For Discipline, at ¶9; N.T. 39-41; ODC-29; ODC-30.

19. At the start of the preliminary hearing, Respondent was uncooperative and refused to stand, identify herself, or walk to the front of the court when her case was called. N.T. 39, 64-65; ODC-29.

20. During the preliminary hearing proceeding, Respondent and her co-defendants were “shouting,” “waving flags,” and otherwise behaving in court like it “was a circus.” Respondent and her co-defendants were asked “to leave the courtroom” as a result of their disruptive conduct. N.T. 39-40; ODC-29.

21. Respondent’s disruptive and contemptuous behavior during the preliminary hearing was publicly reported upon in newspaper articles appearing in the *Philadelphia Daily News* and the *London Daily Mail*. N.T. 41-42, ODC-33; ODC-34.

22. Ms. Beyer testified at the preliminary hearing. N.T. 39; ODC-29.

23. At the conclusion of the preliminary hearing, Judge Shuter issued a protective order prohibiting Respondent from contacting, intimidating, or harassing Ms. Beyer. N.T. 41; ODC-31.

24. On June 23, 2015, Respondent failed to appear in court for her scheduled arraignment in the criminal case, and Judge Jeffrey P. Minehart issued a bench warrant for Respondent's arrest (*Commonwealth v. Rhashea Lynn Harmon*, CP-51-CR-0005623-2015). Pet. For Discipline, at ¶10; N.T. 42; ODC-35.

25. Respondent's criminal case remains open and is currently listed as being in "bench warrant status." Pet. For Discipline, at ¶11; ODC-36.

26. The warrant issued by the court for Respondent's arrest in the criminal case remains outstanding. Pet. For Discipline, at ¶12; ODC-37.

27. As a result of Respondent's misconduct, Ms. Beyer incurred expenses totaling "a little over \$43,000" in attorney's fees, lost rental income, moving and storage of Respondent's personal items that she left at the apartment, and repairs for damage done to Ms. Beyer's property. N.T. 49-51; 60; ODC-57.

28. In an envelope postmarked August 26, 2019, Respondent recently sent Ms. Beyer a document titled "Notice of Audit" purporting to notify Ms. Beyer that she is being audited by the Guala Yamassee Juris Consul Department of Justice. N.T. 51-53; ODC-56.

29. For over five years, Ms. Beyer has had to deal with the expense, annoyance, aggravation, and inconvenience caused by Respondent's misconduct. N.T. 54.

B. Respondent's Misconduct Involving Dishonesty, Fraud, Deceit, Misrepresentation, and Filing of Frivolous, Meritless, and Vexatious Claims

30. On June 26, 2015, in a matter styled ***The North West Amexem Fez Province, et al. v. Tom Wolfe, et al.***, (Civil Docket No. 2:15-cv-03606-PD), Respondent, along with and on behalf of her three co-defendants in the criminal case, filed a putative pro se federal civil complaint in the United States District Court for the Eastern District of Pennsylvania against Mses. Kupersmith and Beyer, and no fewer than fifty-one other defendants, including the Pennsylvania Governor and Attorney General, the Philadelphia Mayor and District Attorney, various other public officials, and several newspapers. Pet. For Discipline, at ¶13; N.T. 45-46, 61-62; ODC-38.

31. Respondent identified herself in the pleadings as “R. Lynn Hatsheput Ma’Atkare El,” and alleged constitutional conspiracy, intentional breach of fiduciary trust, defamation, libel, slander, invasion of privacy, theft and conversion of cultural relics arising out of her arrest in the criminal case described above. Pet. For Discipline, at ¶14; ODC-38.

32. Respondent demanded various forms of relief from the defendants, including but not limited to an award of compensatory and punitive damages. Pet. For Discipline, at ¶15; ODC-38.

33. On July 6, 2015, Respondent filed an amended complaint alleging, *inter alia*, violations of the “United States Constitution, the Racketeer Influenced and Corrupt Organizations Act, and various international Codes and Accords.” Pet. For Discipline, at ¶16; ODC-39.

34. Ms. Kupersmith retained Patrick Joseph Troy, Esquire, to represent her. Pet. For Discipline, at ¶17; ODC-43.

35. On July 27, 2015, Mr. Troy filed a motion to dismiss Respondent's federal case for lack of jurisdiction and failure to state a claim. Pet. For Discipline, at ¶18; ODC-40.

36. By Order dated August 20, 2015, United States District Court Judge Paul S. Diamond dismissed all claims against Ms. Kupersmith and the other defendants for, *inter alia*, failing to state a cognizable federal cause of action. Pet. For Discipline, at ¶19; N.T. 47, ODC-41; ODC-42; ODC-43.

