

IN THE COURT OF APPEALS
FOR THE FOURTEENTH DISTRICT OF TEXAS
HOUSTON, TEXAS

FILED IN
14th COURT OF APPEALS
HOUSTON, TEXAS
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DEBORAH M. YOUNG
Clerk of The Court

SHANNON LADRE HANDY,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

On Appeal from the County Criminal Court at Law No. 8

Harris County, Texas

Trial Court No. 2497274

Appellate Case No. 14-24-00939-CR

APPELLANT'S BRIEF

Shannon Ladre Handy, Pro Se

713-885-4839

Shannonhandy25@yahoo.com

(Submitted May 23, 2025)

IN THE FOURTEENTH COURT OF APPEALS

Shannon Ladre Handy, Appellant

v.

The State of Texas, Appellee

**Appeal from the County Criminal Court at Law No. 8, Harris County, Texas
Trial Court Case No. 2497274**

Appellate Case No. 14-24-00939-CR

APPELLANT'S BRIEF

IDENTITY OF PARTIES AND COUNSEL

Appellant:

Shannon Ladre Handy

Appellee: The State

of Texas Trial Judge:

Hon. Erika Betzabe Ramirez County

Criminal Court at Law No. 8

Appellate Court:

Fourteenth Court of Appeals

301 Fannin Street, Suite 245

Houston, Texas 77002

Appellee Counsel: Jessica Alanne Caird, Erin P. Furgason (County Criminal Court
at Law #8

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STATEMENT OF THE CASE

This is a criminal appeal arising from a trial in County Criminal Court at Law No. 8 in Harris County, Texas. The Appellant was convicted following a bench trial marred by procedural and constitutional violations, including the trial judge's refusal to address key motions, denial of evidentiary rights, and demonstrated judicial bias. Numerous violations of due process and misconduct occurred, warranting appellate reversal.

STATEMENT REGARDING ORAL ARGUMENT

Appellant does not request oral argument. The facts and legal arguments are adequately presented in the briefs and record. Oral argument is unnecessary to resolve the issues.

ISSUES PRESENTED

1. Whether the trial court erred in failing to rule on Appellant's properly filed motions, thereby violating due process rights.
2. Whether the judge's biased remarks and conduct during the proceedings constitute judicial misconduct and warrant a reversal.
3. Whether the composition of the jury violated Appellant's right to a fair and impartial jury.
4. Whether discrepancies and false statements in the transcript constitute reversible errors.
5. Whether the trial court improperly excluded Appellant's POA from participating, despite evidence filed with the court.
6. Whether prosecutorial misconduct and manipulation of evidence denied Appellant a fair trial.

STATEMENT OF FACTS

Appellant submitted a **Commercial Affidavit for Acceptance and Discharge**, a **Motion for Summary Judgment**, and a **Writ of Discovery Petition for Records Disclosure**. The trial judge all ignored and failed to respond to these motions

The underlying case involved an alleged criminal offense for which Appellant, Shannon Ladre Handy, was charged and brought to trial. During the pre-trial and trial phases, Appellant submitted several motions, including a Commercial Affidavit for Acceptance and Discharge, a Motion for Summary Judgment, and a Writ of Discovery Petition for Records Disclosure. None of these motions were acknowledged or ruled upon by the trial court.

Appellant requested to represent himself pro se and filed documentation appointing a Power of Attorney to assist in the matter. The trial court denied the use of the POA and denied the Appellant's motion to terminate court-appointed counsel. These denials were not reflected in the trial transcript, raising serious concerns of record completeness. Appellant mother, listed as POA and barred from court participation **Exhibit C** attempted to assist with pretrial and Trial preparation after filing her authority into court.

On September 10, 2024, Appellant attempted to discharge his appointed counsel due to irreconcilable conflicts, including failure to communicate and failure to follow instructions regarding key motions. The trial judge denied this request without a hearing. A formal judicial complaint was filed on October 22, 2024, included herein as Exhibit 4.

At trial, critical evidence—including phone records disproving the DA's claim that

Appellant never contacted her—was excluded. The transcript for the November 6, 2024, trial contains material discrepancies. Notably, there is no mention of officers taking Appellant to the hospital to receive stitches after sustaining injuries from the accident. Furthermore, during the breathalyzer test, Appellant’s mother was advising him by phone not to comply. The phone was taken from Appellant and the call abruptly ended and I was told- blow. None of this was recorded or admitted into evidence of the latter.

