

NOV 04 2022

RECEIVED

## ARKANSAS CLAIMS COMMISSION


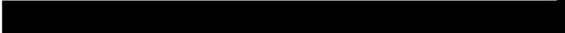
101 EAST CAPITAL AVENUE, SUITE 410  
LITTLE ROCK, AR. 72201-3823  
(501) 682-1619

OCTOBER 30, 2022

KATHRYN IRBY  
101 EAST CAPITAL AVE., SUITE 410  
LITTLE ROCK, AR. 72201  
(501) 682-1619MARCUS A. KELLEBREW  
RE: MARCUS A. KELLEBREW VS. STATE OF ARKANSAS--ACC;DEPARTMENT OF  
CORRECTIONS...  
NEW CLAIM # \_\_\_\_\_.

MS. IRBY,

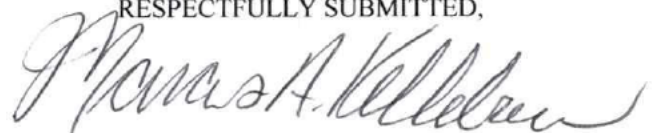
PLEASE FIND ENCLOSED NEW ARKANSAS CLAIMS COMMISSION NEW CLAIM# \_\_\_\_\_.  
FOR VIOLATIONS IN EXCESS OF EIGHTH AMENDMENT CONSTITUTIONAL RIGHTS  
REQUIRING A LOCK-DOWN ON OCTOBER 31<sup>ST</sup> 2022 FOR HALLOWEEN EVENING UNDER ACT  
NO.# SOR ACT 463 BY DEPARTMENT OF CORRECTIONS ENFORCED BY ARKANSAS  
COMMUNITY CORRECTIONS OF MONTICELLO AGENT KATRINA BARROW. ALSO A DUE  
PROCESS VIOLATION WHEN AN OBJECTION WAS RAISED BY MARCUS A. KELLEBREW  
PLAINTIFF/ CLAIMANT IN WHICH CLAIMANT WAS THREATENED WITH FURTHER  
INCARCERATION IF INDIVIDUAL DID NOT SHOW AT 5:30PM AS ORDERED BY AGENT  
KATRINA BARROW.

THERE IS A STANDING MIRANDA RIGHTS VIOLATION AS THIS IS CLASSIFIED AT  
DETAINMENT OF PERSON REQUIRING PLAINTIFF/CLAIMANT TO LEAVE HIS PRIVATE  
FAMILY ESTATE PROPERTY AND ESTOPPLE TO COMPLY WITH A UNCONSTITUTIONAL  
ORDER FOR A LOCK-DOWN DETAINMENT EVEN IF FOR 15 MINUTES IT IS STILL A  
DETAINMENT AGAINST THE LIBERTY THEREOF OF AMERICAN CIVIL RIGHTS AND  
LIBERTY OF FREEDOM OF MOVEMENT WITH OUT ARREST OR MIRANDA FOR A  
DETAINMENT AND LOCK-DOWN FOR ANY PURPOSES....IN WHICH I SERVED MY COUNTRY  
TO PROTECT THE CONTITUION OF THE UNITED STATES OF AMERICA...AND AM  
CURRENTLY A   


YOUR RESPONSE TO THIS CLAIM FILING IS OF GREAT IMPORTANCE TO ME. PLEASE FEEL  
FREE TO CONTACT ME AT ADDRESS: 

 THANK YOU FOR YOUR DUTY AND SERVICE TO THE STATE OF ARKANSAS..

RESPECTFULLY SUBMITTED,



COPY SENT TO:

ATTORNEY MS. AMBER SCHUBERT  
ARKANSAS COMMUNITY CORRECTIONS  
2 UNION NATIONAL PLAZA, THIRD FLOOR  
LITTLE ROCK, ARKANSAS 72201

# ARKANSAS CLAIMS COMMISSION

(501)682-1619  
(501)682-2823 FAX



arclaimscommission.arkansas.gov  
ascc.new.claims@arkansas.gov

101 EAST CAPITOL AVENUE, SUITE 410  
LITTLE ROCK, ARKANSAS 72201-3823

Arkansas  
State Claims Commission

NOV 04 2022

## CLAIM FORM

Please note that all sections must be completed, or this form will be returned to you, which will delay the processing of your claim.

RECEIVED

### 1. Claimant(s)

Mr. Kellebrew, Marcus A.  
(title/last name/first name or company)

(email)

(address) (city) (state) (zip) (primary phone)

### 2. Claimant's Legal Counsel - ☒ (If representing yourself (Pro Se) please check this box and proceed to section 2)

Kellebrew  
(last name)

Marcus A.  
(first name)

(address) (city) (state) (zip) (primary phone)

Arkansas Bar Number:

If not licensed to practice law in Arkansas, please  
contact the Claims Commission for more information.

### 3. State Agency Involved (If this section is not completed this claim will be returned as deficient).

The agency(ies) involved must be Arkansas state agencies. The Arkansas Claims Commission has no jurisdiction over county, city, or other municipalities.

State of Arkansas - Dept. of Corrections; ACC - Ark. Community Corrections  
(state agency involved) Agent Katrina Barrow.

### 4. Incident Date

Oct. 10, 2022; Oct.

Oct. 31<sup>st</sup>, 2022

### 5. Claim Type Civil Rights Violation; 8<sup>th</sup> Amendment Ark. State Community Corrections Mandatory Lock-down, Due Process; Miranda Excessive Punishment

Please provide the location of the incident and an explanation of your claim. If additional space is required please attach additional pages for your statements to this form.

Location of Incident Monticello Office of ACC 309 Hwy 425 South Monticello, Ar.  
(870) 367-3201 71655

Explanation of Incident: Arkansas Agent Katrina Barrow Served Notice of Lock-In on  
Oct. 31<sup>st</sup> 2022 from 530pm to 700pm in Violation of 8<sup>th</sup> Amend Excessive  
Punishment/Treatment of

5a. Check here if this claim involves damage to a motor vehicle. ☐

5b. Check here if this claim involves damage to property other than a motor vehicle. ☐

All property damage claims require a copy of your insurance declarations covering the property or motor vehicle at the time of damage.

Please do not include a copy of your insurance card.  
You may obtain a copy of your insurance declaration  
from your insurance agent.

I did not have insurance covering my property/motor vehicle at the time of damage. ☐

All property damage claims require ONE of the following (please attach):

1. Invoice(s) documenting repair costs, OR
2. Three (3) estimates for repair of the damaged property, OR
3. An explanation why repair bill(s) or estimate(s) cannot be provided.

6. Was a state vehicle involved? (If Yes, please complete the following section)

(type of state vehicle involved)

(license number)

(driver)

7. Check here if this claim involves personal injury. ☒

All personal injury claims require a copy of your medical insurance information in place at the time of the incident.

*Civil Rights Violation 8<sup>th</sup> Amend.  
Due Process, Miranda Rights, False  
Detainment*

I do not have health insurance ☐

8. Amount Sought: \$

*Five Million dollars Min (Punitive Damages);  
Forty-Five Million dollars Min. Award Settlement  
to be determined by Arkansas Claims Commission  
Plaintiff/Claimant, Marcus A. Kellebrew, Reserves  
Absolute Rights of Appeal.*



## STOP!

The following section **MUST** be completed in the presence of a Notary Public.

The undersigned certifies that to the best of my knowledge, information, and belief, this claim is not being presented for any improper purpose; this claim is warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law; and the factual contentions have evidentiary support of, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

Marcus A. Kellebrew  
Claimant

### ACKNOWLEDGEMENT

State of Arkansas  
County of Drew

On this the 31<sup>st</sup> day of October, 2022 before me, the undersigned notary, personally appeared Marcus Kellebrew known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Stacey McKeown  
Signature of Notary Public

My Commission Expires: 03/21/2027



Arkansas Department of Corrections  
Division of Community Correction

**HALLOWEEN LOCK-IN LETTER**

Offender: Marcus Kellebrew

(ADC/PID#): [REDACTED]

**Sex offender participation in Halloween related events is strictly prohibited.** As a registered sex offender on probation or parole, Arkansas Division of Community Correction is implementing the requirements below.