37. In 2016, Respondent filed a fraudulent IRS tax form 1099-OID with the Internal Revenue Service claiming that Ms. Kupersmith received from Respondent "Inventory Indebtness' Acquisition of personal property and nonpayment of personal Property received and realized on debt" in the amount of "\$615,588.1 [sic]." Pet. For Discipline, at ¶20; N.T. 47-48, 62-63, 65; ODC-44.

38. Respondent identified herself on the form as "Payer": "Harmon Rhashea Lynn Trust c/o R Lynn EI, P.O. Box 7446, Philadelphia, PA 19101," and provided her federal identification number as "98-6078251." Pet. For Discipline, at ¶21; ODC-44.

39. Respondent identified the recipient on the form as "Susan Kupersmith, Esq." Pet. For Discipline, at ¶22; ODC-44.

40. Ms. Kupersmith was required to contact the Internal Revenue Service to address and resolve Respondent's fraudulent tax filings. N.T. 65-68; ODC-58; ODC-59; ODC-60; ODC-61.

41. Respondent filed both a frivolous federal civil case lacking in merit, and a fraudulent IRS tax form, for the purpose of and with the intent to vex, annoy, alarm,

harass, inconvenience and retaliate against Mses. Kupersmith and Beyer for their involvement in the underlying landlord-tenant dispute and Respondent's subsequent arrest and prosecution on criminal charges. Pet. For Discipline, at ¶23; N.T. 62-69.

42. By letter dated February 27, 2017, Respondent addressed Ms. Kupersmith using the salutation "Dear Pirates, Thieves and Devils." N.T.66, ODC-59.

43. Respondent has accused Ms. Kupersmith of "putting poisonous spiders in [Respondent's] apartment." N.T. 66.

44. As a result of Respondent's misconduct in this matter, Ms. Kupersmith testified at the hearing that she believes Respondent to be "completely incompetent and criminal in her behavior, and that this ability of her to somehow continue to practice law in this state is absolutely outrageous ... and it would be pretty much a smash on the legal profession if this person was permitted to retain that state." N.T.69-70.

C. Respondent's Misconduct Involving the Unauthorized Practice of Law

45. As a formerly admitted attorney on administrative suspension, Respondent has been ineligible to practice law in Pennsylvania since 2017. Pet. For Discipline, at ¶24; ODC-45.

46. While on administrative suspension, Respondent continued to hold herself out as an attorney and engaged in the practice of law in Pennsylvania. Pet. For Discipline, at ¶27-35, N.T. 76-79; ODC-48; ODC-49; ODC-51; ODC-54.

47. Michael S. Bomstein, Esquire, represented plaintiffs in a civil matter filed in the Philadelphia Court of Common Pleas styled **Matrix Financial Services v. McCloud, et al.**, Philadelphia Court of Common Pleas Docket No. 170503419. N.T. 73-75; ODC-46; ODC-47.

48. Defendants in the above-referenced civil matter were proceeding pro se and had been granted *in forma pauperis* status by the court. N.T. 83; ODC-46; ODC-47.

49. While on administrative suspension status, Respondent sent a letter dated January 14, 2019, addressed to Michael S. Bomstein, Esquire, and Vladimir Palma, Esquire, informing both attorneys that she had been retained to “represent the Estate of May McCloud and Vera Lynn Jones” in a pending foreclosure action (***Matrix Financial Services v. McCloud, et al.***, Philadelphia Court of Common Pleas docket no. 170503419), “as well as to assist in the matter concerning the Petition to Quiet Title.” (***Matrix Financial Services v. Jones, et al.***, Philadelphia Court of Common Pleas docket no. 181201061). Pet. For Discipline, at ¶27; N.T. 75-76; ODC-48.

50. In her January 14, 2019, letter, Respondent agreed to provide responsive pleadings to opposing counsel, advised counsel of her intention to file a “Motion to Extend Discovery,” and informed counsel that she was “bestowed with the authority to discuss all matters with [plaintiff’s counsel]” Pet. For Discipline, at ¶28; N.T. 77-79; ODC-48.

51. Respondent’s letter was printed on letterhead indicating that she was licensed to practice law in Pennsylvania, identified her law firm as “RLH Ma’at Law,” her title as “Rhashea Lynn Harmon EI, Esquire,” her professional designation as “Private Attorney,” and was signed by Respondent. Pet. For Discipline, at ¶29; N.T. 76-79; ODC-48.