The trial judge also denied Appellant the opportunity to present key phone records showing contact with the prosecutor—contradicting statements made by the prosecution. Additionally, the judge made remarks perceived as racially biased, and the jury selected was comprised entirely of six white women, despite Appellant being a Black male. These facts demonstrate a fundamentally unfair trial. Appellant’s mother, also his legal POA, was barred from the courtroom after being threatened with jail, despite having submitted her POA authority into court records on September 10, 2024.

Additionally, discovery was incomplete. The appointed attorney that was to be fired, never obtained or presented any police station surveillance video, medical intake footage, or complete video from the arrest scene. There is no mention in the transcript of the officers transporting Appellant to the hospital, or of the physical injury sustained, or of the phone being hung up by officers. Every video from the

police station that would have supported Appellant's coherence or contradict state witnesses was omitted or presented without audio.

However, when Appellant personally reviewed this exhibit on May 15, 2025, the video had audio, proving it had been altered or selectively muted during trial. Appellant only viewed 4 minutes of the video as the clerk shut it down, stating he could not record the video, appellant was only video as he was told he could not have a copy.

SUMMARY OF THE ARGUMENT

Appellant was denied a fair trial by a combination of judicial bias, procedural misconduct, and falsified or omitted records. The denial of the right to dismiss ineffective counsel and exclusion of POA participation severely hindered Appellant's defense. Transcripts show inconsistencies, including fabricated or altered evidence and omissions of critical events.

These cumulative errors deprived Appellant of due process under both state and federal law and warrant reversal and dismissal.

ARGUMENT

I. FAILURE TO RULE ON MOTIONS VIOLATED DUE PROCESS

The trial judge's failure to address Appellant's motions constitutes a due process violation. Courts have consistently held that the right to have motions heard and ruled upon is a fundamental aspect of due process. (See *Mathews v. Eldridge*, 424 U.S. 319 (1976)).

II. EXCLUSION OF EVIDENCE WAS PREJUDICIAL ERROR/MANIPULATION OF VIDEO WAS PREJUDICIAL

Appellant's inability to present the phone records, hospital visit, and video evidence of coherent speech demonstrates a clear obstruction of justice. Video with volume existed but was not presented at trial. This manipulation deprived Appellant of exculpatory evidence

(See *Chambers v. Mississippi*, 410 U.S. 284 (1973)).

III. JUDICIAL BIAS UNDERMINES THE INTEGRITY OF THE TRIAL

Preventing Appellant from firing counsel, ignoring the POA, and allowing fabricated statements into trial reflect substantial judicial bias. The judge's behavior reflects partiality and disregard for due process

Judicial bias violates due process rights and can serve as a basis for reversal. The judge's remarks suggesting racial bias, coupled with an all-white jury selection,

raise serious concerns about the fairness of the trial. (See *Caperton v. A.T. Massey Coal Co.*, 556 U.S. 868 (2009)).

IV. JURY SELECTION VIOLATED APPELLANT'S RIGHTS

The exclusion of jurors based on race or gender constitutes a violation of equal protection. Given the circumstances of this case, the jury selection process warrants scrutiny under *Batson v. Kentucky*, 476 U.S. 79 (1986).

V. TRANSCRIPT INACCURACIES AND OMISSIONS OBSTRUCT APPELLATE REVIEW

False representations about the Motion in Limine, exclusion of post-arrest medical treatment, omission of, and manipulation of the trial video reflect gross discrepancies and fraud upon the court.

An accurate trial transcript is essential for effective appellate review. The November 6 transcript falsely reflects that a Motion in Limine had been filed prior to trial, when in fact, it was filed after the guilty verdict. The exclusion of POA involvement and denial of Appellant's motion to fire ineffective counsel are also missing or inaccurately depicted. These misrepresentations and omissions prevent a full and fair review by this Court. (See *Draper v. Washington*, 372 U.S. 487 (1963)).

STATUES

Exhibit B - Complaint against the Judge / Judicial Misconduct

Legal Issue: Judicial bias, conflict of interest, failure to recuse **Case**

Law:

- **Caperton v. A.T. Massey Coal Co.**, 556 U.S. 868 (2009)

Holding: Serious risk of actual bias in a judge's conduct requires recusal under due process.

In re Murchison, 349 U.S. 133 (1955)

A fair trial in a fair tribunal is a basic requirement of due process.

Exhibit C – Power of Attorney (POA) Refused by Court Legal

Issue: Denial of access to assistance in court / representation **Case**

Law:

Faretta v. California, 422 U.S. 806 (1975)

Right to self-representation includes control over who may assist the defense.

Bounds v. Smith, 430 U.S. 817 (1977)

Access to the courts includes meaningful ability to prepare one's case — this can include reasonable outside assistance.