*Failure to abide by these requirements will result in an immediate sanction up to and including revocation of your probation/parole. It is a Class D Felony for Community Notification Level 3 and 4 sex offenders to participate in Halloween related events.* Halloween-related event means an event involving children organized around and concerning the celebration of Halloween that occurs any time during the two weeks before and after October 31 of each year.

**From October 17<sup>th</sup> through November 14<sup>th</sup>, you must comply with the following:**

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- You must NOT decorate for Halloween
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- You must NOT trick or treat with children including your own children.

**You are directed to report for a lock-in to be held at the following location:**

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- You must return home upon leaving the lock-in and keep your lights off.
- You must remain in your home until 6:00 a.m. the next morning
- You must display the No Trick or Treating sign
- You will be subject to a home visit anytime on October 31<sup>st</sup> - November 1<sup>st</sup>, by any law enforcement officer.

If you are scheduled to work on October 31<sup>st</sup> or before 6:00 a.m. on November 1<sup>st</sup>, you must provide to your Parole/Probation Officer by close of business on October 24<sup>th</sup> - written proof from your employer on company letterhead including hours you are working and contact information of your direct supervisor. Once you are relieved from work, you must return to your registered address for the remainder of the restricted time period as noted above.

ACC Witness:

*Katrina Garrison*

Date: 10-10-2022

Offender Signature:

*Marcus A. Kellebrew*

Date: 10/10/2022

As of: 9/26/2022

Arkansas Department of Corrections  
Division of Community Correction

**HALLOWEEN LOCK-IN LETTER**

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ACC Witness: Katrina Garrison

Date: 10-10-2022

Offender Signature: Marcus Kellebrew

Date: 10/10/2022

**From:** [ASCC New Claims](#)  
**To:** [Thomas Burns \(DOC\)](#); [Leslie Browning \(DOC\)](#); [Amber Schubert \(DOC\)](#)  
**Cc:** [Kathryn Irby](#)  
**Subject:** CLAIM: Marcus A. Kellebrew v. ADC and ACC, Claim No. 230636  
**Date:** Tuesday, November 8, 2022 11:51:00 AM  
**Attachments:** [Marcus A. Kellebrew ACC and ADC agency ltr .pdf](#)  
[Marcus Kellebrew 230636.pdf](#)

---

Please see attached. Contact Kathryn Irby with any questions.

Thank you,  
Caitlin

**Caitlin McDaniel**

*Administrative Specialist II*

**Arkansas State Claims Commission**

101 East Capitol Avenue, Suite 410  
Little Rock, Arkansas 72201  
(501) 682-1619



# ARKANSAS STATE CLAIMS COMMISSION

(501)682-1619  
FAX (501)682-2823



KATHRYN IRBY  
DIRECTOR

101 EAST CAPITOL AVENUE  
SUITE 410  
LITTLE ROCK, AR 72201-3823

November 8, 2022

Ms. Amber Schubert  
Arkansas Community Correction  
2 Union National Plaza, Third Floor  
Little Rock, AR 72201

(via email)

Mr. Thomas Burns  
Arkansas Division of Correction  
6814 Princeton Pike  
Pine Bluff, Arkansas 71602

(via email)

RE: ***Marcus A. Kellebrew v. Arkansas Community Correction and Arkansas Division of Correction***  
**Claim No. 230636**

---

Dear Ms. Schubert and Mr. Burns,

Enclosed please find a copy of the above-styled claim filed against the Arkansas Community Correction and the Arkansas Division of Correction. Pursuant to the Arkansas Rules of Civil Procedure, as well as Claims Commission Rule 2.2, you have **thirty days from the date of service** in which to file a responsive pleading.

Your responsive pleading should include your agency number, fund code, appropriation code, and activity/section/unit/element that this claim should be charged against, if liability is admitted, or if the Claims Commission approves this claim for payment. This information is necessary even if your agency denies liability.

Sincerely,

Kathryn Irby

ES: cmcdaniel  
cc: Marcus Kellebrew, *Claimant* (w/ encl.) (via email)

<b>Note to Claimant or Claimant's counsel:</b> The Claims Commission copied you on this correspondence to provide you with confirmation that your claim has been processed and served upon the respondent agency.
---

NOV 04 2022

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ARKANSAS CLAIMS COMMISSION

101 EAST CAPITAL AVENUE, SUITE 410  
LITTLE ROCK, AR. 72201-3823  
(501) 682-1619

OCTOBER 30, 2022

KATHRYN IRBY  
101 EAST CAPITAL AVE., SUITE 410  
LITTLE ROCK, AR. 72201  
(501) 682-1619

MARCUS A. KELLEBREW

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NEW CLAIM # \_\_\_\_\_.

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TO PROTECT THE CONTITUION OF THE UNITED STATES OF AMERICA...AND AM  
CURRENTLY A \_\_\_\_\_  
\_\_\_\_\_

YOUR RESPONSE TO THIS CLAIM FILING IS OF GREAT IMPORTANCE TO ME. PLEASE FEEL  
FREE TO CONTACT ME AT ADDRESS: \_\_\_\_\_

\_\_\_\_\_. THANK YOU FOR YOUR DUTY AND SERVICE TO THE STATE OF ARKANSAS..

RESPECTFULLY SUBMITTED,

*Marcus A. Kellebrew*

COPY SENT TO:

ATTORNEY MS. AMBER SCHUBERT  
ARKANSAS COMMUNITY CORRECTIONS  
2 UNION NATIONAL PLAZA, THIRD FLOOR  
LITTLE ROCK, ARKANSAS 72201

# ARKANSAS CLAIMS COMMISSION

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ascc.new.claims@arkansas.gov

101 EAST CAPITOL AVENUE, SUITE 410  
LITTLE ROCK, ARKANSAS 72201-3823

Arkansas  
State Claims Commission

NOV 04 2022

## CLAIM FORM

Please note that all sections must be completed, or this form will be returned to you, which will delay the processing of your claim.

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### 1. Claimant(s)

Mr. Kellebrew, Marcus A.  
(title/last name/first name or company)

(email)

(address) (city) (state) (zip) (primary phone)

### 2. Claimant's Legal Counsel - ☒ (If representing yourself (Pro Se) please check this box and proceed to section 2)

Kellebrew Marcus A.  
(last name) (first name)

(address) (city) (state) (zip) (primary phone)

Arkansas Bar Number: \_\_\_\_\_ If not licensed to practice law in Arkansas, please contact the Claims Commission for more information.

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(state agency involved) Agent Katrina Barrow.