52. By letter dated January 25, 2019, addressed to Messrs. Bomstein and Palma in the exact same manner as her previous letter described above, Respondent reiterated her “full authority to represent the clients in this matter,” affirmatively stated “We

are Counsel for Respondents,” requested that opposing counsel “not contact my ... clients directly,” and stated that her “firm” would be “addressing the matter” of incomplete discovery in the case. Pet. For Discipline, at ¶30; N.T. 81-82; ODC-49.

53. Respondent’s January 25, 2019, letter was printed in the same format and completed and signed in the same manner as her letter dated January 14, 2019, as described above. Pet. For Discipline, at ¶31; ODC-49.

54. On February 5, 2019, Mr. Bomstein filed a “Motion for Declaratory Relief” with Philadelphia Court of Common Pleas Judge Paula Patrick, and requested the court schedule a hearing to address Respondent’s unauthorized practice of law. N.T. 84-86; ODC-50.

55. On February 26, 2019, Respondent filed a responsive motion in the Philadelphia Court of Common Pleas titled “Preliminary Objections, Affirmative Defenses and Counterclaims to Plaintiffs’ Motion for Declaratory Relief” along with a Rule, Notice to Plead, and proposed Order in connection with the foreclosure action described above. Pet. For Discipline, at ¶32; N.T. 86-87; ODC-51.

56. Respondent provided copies of her February 26, 2019 motion to Messrs. Bomstein and Palma under cover of letter dated February 28, 2019. Pet. For Discipline, at ¶33; N.T. 86; ODC-51.

57. In the February 28, 2019 cover letter attached to her motion, Respondent reiterated that “RLH Ma’at Law & The Rights of Indigenous People’s represents the Estate of May McCloud and Vera Lynn Jones in a limited scope regarding the above matter.” Pet. For Discipline, at ¶34; N.T. 87-88; ODC-51.

58. Respondent’s February 26, 2019 motion was filed approximately twenty days after ODC’s DB-7 Request For Statement Of Respondent’s Position (“DB-7

letter”) dated February 6, 2019, had been provided to Respondent notifying her of ODC’s inquiry into Respondent’s unauthorized practice of law. Pet. For Discipline, at ¶35.

59. Judge Patrick scheduled a hearing for May 22, 2019, to address Mr. Bomstein’s “Motion for Declaratory Relief.” N.T. 88-90; ODC-52.

60. Respondent appeared at the May 22, 2019 hearing, identified herself to the court as “counsel for the Indigenous Native American Association of Nations,” and stated to the court that she was “authorized” to represent the defendants in the above-referenced civil matter in her capacity as “the trustee of the trust.” N.T. 89; ODC-52 at pp. 8-9.

61. By Order dated May 22, 2019, Judge Patrick ruled that Respondent had engaged in the unauthorized practice of law while on administrative suspension status. N.T. 90; ODC-53.

62. By pleading dated July 18, 2019, addressed to Judge Lisette Shirdan-Harris, and faxed to Mr. Bomstein, Respondent provided an “Emergency Motion For Review and Relief” authorizing Respondent to “file Liens and Attachments of derivative accounts against the allative foreign nations.” N.T. 90-92; ODC-54.

63. By pleading dated July 19, 2019, addressed to Mr. Bomstein, Respondent provided an “executed Order of Judgment by the Guale Yamassee Sui Juris Consular Court against the listed debtors” purporting to grant a motion for judgment enabling the Respondent to file liens and attach judgments against Mr. Bomstein. N.T. 93-96; ODC-55.

64. Respondent’s two pleadings were sent after she had been served the Petition for Discipline in the instant matter, and after the hearing before Judge Patrick,

both of which notified and addressed Respondent's unauthorized practice of law. N.T. 91; ODC-1; ODC-54; ODC-55.

65. Mr. Bomstein testified at the disciplinary hearing that he was "concerned" about Respondent's misconduct, and that "it's certainly in the back of my mind that it's possible there's going to be future litigation" where Respondent may retaliate and "go after me ... now that she was not successful in her efforts in the Common Pleas Court." N.T. 96-100.

66. Mr. Bomstein further testified that in his opinion, Respondent's actions are "hurting people," and that he is "really concerned that this person [Respondent] is out there practicing law, having an office three blocks from my office, having a shingle out front, and this is going on? It's a large concern." N.T. 101-102.