Exhibits D, E, F, Suppressed or Altered Video / Missing Discovery Legal

Issue: Brady violations / suppression of exculpatory evidence **Brady v. Maryland**, 373 U.S. 83 (1963)

Suppression by the prosecution of evidence favorable to the accused violates due process.

California v. Trombettta, 467 U.S. 479 (1984)

The state must preserve evidence with apparent exculpatory value.

Arizona v. Youngblood, 488 U.S. 51 (1988)

If law enforcement acts in bad faith by destroying or failing to preserve evidence, it violates due process.

Exhibits – Transcript Discrepancies, Attorney's Failure to Investigate Legal

Issue: Ineffective assistance of counsel / denial of full record for appeal **Case Law:**

Strickland v. Washington, 466 U.S. 668 (1984)

Ineffective assistance requires showing (1) deficient performance and (2) resulting prejudice.

Griffin v. Illinois, 351 U.S. 12 (1956)

An incomplete or falsified trial transcript may deny a meaningful appeal, violating due process.

Exhibits – Witness Exclusion & Injury Cover-Up

Legal Issue: Exclusion of defense witnesses / due process violation / deliberate indifference

Estelle v. Gamble, 429 U.S. 97 (1976)

Deliberate indifference to serious medical needs of a detainee violates the Eighth Amendment.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Appellant **Shannon Ladre Handy** respectfully requests that this Honorable Court:

1. **Reverse the judgment** of the trial court to not guilty due to multiple due process violations, judicial bias, and errors in evidentiary rulings;
2. **Dismiss the charges with prejudice**, given the denial of fair proceedings and constitutional protections;
3. **Order that all records related to the case be expunged** from Appellant's criminal history within thirty (30) days;
4. **Grant any further relief** to which Appellant may be justly entitled.

Respectfully submitted,

/s/ **Shannon Ladre Handy**

713-885-4839

Shannonhandy25@yahoo.com

Date: May 22, 2025

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Appellant's Brief has been served upon the State of Texas by delivering a copy to the Harris County District Attorney's Office at 1201 Franklin St., Suite 600, Houston, TX 77002, Jessica Alanne Caird and Erin P. Furgason at the Harris County District Attorney's Office via efile and email on this 23 day of May, 2025.

/s/ Shannon L. Handy

Shannon Ladre Handy

CERTIFICATE OF COMPLIANCE

Pursuant to Rule 9.4(i)(3) of the Texas Rules of Appellate Procedure, I certify that this document contains approximately less than 15000 words, excluding the portions of the brief exempted by Rule 9.4(i)(1), as calculated by the word-processing program used to prepare this document.

Executed on May 23, 2025.

Respectfully submitted,

/s/ Shannon Ladre Handy

Appellant, Pro Se

APPENDIX

EXHIBIT LIST

- **Exhibit A** – Phone Records
- **Exhibit B** – Complaint against Judge Ramirez
- **Exhibit C** – Power of Attorney (filed 9/10/2024)
- **Exhibit D** – Booking Surveillance Footage (Summary)
- **Exhibit E** – Video with Audio (Reviewed May 15, 2025)
- **Exhibit F** – Missing Discovery Index
- **Exhibit G** – Transcript Excerpts (Motion in Limine Timeline)
- **Exhibit H** – Affidavit from Appellant’s Mother
- **Exhibit I** – Medical Documentation or Statement
- **Exhibit J** – Booking Surveillance Footage counsel
- **Exhibit K** – Affidavit- motion in limine filing
- **Exhibit L** – Judicial Misconduct Complaint (Filed 10/22/2024)
- **Exhibit M** – Affidavit-Denial of POA
-

EXHIBIT A

- Exhibit A: Phone records showing calls to ADA Abeer M. Farid on multiple occasions. T-MOBILE call logs showing five (5) calls to the cell and office numbers of ADA Abeer M. Farid on two separate days. These disprove her statement to the court that Appellant never contacted her.