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Oct. 10, 2022; Oct. 31<sup>st</sup>, 2022

5. Claim Type Civil Rights Violation; 8<sup>th</sup> Amendment Ark. State Community Corrections Mandatory Lock-down, Due Process; Miranda Excessive Punishment  
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5a. Check here if this claim involves damage to a motor vehicle. ☐

5b. Check here if this claim involves damage to property other than a motor vehicle. ☐

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6. Was a state vehicle involved? (If Yes, please complete the following section)

(type of state vehicle involved)

(license number)

(driver)

7. Check here if this claim involves personal injury. ☒

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*Civil Rights Violation 8<sup>th</sup> Amend.  
Due Process, Miranda Rights, False  
Detainment*

I do not have health insurance ☐

8. Amount Sought: \$

*Five Million dollars Min (Punitive Damages);  
Forty-Five Million dollars Min. Award Settlement  
to be determined by Arkansas Claims Commission  
Plaintiff/Claimant, Marcus A. Kellebrew, Reserves  
Absolute Rights of Appeal.*

## STOP!

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The undersigned certifies that to the best of my knowledge, information, and belief, this claim is not being presented for any improper purpose; this claim is warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law; and the factual contentions have evidentiary support of, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

Marcus A. Kellebrew  
Claimant

### ACKNOWLEDGEMENT

State of Arkansas  
County of Drew

On this the 31<sup>st</sup> day of October, 2022 before me, the undersigned notary, personally appeared Marcus Kellebrew known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Stacey McKeown  
Signature of Notary Public

My Commission Expires: 03/21/2027



Arkansas Department of Corrections  
Division of Community Correction

**HALLOWEEN LOCK-IN LETTER**

Offender: Marcus Kellebrew

(ADC/PID#): [REDACTED]

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ACC Witness:

Katrina Garrison

Date: 10-10-2022

Offender Signature:

Marcus A. Kellebrew

Date: 10/10/2022

As of: 9/26/2022



Arkansas Department of Corrections  
Division of Community Correction

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Offender: Marcus Kellebrew

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ACC Witness: Katrina Garrison

Date: 10-10-2022

Offender Signature: Marcus Kellebrew

Date: 10/10/2022



**From:** [ASCC New Claims](#)  
**To:** [REDACTED]  
**Bcc:** ["Kathryn Irby"](#)  
**Subject:** Marcus A. Kellebrew v. ADC and ACC, Claim No. 230636  
**Date:** Tuesday, November 8, 2022 11:51:00 AM  
**Attachments:** [Marcus A. Kellebrew ACC and ADC agency ltr .pdf](#)

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Dear Mr. Kellebrew,

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Thank you,  
Caitlin

**Caitlin McDaniel**

*Administrative Specialist II*

**Arkansas State Claims Commission**

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

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DIRECTOR

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November 8, 2022

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(via email)

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Kathryn Irby

ES: cmcdaniel  
cc: Marcus Kellebrew, *Claimant* (w/ encl.) (via email)

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**From:** [Leslie Browning \(DOC\)](#)  
**To:** [ASCC Pleadings](#)  
**Cc:** [Thomas Burns \(DOC\)](#)  
**Subject:** Marcus Kellebrew 230636  
**Date:** Tuesday, November 8, 2022 3:38:30 PM  
**Attachments:** [ADC Answer.pdf](#)

---

*Leslie Browning*

**Arkansas Division of Correction**  
Central Office/Legal Division  
6814 Princeton Pike  
Pine Bluff, AR 71602  
Legal Support Specialist  
Phone: 870-267-6844  
Email: [leslie.browning@arkansas.gov](mailto:leslie.browning@arkansas.gov)

**BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**

**MARCUS A. KELLEBREW**

**CLAIMANT**

**v.**

**CLAIM NO. 230636**

**ARKANSAS COMMUNITY CORRECTION and  
ARKANSAS DEPARTMENT OF CORRECTIONS  
DIVISION OF CORRECTION**

**RESPONDENTS**

**ANSWER TO COMPLAINT**

COMES NOW the Respondent, Arkansas Department of Corrections, and for its Answer, states and alleges as follows:

1. Respondent denies liability in this claim and asserts it will hold the Claimant to strict proof on each allegation unless admitted by Respondent. Respondent reserves the right to plead further upon completion of the investigation by internal affairs and requests the matter be held in abeyance until the investigation is complete.

2. The applicable account information required by the Commission is:

- |                           |                          |
|---------------------------|--------------------------|
| a. Agency number: 0480    | b. Cost Center: HCA 0100 |
| c. Internal Order: 340301 | d. Fund Center: 509      |

WHEREFORE, for the reasons cited above, the Respondent prays that the claim be dismissed with prejudice and that Claimant take nothing or, in the alternative, that the matter be held in abeyance until completion of the investigation by Internal Affairs.

Respectfully submitted,



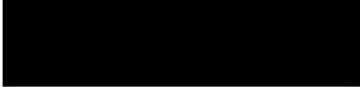
Thomas Burns (02006)  
ADC Legal Division  
6814 Princeton Pike  
Pine Bluff, AR 71602-9411  
(870) 267-6845 telephone  
thomas.burns@arkansas.gov



**CERTIFICATE OF SERVICE**

I certify that a copy of this pleading has been served this 8<sup>th</sup> day of November 2022 on the Claimant by placing a copy of the same in the U. S. Mail, regular postage, to:

Marcus A. Kellebrew



A handwritten signature in blue ink, appearing to be 'TB' or similar initials, positioned above a horizontal line.

Thomas Burns

**From:** [Amber Schubert \(DOC\)](#)  
**To:** [ASCC Pleadings](#)  
**Cc:** [Thomas Burns \(DOC\)](#); [Leslie Browning \(DOC\)](#)  
**Subject:** Marcus Kellebrew v. Arkansas Division of Correction and Arkansas Division of Community Correction, Claim No. 230636  
**Date:** Tuesday, November 15, 2022 4:50:43 PM  
**Attachments:** [Kellebrew 3 Enclosure Letter.pdf](#)  
[image001.jpg](#)  
[Kellebrew 3 MTD and BIS.pdf](#)

---

Please see attached enclosure letter and Motion to Dismiss on behalf of Arkansas Division of Correction and Arkansas Division of Community Correction for filing in the above-referenced case.

Thank you.



Confidentiality Notice: The information contained in this email message and any attachment(s) is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is intended solely for the use of the entity to whom this email is addressed. If you are not the intended recipient, you are hereby notified that reading, copying or distributing this transmission is STRICTLY PROHIBITED. The sender has not waived any applicable privilege by sending the accompanying transmission. If you have received this transmission in error, please notify the sender by return email and delete the message and attachment(s) from your system.



**ARKANSAS DEPARTMENT OF CORRECTIONS**  
**Division of Community Correction**

1302 Pike Avenue, Suite B  
North Little Rock, Arkansas 72114  
Phone: (501) 682-9510 | Fax: (501) 682-9513  
DOC.ARKANSAS.GOV

November 15, 2022

Ms. Kathryn Irby, Director  
Arkansas State Claims Commission  
Via Email to: [ASCCPleadings@arkansas.gov](mailto:ASCCPleadings@arkansas.gov)

Re: *Marcus Kellebrew v. Arkansas Division of Community Correction and Arkansas  
Division of Correction*  
Claim No. 230636

Dear Ms. Irby:

Please find enclosed a Motion to Dismiss on behalf of both the Arkansas Division of Correction and the Arkansas Division of Community Correction for filing in the above-referenced claim.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Amber Schubert", with a stylized, flowing script.

Amber Schubert  
General Counsel

cc: Marcus Kellebrew, Claimant

**BEFORE THE STATE CLAIMS COMMISSION  
OF THE STATE OF ARKANSAS**

**MARCUS KELLEBREW**

**CLAIMANT**

**V.**

**Claim No. 230636**

**ARKANSAS DIVISION OF  
COMMUNITY CORRECTION  
and  
ARKANSAS DIVISION OF  
CORRECTION**

**RESPONDENTS**

**MOTION TO DISMISS AND INCORPORATED BRIEF IN SUPPORT**

Come now Respondents, Arkansas Department of Corrections – Division of Community Correction (ACC), and Arkansas Department of Corrections – Division of Correction (ADC), by and through undersigned counsel and for their Motion to Dismiss and Incorporated Brief in Support state:

1. Claimant, a parolee and sex offender conditionally released from prison to the supervision of the Arkansas Department of Corrections – Division of Community Correction (ACC), alleges that ACC has violated his constitutional rights by enforcing conditions of his supervised release.
2. Although ADC was named as a Respondent in this case, Claimant makes no allegations against ADC and it should therefore be dismissed as Claimant has failed to state a claim for relief against it.
3. Claimant has also failed to state facts supporting a claim for relief against ACC and therefore his Claim must be dismissed in its entirety.