D. Respondent's Failure to Cooperate or Participate in the Disciplinary Process

i. Failure to respond to DB-7 letter dated September 4, 2018

67. On September 4, 2018, Petitioner sent a DB-7 letter concerning Respondent's criminal arrest and filing of a frivolous federal lawsuit and fraudulent IRS tax documents to Respondent's last registered address, office address, residence address, and a fourth address where Petitioner believed Respondent had been residing, by certified mail and first-class mail. Pet. For Discipline, at ¶36; ODC-3; ODC-4; ODC-5.

68. All four certified mailing letters were returned unclaimed. Pet. For Discipline, at ¶38; ODC-6.

69. Petitioner did not receive a response to the DB-7 letter within the thirty day period as required by D.Bd. Rules § 87.7(b)(2). Pet. For Discipline, at ¶39.

70. Based on information contained in correspondence Respondent sent to Messrs. Bomstein and Palma as referenced above, on February 4, 2019, Petitioner personally served Respondent with another copy of the DB-7 letter at Respondent's office address, The Philadelphia Building, 1315 Walnut Street, Suite 320, Philadelphia, Pennsylvania 19107, by handing a copy of the DB-7 letter to Ms. Alexandra Sarkuni, who agreed to accept service on behalf of Respondent. Pet. For Discipline, at ¶40; ODC-8.

71. On the same day, Petitioner also sent Respondent a copy of the DB-7 letter via First Class U.S. Mail to the same office address noted above. Pet. For Discipline, at ¶41; ODC-7.

72. Petitioner agreed to provide Respondent an additional thirty days to respond, and requested that Respondent provide a response to the DB-7 letter on or before March 6, 2019. Pet. For Discipline, at ¶42; ODC-7.

73. On February 28, 2019, Petitioner emailed Respondent a copy of the DB-7 letter to Respondent's email address as indicated on Respondent's letterhead in correspondence she sent to Messrs. Bomstein and Palma as referenced above: legaldocs@rlhmaatlaw.com. Pet. For Discipline, at ¶43; ODC-13.

74. By email dated March 1, 2019, Respondent acknowledged receipt by personal delivery of Petitioner's DB-7 letter "regarding the Allegations submitted by the reprobate and attempted murderer Kupersmith." Pet. For Discipline, at ¶44; ODC-14.

75. Respondent stated her intention to provide "a response as per the responsive deadline of March 6, 2019." Pet. For Discipline, at ¶45; ODC-14.

76. On March 6, 2019, Respondent sent Petitioner a non-responsive document captioned: "Affidavit for Summary Declaratory Judgment and Counter Claim in Full Opposition to Susan Kupersmith, Esq. And Disciplinary Counsel 'Blue Mice And Pink

Elephant' Unsound And Unfounded Fraudulently Contrived Statements." Pet. For Discipline, at ¶46; ODC-17.

77. By letter dated March 7, 2019, sent via first-class mail and email to Respondent, Petitioner requested Respondent provide by March 18, 2019 a responsive answer to the DB-7 letter that specifically addressed "the individually numbered paragraphs contained in the DB-7 letter," and "focus, item-by-item, on the allegations contained in the numbered paragraphs of the DB-7 letter, as well as the cited Rules." Pet. For Discipline, at ¶47; ODC-18; ODC-19.

78. To date, Respondent has failed to provide a response to the DB-7 letter dated September 4, 2018. Pet. For Discipline, at ¶48.

ii. Failure to respond to DB-7 letter dated February 6, 2019

79. On February 6, 2019, Petitioner sent a second DB-7 letter concerning Respondent's unauthorized practice of law to Respondent's last registered mailing address: P.O. Box 7446, Philadelphia, Pennsylvania 19101, as well as a second address where Petitioner believed Respondent may have been maintaining an office: 1315 Walnut Street, Suite 320, Philadelphia, Pennsylvania 19107, by certified mail and first-class mail. Pet. For Discipline, at ¶49; C-9; C-10.

80. The DB-7 letter sent via certified mail to Respondent's last registered mailing address at P.O. Box 7446, Philadelphia, Pennsylvania 19101 was returned to Petitioner by the United States Postal Service marked as "unclaimed." Pet. For Discipline, at ¶50; ODC-11.

81. Petitioner received a signed, receipt card for the DB-7 letter sent to Respondent's office address at The Philadelphia Building, 1315 Walnut Street, Suite 320,

Philadelphia, Pennsylvania 19107, indicating delivery had been made to Respondent at that address on February 8, 2019. Pet. For Discipline, at ¶51; ODC-12.

82. On March 4, 2019, Petitioner sent Respondent via email address at legaldocs@rlhmaatlaw.com, another copy of the second DB-7 letter reminding Respondent that her response was due on or before March 8, 2019. Pet. For Discipline, at ¶52; ODC-15.