EXHIBIT B

- Exhibit B: Formal complaint against Judge Erika Ramirez filed October 22, 2024 Complaint detailing judicial misconduct and denial of POA access filed September 22, 2024

EXHIBIT C

- Exhibit C: Power of Attorney submitted to the Judge, that she disregarded and ignored into court on September 10, 2024

POWER OF ATTORNEY

PRINCIPAL INFORMATION

I, Shannon Ladre Handy, residing at 4711 Conward Dr. Houston, Texas 77066, hereby appoint Patricia A. Alexander, residing at 4711 Conward Dr. Houston, Texas 77066, as my true and lawful attorney-in-fact to act in my name, place, and stead in connection with the following legal matters:

AUTHORIZATION

My attorney-in-fact shall have the full power and authority to perform any act necessary and proper to pursue, defend, or settle the following court case on my behalf:

Case Number: 249727401010

Court Name: County Criminal Court at Law number 8

Jurisdiction: Texas, Harris, Houston

SPECIFIC POWERS

My attorney-in-fact is authorized to do the following in connection with the above-referenced court case(s):

1. File pleadings, motions, and other legal documents.
2. Attend court hearings, depositions, and meetings.
3. Negotiate settlements and sign agreements.
4. Hire attorneys, experts, and other necessary professionals.
5. Make any other legal decisions necessary for the management of the case.

DURATION

This Power of Attorney shall remain in effect until the conclusion of the court case mentioned above, unless revoked in writing by me prior to that time.

REVOCATION

I retain the right to revoke this Power of Attorney at any time by providing written notice to my attorney-in-fact.

GOVERNING LAW

This Power of Attorney shall be governed by the laws of the State of Texas.

SIGNATURES

Principal:

Principal's Signature: Shannon
Date: 9/9/24

Agent:

Agent's Signature: Judy Phan
Date: 9/9/24

NOTARIZATION

State of Texas
County of Harris

On this 9/9/24, before me, the undersigned notary public, personally appeared Shannon Ladre Handy, who is personally known to me or has provided satisfactory evidence of identification, and who signed this Power of Attorney in my presence.

Notary Public: Notary's Signature: Judy Phan
My Commission Expires: May 8, 2027

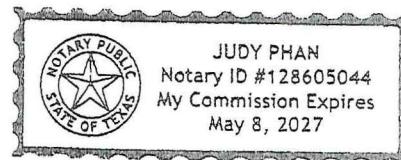


EXHIBIT D

- Exhibit D: Police station surveillance and booking footage (partially suppressed) Viewed May 15, 2025, was told **cannot have a copy and could not video it**, by the clerk at the Office of the clerk at the Fourteenth Court of Appeals.

EXHIBIT E

- Exhibit E: Video exhibit reviewed May 15, 2025, with audio (contradicting trial version) Trial version had no audio, no sound. Was told could not video and could not have a copy.

Exhibit F

- Exhibit 5: Missing Discovery Index, Judge ignored the Discovery

EXHIBIT G

- Exhibit 6: Trial transcript excerpts with discrepancies, including Motion in Limine. Page 8 of the TRIAL ON MERITS NOV 6, 2024, Motion to limine was filed at the end of the day after the trial was over and appellant was found guilty, it was filed because when both DA's Watson and Farid came out the court room my mother addressed Farid and stated you lied on my son. And the Limine was filed that evening. There would been no reason for her to file that before the trial, just total deception through-out this entire case.

EXHIBIT H

- Exhibit 7: Statement and affidavit from Appellant's mother (excluded from courtroom).

EXHIBIT I

- Exhibit 8 Medical documentation or affidavit regarding post-arrest treatment. Medical documentation, appellant was told medical records, it takes 7-14 days to be sent to him. Will submit to the court when received.

EXHIBIT J

- Exhibit 9: Booking Surveillance Footage counsel

Page 99 of the TRIAL ON MERITS NOV 6, 2024, Transcript excerpts, officer stated the camera in that room has been taken down and the video was uploaded to the server, BUT he is not sure what happened, as well as no video of the sobriety test, no video of the booking surveillance footage to prove the appellant was as drunk as purported.

APPENDIX

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-

EXHIBIT K

- Affidavit motion in limine filing

AFFIDAVIT OF PATRICIA ANN ALEXANDER

RE: Power of Attorney, Courtroom Removal, and Motion in Limine Filing

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared **Patricia A. Alexander**, who, being duly sworn, stated as follows:

1. My name is **Patricia A. Alexander**, and I am the mother of **Shannon Ladre Handy**, the Appellant in the above-captioned case. I am competent to make this affidavit, and the facts stated herein are true, based on my personal knowledge.
2. Prior to **September 9, 2024**, I executed a valid **Power of Attorney (POA)** to assist my son in legal and medical matters. This document was notarized and filed with the court during a hearing on that same date.
3. During the **September 10, 2024** hearing in County Criminal Court at Law No. 8, I personally presented the POA to **Judge Erika Betzabe Ramirez**. Despite this, the Judge **refused to recognize the POA**, barred me from assisting Shannon during proceedings, and later ordered me to **remain outside the courtroom** under threat of jail if I attempted to re-enter.
4. My intent was to deliver evidence and assist my son in organizing key materials and communicating with his attorney, who Shannon had sought to discharge at that hearing. That request to remove the attorney was also **denied**, with no record of the attempt appearing in the transcript.
5. On **November 6, 2024**, following the trial and after my son had been found guilty, I was in the courthouse hallway and observed both prosecutors exit the courtroom. One of them, **Assistant District Attorney Abeer M. Farid**, was confronted by me, and I said, "**You lied on my son.**"
6. It was later confirmed that the **Motion in Limine**, which Ms. Farid claimed had been filed during trial proceedings, was **not actually filed until later that same evening, after the trial concluded**. The Motion in Limine was not mentioned in pre-trial records or served upon the defense prior to trial, and it was never addressed on the record in court before the verdict.
7. I submit this affidavit to confirm that judicial misconduct occurred regarding the exclusion of the POA, suppression of evidence, and inaccurate or falsified procedural claims, including post-verdict filing of pretrial motions.

FURTHER AFFIANT SAYETH NOT.

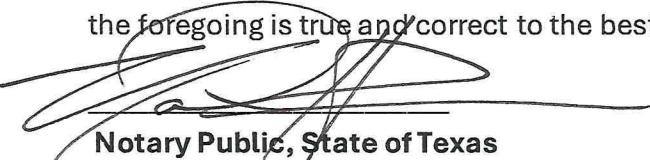
Executed this 23 day of MAY, 2025.



Patricia A. Alexander

Power of Attorney for Shannon L. Handy

SWORN TO AND SUBSCRIBED BEFORE ME on this 23 day of May, 2025, by
Patricia Ann Alexander who produced satisfactory identification and who affirmed that
the foregoing is true and correct to the best of her knowledge and belief.



Notary Public, State of Texas

My Commission Expires: 10.27.2027

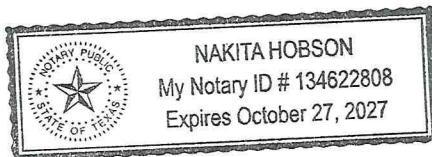


EXHIBIT L

- Judicial Misconduct Compliant (Filed 10/22/2024)

EXHIBIT M

- **Affidavit - Denial of POA**

AFFIDAVIT OF SHANNON LADRE HANDY

RE: September 10, 2024 Hearing – Denial of Power of Attorney and Motion to Remove Counsel

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared **Shannon Ladre Handy**, who, being duly sworn, stated as follows:

1. **My name is Shannon Ladre Handy**, and I am the Appellant in the above-captioned matter. I am competent to make this affidavit and the facts stated herein are within my personal knowledge and are true and correct.
2. On **September 10, 2024**, during a scheduled court hearing in **County Criminal Court at Law No. 8**, I attempted to formally discharge my appointed attorney due to ineffective assistance of counsel and irreconcilable communication breakdowns.
3. I informed the court that I no longer wished for the appointed counsel to represent me, and I requested that he be permitted to withdraw. This request was made both orally and was also supported by a filed written notice.
4. Present at the hearing was my legal **Power of Attorney, Ms. Patricia A. Alexander** who was prepared to present documentation and speak on my behalf regarding the decision to terminate counsel.
5. Despite being presented with a **valid and properly executed Power of Attorney**, signed and notarized prior to that date and entered into the court record, **Judge Erika Betzabe Ramirez refused to recognize or honor the POA**, stating that she would not allow anyone to speak on my behalf or assist in court.
6. My request to terminate my attorney was summarily denied without meaningful inquiry or hearing, and no record of this denial appears in the official trial transcript. Furthermore, the court did not permit the POA to assist in reviewing discovery or organizing defense materials, which severely prejudiced my ability to prepare and participate in my defense.
7. This affidavit is submitted to preserve and clarify the record and to document judicial action and omissions that were materially prejudicial to my constitutional rights to counsel of choice, due process, and a fair trial.

FURTHER AFFIANT SAYETH NOT.

Executed this 23__ day of _May_, 2025.



Shannon Ladre Handy

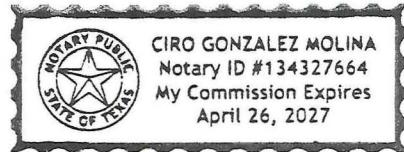
Appellant

SWORN TO AND SUBSCRIBED BEFORE ME on this 23rd day of May, 2025, by
Shannon Ladre Handy, who has produced satisfactory identification and who affirmed
that the foregoing is true and correct to the best of his knowledge and belief.



Notary Public, State of Texas

My Commission Expires: April 26, 2027



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