4. Moreover, the Commission lacks jurisdiction over the claims Claimant purports to bring because they are for civil rights violations that can be brought in a court of general jurisdiction.
5. In his Claim Form and attached documents, Claimant alleges ACC violated a variety of his constitutional rights including the Eighth Amendment, the Due Process Clause, and his “Miranda” rights by requiring him as a condition of his parole and sex offender supervision to attend a Halloween Lock-In event at the Monticello Parole and Probation Office to ensure he refrained from participating in Halloween activities as a matter of public safety.
4. First, Claimant is incorrect that required participation in a Halloween Lock-In violates any of his constitutional rights. Federal and state courts have held that while an individual is conditionally released from prison under community supervision, the paroling authority has broad discretion to impose conditions of that conditional release. The United States Supreme Court has stated that “[t]he essence of parole is release from prison, before the completion of sentence, on the condition that the prisoner abide by certain rules during the balance of the sentence.” *Morrissey v. Brewer*, 408 U.S. 471, 477 (1972). Similarly the Eighth Circuit stated:

Parole is an act of grace and reasonable conditions may be imposed in connection therewith. In *Brown v. Daggett*, 458 F.2d 14 (8th Cir. 1972), we said ‘(t)he Board of Parole has wide discretion to determine under what conditions an inmate is to be paroled.’

*Forester v. California Adult Auth.*, 510 F.2d 58, 61 (8th Cir. 1975)

5. Because Claimant’s constitutional rights were not violated by ACC in imposing the Halloween Lock-in requirement as a condition of his supervised release, his Claim must be dismissed.



6. Second, as Claimant stated numerous times, his Claims are based entirely on allegations that ACC employees violated his constitutional rights. These claims could be brought in federal or state court and therefore the Commission lacks jurisdiction over the claims.
7. Ark. Code Ann. § 19-10-204(b)(2)(A) specifically states that “[t]he commission shall have jurisdiction only over those claims which are barred by the doctrine of sovereign immunity from being litigated in a court of general jurisdiction.” Claims of constitutional violations can be brought as federal civil rights action under 42 U.S.C. § 1983 or in Arkansas state court under the Arkansas Civil Rights Act.
8. For the foregoing reasons, Claimant’s Claim should be dismissed in its entirety.

WHEREFORE, Respondents ADC and ACC respectfully request that Claimant’s Claim be dismissed and for all other relief to which they may be entitled.

Respectfully submitted,

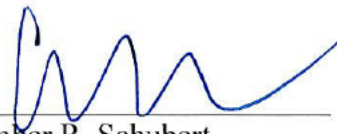


Amber R. Schubert, Bar No. 2009150  
General Counsel  
Arkansas Department of Corrections  
1302 Pike Avenue, Suite B  
North Little Rock, AR 72114  
(501) 747-3783  
amber.schubert@arkansas.gov

#### **CERTIFICATE OF SERVICE**

I, Amber R. Schubert, certify that on November 15, 2022, I forwarded a copy of the foregoing, by U.S. Mail, postage prepaid, addressed to the following:

Marcus Kellebrew



Amber R. Schubert

NOV 26 2022

ARKANSAS CLAIMS COMMISSION  
101 EAST CAPITAL AVENUE, SUITE 410  
LITTLE ROCK, ARK. 72201-3823  
(501) 682-1619

RECEIVED

NOVEMBER 21, 2022

KATHRYN IRBY  
101 EAST CAPITAL AVE. SUITE 410  
LITTLE ROCK, AR. 72201  
(501) 682-1619

MARCUS A. KELLEBREW



RE: MARCUS A. KELLEBREW VS. STATE OF ARKANSAS—ARKANSAS COMMUNITY  
CORRECTIONS; ARKANSAS DEPT. OF CORRECTIONS ARKANSAS CLAIMS NO. #230636  
ARKANSAS CLAIMS NO. #230565, ARKANSAS CLAIM NO. #230414.

MRS. IRBY,

PLEASE FIND ENCLOSED MOTION FOR DIRECTED VERDICT ARK. R. CIV.  
PROC. RULE 50(A) AND SUMMARY JUDGEMENT ARK. CIV. PROC RULE 56.1....  
ON BEHALF OF PLAINTIFF/ CLAIMANT MARCUS A. KELLEBREW, ESQ. FOR HIS ABOVE  
REFERENCED CLAIMS AND CASE FILING.

THANK YOU FOR YOUR TIME , ATTENTIONS AND SERVICE TO THE STATE OF  
ARKANSAS....

SINCERELY  
  
MARCUS A. KELLEBREW, ESQ.

CC; AMBER SCHUBERT  
GENERAL COUNSEL  
DIV. OF COMM. CORRECTIONS

NOV 26 2022

RECEIVED

ARKANSAS CLAIMS COMMISSION

101 EAST CAPITAL AVENUE, SUITE 410  
LITTLE ROCK, AR. 72201-3823  
(501) 682-1619

NOV. 18, 2022

MARCUS A. KELLEBREW

CLAIMANT

VS.

CLAIM NO. # 230636

ARKANSAS COMMUNITY CORRECTIONS AND  
ARKANSAS DEPARTMENT OF CORRECTIONS  
DIVISION OF CORRECTIONS

RESPONDENTS

**MOTION FOR DIRECTED VERDICT**  
**ARK. R. CIV. PROC. RULE 50(A) AND RULE 56.1- SUMMARY JUDGEMENT**

NOW COMES THE PLAINTIFF/ CLAIMANT, MR. MARCUS A. KELLEBREW, ESQ.  
PRO SE., BY AND THROUGH HIS SELF REPRESENTATION DOES PRESENT HIS MOTION  
FOR DIRECTED VERDICT ARK. R. CIV. PROC. RULE 50(A) AND RULE 56.1 SUMMARY  
JUDGEMENT DOES STATE, ALLEGE AND CLAIM(S) AS FOLLOWS:

1) THAT THE PLAINTIFF/ CLAIMANT, MARCUS A. KELLEBREW, ESQ., PRO SE., ARK  
CLAIM NO.# 230636 HAS MET BURDEN OF PROOF IN ACCORDANCE AND PERSUANT TO  
ARKANSAS STATE CLAIMS COMMISSION STATUTES OF THE STATE OF ARKANSAS.

2) PERSUANT TO ARK R. CIV. PROC. RULE 4 EVIDUCIARY, PRIMA FACIA, THAT  
PLAINTIFF/ CLAIMANT, MR. MARCUS A. KELLEBREW, ESQ. PRO SE., ARK. CLAIM NO.#  
230636 HAS MET BURDEN OF PROOF AND FURTHER EXCEEDED REQUIRED EVIDENCE  
AND AFFIDAVIT FOR CLAIMS OF ALLEGATIONS THAT STATE OF ARKANSAS DID  
VIOLATE CLAIMANT(S) CIVIL CONSTITUTIONAL RIGHTS OF EIGHTH AMENDMENTS  
PROTECTIONS. 1(B) THAT ARKANSAS COMMUNITY CORRECTIONS DID "SERVE"  
PLAINTIFF/ CLAIMANT WITH ORDERS TO REPORT FOR A LOCK DOWN ON ACC

PROPERTY. AND FURTHER THREATENED ADDITIONAL INCARCERATIONS IF THE INDIVIDUAL WAS NOT COMPLIANT AND PRESENT OF OCTOBER 31<sup>ST</sup>. 2022 AT 5:30 P.M. TO 9:00- P.M. ORDERS TO " LOCK DOWN" RESTRICTING MY LIBERTY AND FREEDOM WITH OUT DUE PROCESS FURTHER VIOLATING MY CONSTITUTIONAL RIGHTS AFTER MULTIPLE, MULTIPLE OBJECTIONS WAS RAISED TO ARKANSAS AGENT KATRINA BARROW REPEATEDLY.....