83. Petitioner did not receive a response from Respondent to the second DB-7 letter within the thirty day period as required by D.Bd. Rules § 87.7(b)(2). Pet. For Discipline, at ¶53.

84. By email dated March 11, 2019, sent to Respondent's email address at legaldocs@rlhmaatlaw.com, Petitioner informed Respondent that she had failed to reply to the second DB-7 letter by the March 8, 2019 deadline, attached another copy of the DB-7 letter, and requested Respondent's immediate response to the DB-7 letter. Pet. For Discipline, at ¶54; ODC-20.

85. Respondent failed to reply to Petitioner's March 11, 2019 email. Pet. For Discipline, at ¶55

86. By letter dated March 12, 2019, sent via First Class U.S. Mail and addressed to Respondent at her office address: The Philadelphia Building, 1315 Walnut Street, Suite 320, Philadelphia Pennsylvania 19107, Petitioner sent Respondent another copy of the second DB-7 letter, and requested that Respondent provide a response on or before March 22, 2019. Pet. For Discipline, at ¶56; ODC-21.

87. To date, Respondent has failed to provide a response to the second DB-7 letter dated February 6, 2019. Pet. For Discipline, at ¶57.

iii. Failure to file an Answer to Petition for Discipline

88. On April 16, 2019, Petitioner filed a Petition for Discipline containing the above-stated allegations. N.T. 61; ODC-1

89. On May 23, 2019, Respondent was personally served a copy of the Petition for Discipline. N.T. 16-17; ODC-2.

90. Respondent failed to file an Answer to the Petition for Discipline. N.T. 12-13, 23.

91. All factual averments contained within the Petition for Discipline are deemed admitted by Respondent, pursuant to Pa.R.D.E. 208(b)(3).

iv. Failure to appear for Disciplinary Hearing

92. Respondent's disciplinary hearing was scheduled for September 19, 2019.

93. Respondent received notice of the date of the hearing by hand-delivery on August 4, 2019. N.T. 10-12.

94. Respondent failed to appear for the disciplinary hearing. N.T. 7, 10-13.

95. Respondent failed to accept responsibility for her actions and failed to demonstrate remorse.

III. CONCLUSIONS OF LAW

By her conduct as set forth above, Respondent violated the following Rules of Professional Conduct and Pennsylvania Rules of Disciplinary Enforcement:

1. RPC 3.1 – A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous, which includes a good faith argument for an extension.

2. RPC 4.4(a) – In representing a client, a lawyer shall not use means that have no substantial purpose other than to embarrass, delay, or burden a third person, or use means of obtaining evidence that violates the legal rights of such a person.

3. RPC 5.5(a) – A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so.

4. RPC 5.5(b)(1) – A lawyer who is not admitted to practice in this jurisdiction shall not...establish an office or other systematic and continuous presence in this jurisdiction for the practice of law.

5. RPC 5.5(b)(2) – A lawyer who is not admitted to practice in this jurisdiction shall not...hold out to the public or otherwise represent that the lawyer is admitted to practice in this jurisdiction.

6. RPC 7.1 – A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading.

7. RPC 8.4(b) – It is professional misconduct for a lawyer to commit a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness or fitness as lawyer in other respects.

8. RPC 8.4(c) – It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

9. RPC 8.4(d) – It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

10. Pa.R.D.E. 203(b)(7) – Failure by a respondent-attorney without good cause to respond to Disciplinary Counsel’s request or supplemental request under Disciplinary Board Rules § 87.7(b) for a statement of the respondent-attorney’s position shall be grounds for discipline.

11. Pa.R.D.E. 217(c)(2) – A formerly admitted attorney shall promptly notify, or cause to be notified, of the disbarment, suspension, administrative suspension or transfer to inactive status...any other tribunal, court, agency or jurisdiction in which the attorney is admitted to practice.

12. Pa.R.D.E. 217(d)(1) – Orders imposing suspension, disbarment, administrative suspension or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension, administrative suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature.

13. Pa.R.D.E. 217(e)(1) – Within ten days after the effective date of the disbarment, suspension, administrative suspension or transfer to inactive status

order, the formerly admitted attorney shall file with the Board a verified statement and serve a copy on Disciplinary Counsel.

14. Pa.R.D.E. 217(j)(1) – A formerly admitted attorney may not engage in any form of law-related activities in this Commonwealth except in accordance with the following requirements. All law-related activities of the formerly admitted attorney shall be conducted under the supervision of a member in good standing of the Bar of this Commonwealth who shall be responsible for ensuring that the formerly admitted attorney complies with the requirements of subdivision (j).

