

**Electronically Filed
Supreme Court
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SCAD-18-0000194

IN THE SUPREME COURT OF THE STATE OF HAWAI‘I

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

BYRON C. RHODES,
Respondent.

ORIGINAL PROCEEDING
(ODC 17-O-312)

ORDER OF SUSPENSION

(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson, JJ.)

Upon consideration of the petition for issuance of a reciprocal discipline notice upon Respondent Byron Cole Rhodes, filed on March 23, 2018 by the Office of Disciplinary Counsel (ODC) pursuant to Rule 2.15(b) of the Rules of the Supreme Court of the State of Hawai‘i (RSCH), and the memorandum, declaration, and exhibits appended thereto, we find that, on October 3, 2016, the Arkansas Supreme Court Committee on Professional Conduct suspended Respondent Rhodes for charging an unreasonable fee and for engaging in unnecessary billing that was dishonest or deceitful in nature, in violation, respectively, of Rules 1.5(a) and 8.4(c) of the Arkansas Rules of Professional Conduct, conduct

which, if engaged in this jurisdiction, would constitute violations of Rules 1.5(a) and 8.4(c) of the Hawai'i Rules of Professional Conduct. We further find that the record in this matter establishes that service of a Notice and Order was properly made upon Respondent Rhodes on April 18, 2018 at the address Rhodes has registered with the Hawai'i State Bar Association for service of process and, therefore, that Respondent Rhodes had until May 18, 2018 to show cause as to why reciprocal discipline in this jurisdiction is unwarranted. Respondent Rhodes has failed to respond to the Notice and Order, and a review of the record and precedent demonstrates, pursuant to RSCH Rules 2.15(c) and (d), that reciprocal discipline is authorized and justified. Therefore,

IT IS HEREBY ORDERED that Respondent Byron Cole Rhodes is suspended for 18 months from the practice of law in this jurisdiction, pursuant to RSCH Rules 2.3(a)(2) and 2.15(c). Furthermore, RSCH Rule 2.16(c) notwithstanding, insofar as the record indicates Respondent Rhodes is not present in the jurisdiction and is on inactive status, the suspension shall be effective immediately upon entry of this order.

IT IS FINALLY ORDERED that Respondent Rhodes is reminded he may not resume the practice of law in this jurisdiction until reinstated by order of this court.

DATED: Honolulu, Hawai'i, July 2, 2018.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