3) THAT THE PLAINTIFF/CLAIMANT NOW PRAYS BEFORE THE ARKANSAS STATE CLAIMS COMMISSION FOR PROPER ADJUDICATION IN THE ABOVE STYLED CASE MATTER THAT STATE AGENCY AND AGENTS OF THE STATE OF ARKANSAS DID VIOLATE/ VIAOLATED MR. MARCUS A. KELLEBREW, ESQ. PRO. SE. CONSTITUTIONAL RIGHTS IN THE ABOVE CLAIM COMMISSION MATTER BEFORE THE CLAIMS COMMISSION. AND THAT THE ARKANSAS CLAIMS COMMISSION/ COMMISSIONER(S) HAVE PROPER VENUE, AUTHORITY, AND ADJUDICATION IN REGARDS TO ARKANSAS STATE MATTER: MARCUS A. KELLEBREW VS. ARKANSAS COMMUNITY CORRECTIONS; ARKANSAS DEPARTMENT OF CORRECTIONS. ( ARK. CLAIM NO. #230636.....ARK. CLAIM NO.#230565; ARK. CLAIM NO.#230414 ).

3B) IN ACCORDANCE PERSUANT TO ARK. CODE ANN. 4-20-115 ARKANSAS CLAIMS COMMISSION SHALL AND HAS PROPER VENUE FOR DAMAGES CAUSED BY STATE OF ARKANSAS; AGENTS, AGENCIES OF THE STATE OF ARKANSAS. THEREBY OVERRULING ARKANSAS DEPARTMENT OF CORRECTIONS ACC CLAIM LACK OF JURIDICITION BY ARKANSAS CLAIMS COMMISSION AND THERE MOTION OF DISMISSAL SHOULD AND SHALL BE DENIED IN ITS ENTIRETY WITH PREJUDICE.

3C) UNDER SECTION 5 OF RESPONDENTS MOTION TO DISMISS UNDER INCORPERATED BRIEF THERE ALLEGATIONS SHOULD AND SHALL BE DENIED IN SUCH THAT PLAINTIFF/CLAIMANT MARCUS A. KELLEBREW, ESQ. PRO. SE. DID COMPLY ORDERS OF PUTTING SIGN UP, TURNING LIGHTS OFF TILL AFTER 0600 AM ON NOV. 1<sup>ST</sup>. 2022 AND FURTHER HOUSE ARREST AND DETENTION AT FAMILY ESTATE

NOV 26 2022

PROPERTY AND ESTOPPLE AT [REDACTED]

RECEIVED

3 ) IN RESPONSE TO SUB. SECTION 5 OF INCORPERATED BRIEF THAT PLAINTIFF/  
CLAIMANT HAS NEVER BEEN LOCKED DOWN ON OR BEFORE IN THE PAST IN REGARD  
TO HALLOWEEN CELEBRITORY MATTERS IN THE PAST. AND THIS WAS EXCESSIVE  
AND VIOLATED EXCESSIVE PUNISHMENTS AND RESTRICTIONS OF FREE LIBERTY  
WHICH IS A CONSTITUTIONAL RIGHTS IRREGARDLESS OF PROBATION/ POROLE  
SERVICES THEREBY CAUSING IRREPAIRABLE HARMS AGAINST A [REDACTED]

[REDACTED].....AND FURTHER PLEADS THAT UNDER CONDITIONS OF SUSPENDED  
INPOSITION OF SENTENCE THAT THIS LOCKDOWN EXCEEDED NEGOTIOATED PLEA  
DEALS MADE UNDER SUSPENDED SENTENCE REQUIREMENTS UNDER PLEAD DEALS.  
AND FURTHER MARCUS A. KELLEBREW IS ONLY A LEVEL 2 OFFENDER WITH  
OUTSTANDING RULE 4 EVIDUCIARY TO BE ENTERED AS A PART OF ARKANSAS  
SUPREME COURT PROCEEDING UNDER CASE REVIEW IN LATE JANUARY OR FEBUARY  
AT THE EARLIEST UNDER RULE 37.1 AND 37. 5 CLEA DEATH PENELATY CASES UNDER  
PROPER STATUTE OF LIMITATION REQUIREMENTS POST ADMITION UNDER  
ARKANSAS SUPREME COURT RULE 6.1 AND SUBSEQUENT A.C.A RULINGS!!!!

MORRISSEY VS. BREWER, 408 U.S. 471, 477(1972) HAS NO STANDING IN THE  
ABOVED STYLED CASE AND CLAIM MATTER AND SHOULD BE DISREGARDED AS THIS  
IS A MATTER OF DAMAGES UNDER FREEDOM OF LIBERTY BY STATE OF ARKANSAS  
DEPARTMENT OF CORRECTIONS AND ACC- ARKANSAS COMMUNITY CORRECTIONS.  
AND BROAD SPECTRUM SHOULD BE DENIED IN ITS ENTIRETY THEY ARE NOT ABOVE  
THE LAW OF OUR U.S. SUPREME COURTS AND BILL OF RIGHTS. ABUSE OF POWERS  
ACT ABOVE THE COLOR OF THE LAW.....



**4) PITITIONER MARCUS A. KELLEBREW ASSERTS RULES OF SPECIAL DAMAGES THAT STATE OF ARKANSAS DID IRREPAIRABLE HARMS OF MENTAL AGGREVATION, STRESS, DEPRIVATION OF LIBERTY WITHOUT DUE PROCESS AFTER MULTIPLE OBJECTIONS TO BEING “ LOCKED DOWN” ON OCT. 31<sup>ST</sup> 2022 FRON 5:30 TO 9:00 P.M.**

**5) CLAIMANT FURTHER PLEADS AND CLAIMS THAT PLAINTIFF/ CLAIMANT WAS IN COMPLIANCE WITH DIRECTIVES OF SIGN ON DOOR, LIGHTS OUT AFTER DARK TILL 0600 AM. AND FURTHER COMPLIANCE WITH LOCKDOWN IN VIOLATION OF MY LIBERTY AS A FREE UNITED STATES VETERAN OF THE ARMED FORCES OF THE UNITED STATES..AND NEVER BEFORE HAVE I EVER HAD TO COMPLY WITH A LOCK-DOWN NOR HAS IT EVER BEEN REQUIRED...**

**6) THAT PLAINTIFF/ CLAIMANT, MARCUS A. KELLEBREW, ESQ. PRO SE. IS AFFIRMED AS A CONVICTED FELONY UNDER A DISPUTED ARKANSAS SUPREME COURT RULE 6.1 APPEAL UNDER EXTRAORDINARY CIRCUMSTANCES....ALONG WITH ARK. RULE 37.1; ARK RULE 37.2;—ARKANSAS RULE 37.5 (C.L.E.A.) DEATH PENALTY CASES....**

**7) PERSUANT TO ARK. R. CIV. PROC. 12(b) LOWER COURTS DO NOT HAVE PROPER VENUE FOR DAMAGES BY THE STATE OF ARKANSAS OF DEPARTMENT OF CORRECTIONS AND ARKANSAS DEPARTMENT OF COMMUNITY CORRECTIONS. VENUE ACCORDING TO THE RULES OF ARK. CIV. PROC. “12b” SHOULD AND SHALL BE UPHELD AS ARKANSAS CLAIMS COMMISSION HAS PROPER ADJUDICATION IN ABOVE STYLED CLAIM/ CASE MATTERS.....**

**AND NOW PLAINTIFF/ CLAIMANT MR. MARCUS A. KELLEBREW, ESQ. PRO SE., ARK. CLAIM NO.#230636; ARK. CLAIM NO. #230414 THAT HIS MOTION FOR DIRECTED VERDICT AND SUMMARY JUDGEMENT TO BE ADJUDICATED BY ARKANSAS CLAIMS**

COMMISSION AND THAT HE PRAYS FOR PROPER ADJUDICATED RULINGS FROM ARK. CLAIMS COMMISSION IN REGARDS TO THE ABOVE STYLE MATTER; AND THAT RESPONDENT MOTION TO DISMISS SHOULD AND SHALL BE DENIED, VACATED AND DISMISSED IN ITS ENTIRETY WITH EXTREME PREJUDICE. AND THAT RESPONDENT MOTIONS DO NOT HAVE PROPER STANDING IN ABOVE SAID CLAIM AND CASE.