15. Pa.R.D.E. 217(j)(3) – A formerly admitted attorney may have direct communication with a client or third party regarding a matter being handled by the attorney, organization or firm for which the formerly admitted attorney works only if the communication is limited to ministerial matters such as scheduling, billing, updates, confirmation of receipt or sending of correspondence and messages. The formerly admitted attorney shall clearly indicate in any such communication that he or she is a legal assistant and identify the supervising attorney.

16. Pa.R.D.E. 217(j)(4) – Without limiting the other restrictions in this subdivision (j), a formerly admitted attorney is specifically prohibited from engaging in any of the following activities:

- a. (ii) performing any law-related services from an office that is not staffed by a supervising attorney on a full-time basis;
- b. (iv) rendering legal consultation or advice to a client.
- c. (ix) negotiating or transacting any matter for or on behalf of a client with third parties or having any contact with third parties regarding such a negotiation or transaction

17. Pa.R.D.E. 217(j)(5) – The supervising attorney and the formerly admitted attorney shall file with the Disciplinary Board a notice of engagement, identifying the supervising attorney and certifying that the formerly admitted attorney’s activities will be monitored for compliance with subdivision (j).

IV. DISCUSSION

In this matter, the Board considers the Committee’s recommendation to disbar Respondent. Petitioner brought multiple serious charges against Respondent contained in a four-count Petition for Discipline. The allegations against Respondent involve engaging in criminal conduct, engaging in retaliatory action against individuals by filing a frivolous federal civil rights lawsuit and fraudulent tax documents, engaging in the unauthorized practice of law while on administrative suspension status, and failing to cooperate with Petitioner’s investigation.

The Committee found that Respondent “engaged in a pattern of repeated, flagrant and egregious violations” of the rules governing the legal profession, and further, that Respondent violated the criminal law, misused the judicial system as a means to retaliate against others, and demonstrated her overall unfitness to practice law. Hearing Committee Report 12/27/2019, p. 23. The Committee unanimously recommended that Respondent be disbarred from the practice of law. Respondent did not appear at the disciplinary hearing and did not file exceptions to the Committee’s conclusions and recommendation. Upon review of the record, we conclude that Respondent committed

professional misconduct and we recommend that she be disbarred from the practice of law.

Petitioner has the burden of proving ethical misconduct by a preponderance of the evidence that is clear and satisfactory. ***Office of Disciplinary Counsel v. John Grigsby***, 425 A.2d 730, 732 (Pa. 1981). Respondent was personally served with the Petition for Discipline, but failed to respond. Pursuant to Rule 208(b)(3), Pa.R.D.E., factual allegations in the Petition are deemed admitted if the answer is not timely filed. Upon this record, we conclude that Petitioner met its burden through the factual allegations, witness testimony, and exhibits.

Respondent, who was admitted to practice law in the Commonwealth in 2012, is a self-identified “sovereign, indigenous, Moorish” individual. To be clear, Respondent’s self-identity had no basis in Petitioner’s pursuit of the instant charges against Respondent, and has no bearing on the outcome of these proceedings. As a licensed lawyer in Pennsylvania, Respondent is bound to conduct herself in accordance with the Rules of Professional Conduct and the Pennsylvania Rules of Disciplinary Enforcement. Her violations of these rules is the basis for the imposition of discipline.

The events underlying Respondent’s misconduct began in 2015, when Respondent rented an apartment from Ms. Beyer but thereafter failed to make monthly payments. By terms of a settlement agreement reached between Ms. Beyer and Respondent, Respondent agreed to vacate the premises and return possession of the apartment to Ms. Beyer on or before May 17, 2015. One day after possession was returned to Ms. Beyer, Respondent and three other individuals forcibly broke into the apartment and were arrested by the police and charged with criminal trespass, criminal mischief, and criminal conspiracy.

Respondent's preliminary hearing on June 2, 2015 can best be described as chaotic, with Respondent and her co-defendants acting in a disruptive and obstreperous manner by waving flags and shouting. Respondent refused to stand, identify herself, or walk to the front of the court when her case was called, which actions demonstrated her thorough and complete contempt for the authority of the court. Such was the "circuslike" atmosphere of the court proceeding that it was reported on by both local and international news media. Respondent's contemptuous behavior continued when she failed to appear in court for her scheduled arraignment, resulting in the issuance of a bench warrant for her arrest. Respondent's criminal case remains open and the warrant issued by the court remains outstanding. By her actions, Respondent has demonstrated her belief that she is beyond the reach of judicial authority, which evidences her lack of fitness to practice law.