CLAIMANT MARCUS A; KELLEBREW PLEADS AND PRAYS FURTHER THAT HIS MOTION FOR ADJUDICATION BE UPHELD THAT ARKANSAS CLAIMS COMMISSION HAS VENUE AND AUTHORITY IN ALL ARKANSAS STATE MATTERS UNDER ARKANSAS CIV. PROCEDURES RULE "12b" AND SUBSEQUENT ARKANSAS RULINGS.....

RESPECTFULLY SUBMITTED,



MARCUS A. KELLEBREW

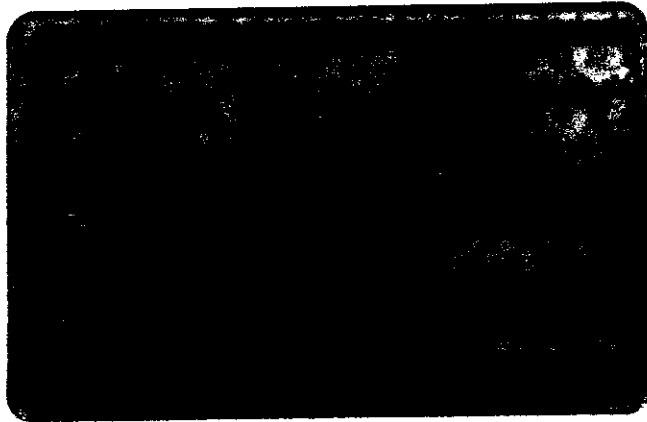


CERTIFICATE OF SERVICE

I, MARCUS A. KELLEBREW, CERTIFY THAT ON NOVEMBER 24<sup>th</sup>, 2022, I FORWARDED A COPY OF THE AFOREGOING, BY U.S. MAIL, RESTRICTED, POSTAGE PRE-PAID, ADDRESSED TO THE FOLLOWING:

✓ AMBER R. SCHUBERT, ARK. BAR NO. 2009150  
GENERAL COUNSEL  
ARKANSAS DEPARTMENT OF CORRECTIONS  
1302 PIKE AVENUE, SUITE B  
NORTH LITTLE ROCK, AR. 72114  
(501) 747-3783

✓ Thomas Burns  
Pine Bluff, ARK.



## DIRECT DEPOSIT SIGN-UP FORM

### DIRECTIONS

- To sign up for Direct Deposit, the payee is to read the back of this form and fill in the information requested in Sections 1 and 2. Then take or mail this form to the financial institution. The financial institution will verify the information in Sections 1 and 2, and will complete Section 3. The completed form will be returned to the Government agency identified below.
- A separate form must be completed for each type of payment to be sent by Direct Deposit.
- The claim number and type of payment are printed on Government checks. (See the sample check on the back of this form.) This information is also stated on beneficiary/annuitant award letters and other documents from the Government agency.
- Payees must keep the Government agency informed of any address changes in order to receive important information about benefits and to remain qualified for payments.

### SECTION 1 (TO BE COMPLETED BY PAYEE)

<b>A NAME OF PAYEE (last, first, middle initial)</b> [REDACTED]		<b>D TYPE OF DEPOSITOR ACCOUNT</b> <input checked="" type="checkbox"/> CHECKING <input checked="" type="checkbox"/> SAVINGS											
[REDACTED]		<b>E</b> [REDACTED]											
[REDACTED]		<b>F TYPE OF PAYMENT (Check only one)</b> <table border="0"><tr><td><input type="checkbox"/> Social Security</td><td><input type="checkbox"/> Fed. Salary/Mil. Civilian Pay</td></tr><tr><td><input type="checkbox"/> Supplemental Security Income</td><td><input type="checkbox"/> Mil. Active</td></tr><tr><td><input type="checkbox"/> Railroad Retirement</td><td><input type="checkbox"/> Mil. Retire.</td></tr><tr><td><input type="checkbox"/> Civil Service Retirement (OPM)</td><td><input type="checkbox"/> Mil. Survivor</td></tr><tr><td><input type="checkbox"/> VA Compensation or Pension</td><td><input type="checkbox"/> Other (specify) _____</td></tr></table>		<input type="checkbox"/> Social Security	<input type="checkbox"/> Fed. Salary/Mil. Civilian Pay	<input type="checkbox"/> Supplemental Security Income	<input type="checkbox"/> Mil. Active	<input type="checkbox"/> Railroad Retirement	<input type="checkbox"/> Mil. Retire.	<input type="checkbox"/> Civil Service Retirement (OPM)	<input type="checkbox"/> Mil. Survivor	<input type="checkbox"/> VA Compensation or Pension	<input type="checkbox"/> Other (specify) _____
<input type="checkbox"/> Social Security	<input type="checkbox"/> Fed. Salary/Mil. Civilian Pay												
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<input type="checkbox"/> Civil Service Retirement (OPM)	<input type="checkbox"/> Mil. Survivor												
<input type="checkbox"/> VA Compensation or Pension	<input type="checkbox"/> Other (specify) _____												
<b>TELEPHONE NUMBER</b> <b>AREA CODE</b>		<b>G THIS BOX FOR ALLOTMENT OF PAYMENT ONLY (if applicable)</b> <table border="1"><tr><td>TYPE</td><td>AMOUNT</td></tr><tr><td> </td><td> </td></tr></table>		TYPE	AMOUNT								
TYPE	AMOUNT												
<b>B NAME OF PERSON(S) ENTITLED TO PAYMENT</b> Marcus A. Kellebrew		<b>JOINT ACCOUNT HOLDERS' CERTIFICATION (optional)</b> I certify that I have read and understood the back of this form, including the SPECIAL NOTICE TO JOINT ACCOUNT HOLDERS.											
<b>C CLAIM OR PAYROLL ID NUMBER</b> [REDACTED]													
<b>PAYEE/JOINT PAYEE CERTIFICATION</b> I certify that I am entitled to the payment identified above, and that I have read and understood the back of this form. In signing this form, I authorize my payment to be sent to the financial institution named below to be deposited to the designated account.													
<b>SIGNATURE</b> [Signature]		<b>SIGNATURE</b>											
<b>DATE</b>		<b>DATE</b>											
<b>SIGNATURE</b>		<b>SIGNATURE</b>											
<b>DATE</b>		<b>DATE</b>											

### SECTION 2 (TO BE COMPLETED BY PAYEE OR FINANCIAL INSTITUTION)

<b>GOVERNMENT AGENCY NAME</b>	<b>GOVERNMENT AGENCY ADDRESS</b> Marcus Kellebrew [REDACTED]
-------------------------------	--

### SECTION 3 (TO BE COMPLETED BY FINANCIAL INSTITUTION)

<b>NAME AND ADDRESS OF FINANCIAL INSTITUTION</b> [REDACTED]		<b>ROUTING NUMBER</b> [REDACTED]	<b>CHECK DIGIT</b> [REDACTED]
		<b>DEPOSITOR ACCOUNT TITLE</b>	
<b>FINANCIAL INSTITUTION CERTIFICATION</b> I confirm the identity of the above-named payee(s) and the account number and title. As representative of the above-named financial institution, I certify that the financial institution agrees to receive and deposit the payment identified above in accordance with 31 CFR Parts 240, 209, and 210.			
<b>PRINT OR TYPE REPRESENTATIVE'S NAME</b> Landon Spelman	<b>SIGNATURE OF REPRESENTATIVE</b> [Signature]	<b>TELEPHONE NUMBER</b> [REDACTED]	<b>DATE</b> 10-7-2022

Financial institutions should refer to the GREEN BOOK for further instructions.

THE FINANCIAL INSTITUTION SHOULD MAIL THE COMPLETED FORM TO THE GOVERNMENT AGENCY IDENTIFIED ABOVE.

GOVERNMENT AGENCY COPY

**BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**

**MARCUS A. KELLEBREW**

**CLAIMANT**

**v.**

**CLAIM NO. 230636**

**ARKANSAS COMMUNITY CORRECTION and  
ARKANSAS DEPARTMENT OF CORRECTIONS  
DIVISION OF CORRECTION**

**RESPONDENTS**

**ANSWER TO COMPLAINT**

COMES NOW the Respondent, Arkansas Department of Corrections, and for its Answer, states and alleges as follows:

1. Respondent denies liability in this claim and asserts it will hold the Claimant to strict proof on each allegation unless admitted by Respondent. Respondent reserves the right to plead further upon completion of the investigation by internal affairs and requests the matter be held in abeyance until the investigation is complete.

2. The applicable account information required by the Commission is:

- |                           |                          |
|---------------------------|--------------------------|
| a. Agency number: 0480    | b. Cost Center: HCA 0100 |
| c. Internal Order: 340301 | d. Fund Center: 509      |

WHEREFORE, for the reasons cited above, the Respondent prays that the claim be dismissed with prejudice and that Claimant take nothing or, in the alternative, that the matter be held in abeyance until completion of the investigation by Internal Affairs.

Respectfully submitted,



Thomas Burns (02006)  
ADC Legal Division  
6814 Princeton Pike  
Pine Bluff, AR 71602-9411  
(870) 267-6845 telephone  
thomas.burns@arkansas.gov





Federal Bureau of Investigation  
Washington, D.C. 20535

November 15, 2022

MARCUS ANTHONY KELLEBREW

FOIPA Request No.: 1572235-000  
Subject: KELLEBREW, MARCUS  
ANTHONY

Dear Marcus Kellebrew:

This acknowledges receipt of your Freedom of Information/Privacy Acts (FOIPA) request to the FBI. Below you will find check boxes and informational paragraphs about your request, as well as specific determinations required by these statutes. Please read each one carefully.

- ☒ Your request has been received at FBI Headquarters for processing.
- ☐ You submitted your request via the FBI's eFOIPA system.
- ☐ Future correspondence about your FOIPA request will be provided in an email link unless the record file type is not supported by the eFOIPA system.
- ☐ Correspondence for requests regarding living individuals, or containing audio, video, and high resolution photographs cannot be sent through the eFOIPA system. Future correspondence about your FOIPA request will be delivered through standard mail.
- ☐ The subject of your request is currently being processed and documents subject to the FOIPA will be released to you upon completion.
- ☐ Release of responsive records subject to the FOIPA will be posted to the FBI's electronic FOIA Library (The Vault), <http://vault.fbi.gov>, and you will be contacted when the release is posted.
- ☐ Your request for a public interest fee waiver is under consideration and you will be advised of the decision if fees are applicable. If your fee waiver is not granted, you will be responsible for applicable fees per your designated requester fee category below.
- ☒ For the purpose of assessing any fees, we have determined:
  - ☐ As a commercial use requester, you will be charged applicable search, review, and duplication fees in accordance with 5 USC § 552 (a)(4)(A)(ii)(I).
  - ☐ As an educational institution, noncommercial scientific institution or representative of the news media requester, you will be charged applicable duplication fees in accordance with 5 USC § 552 (a)(4)(A)(ii)(II).
  - ☒ As a general (all others) requester, you will be charged applicable search and duplication fees in accordance with 5 USC § 552 (a)(4)(A)(ii)(III).

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For questions regarding our determinations, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

If you are not satisfied with the Federal Bureau of Investigation's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by emailing the FBI's FOIA Public Liaison at [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). The subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified. You may also contact the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Sincerely,



Michael G. Seidel  
Section Chief  
Record/Information  
Dissemination Section  
Information Management Division

STATE OF ARKANSAS  
ARKANSAS CLAIMS COMMISSION  
101 EAST CAPITAL AVE., SUITE 410  
LITTLE ROCK, ARK. 72201-3832  
(501) 682-1619

Arkansas  
State Claims Commission

DEC 12 2022

RECEIVED

DECEMBER 7, 2022

MARCUS A. KELLEBREW, ESQ.  
[REDACTED]  
[REDACTED]

KATHERINE IRBY  
101 EAST CAPITAL AVE., SUITE 410  
LITTLE ROCK, ARK 72201

RE; REIMBURSEMENT AND COMPENSATION FOR EXPENDITURES

DEAR MS. IRBY,

ATTACHED ARE THE RECIEPTS OF EXPENDITURES RESULTING IN THE CLAIMS AGAINST  
STATE OF ARKANSAS ACC- ARKANSAS COMMUNITY CORRECTIONS OF MONTICELLO  
ARKANSAS CLAIM NO. # 230414; ARKANSAS CLAIM NO. # 230565; ARKANSAS CLAIM  
NO. # 230636.

PLEASE DO AN ACCOUNTING AUDIT OF THE RECIEPTS AND TOTAL AMOUNT FOR  
IMBURSEMENTS TO ME FOR MY EXPENSES DO TO THE FAILURE OF THE AGENTS OF  
ARKANSAS AGENT KATRINA BARROW AND ARKANSAS AGENT LASANDRA SANDERS  
FAILURE TO WEAR MASKS AND GLOVES WHILE CONDUCTING A ILLEGAL SEARCH AND  
RADSACKING OF MY PERSONAL RESIDENCY AND THE SUBSEQUENT COUNTER ACTIONS  
AND FILING....

FEEL FREE TO CONTACT ME AT [REDACTED] IF YOU OR YOUR ACCOUNTING OFFICER(S)  
HAVE ANY, ANY QUESTIONS WHAT SO EVER..

ONCE AGAIN, THANK YOU FOR YOUR SERVICE TO THE STATE OF ARKANSAS.....

RESPECTFULLY SUBMITTED,

*Marcus A. Kellebrew*  
MARCUS A. KELLEBREW  
[REDACTED]  
[REDACTED]

\*\*\*\*\*  
\* TUE 11-08-22 09:50 A \*  
\*\*\*\*\*

Item #2 Purchased:  
DELUXE WASH

Item Price           \$ 13.00  
Total               \$ 13.00

Card No.   XXXX XXXX 8971  
Charge Amount   \$ 13.00

Change           \$ 0.00

7021 2720 000

<input type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00
<input type="checkbox"/> Adult Signature Required	\$ 0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00
Postage	\$ 1.00
Total Postage and Fees	\$ 1.00



AR Claims Commission  
 101 E Capitol Ave Ste 410  
 City, State, ZIP+4

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Tracking #: 70212720000171382328  
 Return Receipt Tracking #: 9590 9402 7055 1225 3365 10  
 Total \$9.17

Grand Total: \$9.17  
 \$9.17

Account #: [REDACTED]  
 Approval #: 173677  
 Transaction #: 698  
 Receipt #: 037928  
 Debit Card Purchase: \$9.17  
 AID: A0000000042203 Chip  
 AL: DEBIT  
 PIN: Verified DEBIT

\*\*\*\*\*  
 Every household in the U.S. is now  
 eligible to receive a third set  
 of 8 free test kits.  
 Go to [www.covidtests.gov](http://www.covidtests.gov)  
 \*\*\*\*\*

Text your tracking number to 28777 (2USPS)  
 to get the latest status. Standard Message  
 and Data rates may apply. You may also  
 visit [www.usps.com](http://www.usps.com) USPS Tracking or call  
 1-800-222-1811.