Respondent, unwilling to recognize her contribution to the quandary in which she found herself, sought to retaliate against blameless individuals. She engaged in a course of willful, vexatious, and bad faith behavior designed to harass and inconvenience these individuals, including Ms. Beyer and Ms. Beyer's legal counsel, Ms. Kupersmith. Despite the issuance of a court-issued protective order, on June 26, 2015, mere days after her failure to appear in court for her scheduled arraignment, Respondent filed a frivolous, meritless federal civil rights lawsuit in the United States District Court for the Eastern District of Pennsylvania against Ms. Beyer and Ms. Kupersmith, and no fewer than fifty-one other defendants, alleging constitutional conspiracy, intentional breach of fiduciary trust, defamation, libel, theft and conversion of cultural relics, among other allegations. The court dismissed all claims against the defendants for failure to state a cognizable federal cause of action. While the desired result was achieved, Ms. Beyer and

Ms. Kupersmith were forced to spend time and money to defend against these baseless claims. To date, Ms. Beyer has incurred legal bills and related expenses in excess of \$43,000 in order to combat Respondent's misconduct, and has had to deal with Respondent's unprofessional behavior for five years.

Respondent continued her harassment and annoyance of these individuals by sending various "pleadings" and "notices" purporting to have filed audits, judgments and liens against those parties with the IRS or in "tribal court." Ms. Kupersmith was required to contact the IRS on several occasions to address and resolve these fraudulent tax liens.

The pleadings that Respondent filed with the federal court and documents she sent to Petitioner in response to its DB-7 request for a statement of her position contained multiple outrageous, outlandish, provocative, false, and derogatory statements and accusations regarding Ms. Beyer, Ms. Kupersmith, the courts, and the legal system. In her frivolous federal complaint, Respondent described her arrest by members of law enforcement as having been "captured...for booty and prize, on land pirating and human traffic...to become slaves and property for the City of Philadelphia...and sold into bondage and involuntary servitude." ODC-38. Respondent without basis, accused the courts of corruption. *Id.* Respondent referred to Ms. Beyer, Ms. Kupersmith, and others as "demonic beings," "reprobates," "devils," "pirates," "thieves," and "murderers," and accused them of "raping," "robbing," "stealing," "lying," "cheating," "murdering," and "bribing." ODC-14, ODC-17; ODC-38, ODC-39, ODC-59. Respondent accused Ms. Kupersmith of poisoning her with spiders. ODC-17; N.T. 66.

In addition to the above unprofessional conduct, Respondent failed to file her annual attorney registration form and failed to pay her annual attorney fee, which

resulted in Respondent's administrative suspension from the practice of law by Supreme Court Order dated September 26, 2017. Nevertheless, in flagrant violation of that order, Respondent continued practicing law, maintained an office for the practice of law, and held herself out to the public as a licensed lawyer in Pennsylvania. Mr. Bomstein credibly testified that he was forced to file a motion with the court to address Respondent's unauthorized practice of law, as she would not cease her activities. Even after the judge ruled that Respondent had engaged in the unauthorized practice, and after Petitioner had notified her of its inquiry into her prohibited conduct, Respondent continued to demonstrate her blatant disregard for the Court's order by filing pleadings.

Petitioner's attempts to ascertain Respondent's position in these matters were met with silence, but for a nonresponsive statement sent by Respondent to Petitioner in March 2019, referencing "blue mice and pink elephants." ODC-17. Thereafter, Respondent failed to cooperate in any fashion and failed to appear at the prehearing conference and disciplinary hearing. The record confirms that Respondent was personally served with the Petition for Discipline and notice of the hearings.

It is clear from Respondent's recalcitrant actions in her criminal matter, her frivolous and fraudulent filings, her disregard of the administrative suspension order, and her failure to participate in the instant proceeding, that she holds the courts, the legal system, and the disciplinary system in contempt and believes she is not subject to their authority. Although Respondent herself refused to acknowledge and submit to the court's authority in the criminal matter, she felt no compunction about misusing the judicial system to her own ends when it suited her, seeking retaliation against those she believed were to blame for her predicament. By her misconduct in all aspects of this matter,

Respondent has shown that she is wholly unfit to practice law, and most certainly poses a danger to the public.

Our review of this matter must include consideration of any aggravating and mitigating factors. We find there are three weighty aggravating factors. By Order dated March 24, 2020, the Supreme Court of Pennsylvania suspended Respondent for a period of five years, reciprocal to the New Jersey Supreme Court Order dated November 4, 2019, which imposed an indeterminate suspension for Respondent's client neglect, failure to cooperate with disciplinary authorities, conduct prejudicial to the administration of justice, and failure to appear on an order to show cause. Respondent's prior discipline aggravates this matter.

Respondent has shown no remorse or acceptance of responsibility for her actions; to the contrary, her defiant attitude demonstrates nothing but disdain for the processes of the legal system to which, as an officer of the court, she was obligated to adhere. Finally, as discussed above, Respondent's failure to appear for the hearing or participate in any way in these disciplinary proceedings constitutes an aggravating factor. There are no mitigating factors.

Upon review of the facts and circumstances of this matter, and having concluded that Petitioner met its burden to prove Respondent's professional misconduct, this matter is ripe for the determination of discipline.

In determining the appropriate discipline, the Board is required to view each matter on the totality of the facts and circumstances, considering any aggravating and mitigating circumstances. *Office of Disciplinary Counsel v. Robert Lucarini*, 472 A.2d 186, 190 (Pa. 1983). In order to ensure the consistent application of disciplinary sanctions, the Board reviews precedent for the purpose of examining "the respondent's

conduct against other similar transgressions.” ***In re Anonymous No. 56 DB 1994 (Linda Gertrude Roback)***, 29 Pa. D. & C. 4th 398, 406 (1995).

Although there is no per se rule for discipline in this Commonwealth, we conclude that disbarment is appropriate where an attorney flouts the law and engages in criminal conduct, files retaliatory frivolous lawsuits and tax documents containing inflammatory and derogatory statements and accusations, engages in the unauthorized practice of law, and fails to cooperate with disciplinary authorities. Upon review, we find that the Court has imposed disbarment in similar matters. See, ***Office of Disciplinary Counsel v. Jason Michael Purcell***, No. 142 DB 2018 (D. Bd. Rpt. 9/4/2019) (S. Ct. Order 10/31/2019) (Purcell disbarred for engaging in the unauthorized practice of law while administratively suspended; misrepresenting his license status to a hearing officer and to the court in separate matters; prior criminal convictions, including an outstanding bench warrant for his arrest in a DUI matter; no history of prior discipline); ***Office of Disciplinary Counsel v. Michael Christopher Gallo***, No. 121 DB 2017 (D. Bd. Rpt. 8/10/2018) (S. Ct. Order 11/2/2018) (Gallo disbarred for practicing law while on administrative suspension; making misrepresentations to a court; criminal conviction on a bad check charge; failing to cooperate with Petitioner; failing to appear at the disciplinary hearing; no history of prior discipline). Respondent’s conduct is as at least as egregious as that of Purcell and Gallo, if not more so, and her prior discipline of a five year suspension is a decisive factor in recommending disbarment.

An attorney who demonstrated his contempt for the legal system by the repeated filing of meritless, frivolous pleadings was suspended for a lengthy period of time. See, ***Office of Disciplinary Counsel v. Erling Rolf Krosby***, 125 DB 2003 (D. Bd. Rpt. 7/12/2005) (S. Ct. Order 9/30/2005) (Krosby suspended for a period of five years for,

inter alia, filing multiple frivolous, vexatious, and harassing complaints against individuals with whom he was involved in bankruptcy litigation; engaging in the unauthorized practice of law; failing to participate in disciplinary proceedings; no prior history of discipline). Herein, Respondent's actions are more egregious than that of Krosby, as she engaged in criminal conduct and has a prior history of discipline, which factors warrant disbarment.

“The primary purpose of our system of lawyer discipline is to protect the public from unfit attorneys and to maintain the integrity of the legal system.” **Office of Disciplinary Counsel v. John Keller**, 506 A.2d 872, 875 (Pa. 1986). Following a thorough review of the totality of the facts and circumstances before us, and after analysis of the decisional law, we conclude that Respondent's conduct is so egregious and outrageous that only the most severe discipline will serve to protect the public and preserve the integrity of the courts and the legal profession.

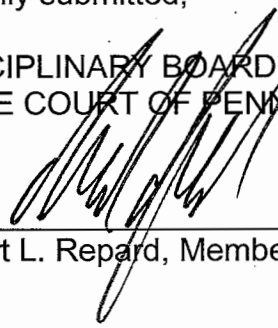
V. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that the Respondent, Rhashea Lynn Harmon, be Disbarred from the practice of law in this Commonwealth.

It is further recommended that the expenses incurred in the investigation and prosecution of this matter are to be paid by the Respondent.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

By: 
Robert L. Repard, Member

Date: 5/5/2020