Preview your Mail  
 Track your Packages  
 Sign up for FREE @  
<https://informedelivery.usps.com>

All sales final on stamps and postage.  
 Refunds for guaranteed services only.  
 Thank you for your business.

Tell us about your experience.  
 Go to: <https://postalexperience.com/Pos>  
 or scan this code with your mobile device.



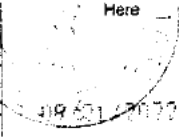
or call 1-800-410-7420.

UFN: 045895-0655  
 Receipt #: 840-57200019-2-5841375-2  
 Clerk: 1007



7021 2720 000

☐ Certified Mail Restricted Delivery \$ 2.00  
☐ Adult Signature Required \$ 4.00  
☐ Adult Signature Restricted Delivery \$ 4.00  
Postage \$ 1.92  
Total Postage and Fees \$ 3.17



AR Claims Commission  
101E - Capitol Ave Ste 410  
City, State, ZIP+4

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Tracking #: 70212720000171362328  
Return Receipt Tracking #: 9590 9402 7055 1225 3389 13  
Total \$9.17  
Grand Total: \$9.17  
\$9.17

Approval #: 173677  
Transaction #: 698  
Receipt #: 037928  
Debit Card Purchase: \$9.17  
AID: A0000000042203 Chip  
AL: DEBIT  
PIN: Verified DEBIT

\*\*\*\*\*  
Every household in the U.S. is now  
eligible to receive a third set  
of 8 free test kits.  
Go to [www.covidtests.gov](http://www.covidtests.gov)  
\*\*\*\*\*

Text your tracking number to 28777 (2USPS)  
to get the latest status. Standard Message  
and Data rates may apply. You may also  
visit [www.usps.com](http://www.usps.com) USPS Tracking or call  
1-800-222-1811.

Preview your Mail  
Track your Packages  
Sign up for FREE @  
<https://informedelivery.usps.com>

All sales final on stamps and postage.  
Refunds for guaranteed services only.  
Thank you for your business.


Tell us about your experience.  
Go to: <https://postalexperience.com/Pos>  
or scan this code with your mobile device.



or call 1-800-416-7420.

UFN: 045895-0655  
Receipt #: 340-57200019-2-5841375-2  
Clerk: 1007

7021 2720 0001 714

Certified Mail Fee		
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage		
Total Postage and Fees		
Sent To		
Street and Apt. No., or PO Box No.		
City, State, ZIP+4®		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Recipient Name  
 JERRY BRADSHAW  
 Tracking #: 70212720000171432283  
 Return Receipt  
 Tracking #: 9590 9402 7289 2026 4170 15  
 Total \$15.52  
 Grand Total: \$15.52

Card Name: [REDACTED]  
 Account #: [REDACTED]  
 Approval #: 215497  
 Transaction #: 041  
 Receipt #: 043274  
 Debit Card Purchase: \$15.52  
 AID: A0000000042203  
 AL: DEBIT  
 PIN: Verified  
 Chip DEBIT

Preview your Mail  
 Track your Packages  
 Sign up for FREE @  
<https://informedelivery.usps.com>

All sales final on stamps and postage.  
 Refunds for guaranteed services only.  
 Thank you for your business.

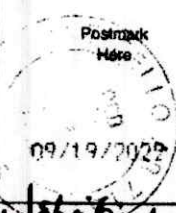
Tell us about your experience.  
 Go to: <https://postalexperience.com/Pos>  
 or scan this code with your mobile device.



or call 1-800-410-7420.

UFN: 045895-0655  
 Receipt #: 840-57200019-1-6417104-2  
 Clerk: 03

7021 2720 0001 714

Certified Mail Fee		
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input type="checkbox"/> Return Receipt (electronic)	\$	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage		
Total Postage and Fees		
Sent To		
Gov. Asa Hutchinson		
Street and Apt. No., or PO Box No.		
City, State, ZIP+4®		

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Tracking #: 70212720000171382274  
 Return Receipt \$3.25  
 Tracking #: 9590 9402 7055 1225 3389 75  
 Total \$8.93  
 First-Class Mail® 1 \$1.08  
 Letter  
 Little Rock, AR 72201  
 Weight: 0 lb 2.90 oz  
 Estimated Delivery Date  
 Wed 09/21/2022  
 Restricted Del \$10.35  
 Recipient name  
 GOVERNOR ASA HUTCHINSON  
 Tracking #: 70212720000171382281  
 Return Receipt \$3.25  
 Tracking #: 9590 9402 7055 1225 3389 75  
 Total \$14.68  
 Grand Total: \$23.61

Debit Card Remit \$73.61  
 Card Name: MasterCard  
 Account #: XXXXXXXXXX8971  
 Approval #: 159304  
 Transaction #: 665

Arkansas Governor  
Asa Hutchinson  
500 Woodlane Rm 250  
Little Rock AR 72201



9590 9402 7055 1225 3389 82

2. Article Number (Transfer from service label)

7021 2720 0001 7138 2281

PS Form 3811, July 2020 PSN 7530-02-000-9053

U. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☐ Certified Mail®  
☒ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery  
☐ Restricted Delivery

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Thomas McBroome  
2801 S. Olive St 6D  
Pine Bluff AR 71603



9590 9402 7055 1225 3389 75

2. Article Number (Transfer from service label)

7021 2720 0001 7138 2274

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Thomas McBroome* ☐ Agent  
☒ Addressee

B. Received by (Printed Name)

*Thomas McBroome* C. Date of Delivery

9-21  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☐ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery  
☐ Restricted Delivery

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

AR Claims Commission  
101 East Capital Ave  
LR AR 72201 Ste 410



9590 9402 7055 1225 3389 13

2. Article Number (Transfer from service label)

7021 2720 0001 7138 2328

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Conie P. B. 725* ☐ Agent  
☒ Addressee

B. Received by (Printed Name)

*Conie P. B. 725* C. Date of Delivery

9-25-22  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery  
☐ Restricted Delivery

Domestic Return Receipt

Arkansas Governor  
Asa Hutchinson  
500 Woodlane Rm 250  
Little Rock AR 72201



9590 9402 7055 1225 3389 82

2. Article Number (Transfer from service label)

7021 2720 0001 7138 2281

PS Form 3811, July 2020 PSN 7530-02-000-9053

U. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☐ Certified Mail®  
☒ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery  
☐ Restricted Delivery

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Thomas McBroome  
2801 S. Olive St 6D  
Pine Bluff AR 71603



9590 9402 7055 1225 3389 75

2. Article Number (Transfer from service label)

7021 2720 0001 7138 2274

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Thomas McBroome* ☐ Agent  
☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

*Thomas McBroome* 9-21  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

SEP 21 2022

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☐ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery  
☐ Restricted Delivery

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

AR Claims Commission  
101 East Capital Ave  
LR AR 72201 Ste 410



9590 9402 7055 1225 3389 13

2. Article Number (Transfer from service label)

7021 2720 0001 7138 2328

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Carrie P. B. 12/28* ☐ Agent  
☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

*Carrie P. B. 12/28* 9-25-22  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery  
☐ Restricted Delivery

Domestic Return Receipt

CHECK FEE FOR U6Z185  
TO PRIMARY SHARES

5.00

Restricted

Tfr: 5.00

MARCUS KELLEBREW

Uch68(1) 22 AUG 22 14:45 Br 2 Op 58 Net Amt 0.00

ARKANSAS SUPERIOR FEDERAL CU  
313 S MARTIN

\*\*\*\*\* PROCESS TRANSACTION TR#290 \*\*\*\*\*

Account Detail	Account #	Amount	Balance	Available
FROM PRIMARY SHARES		20000.00	3613.23	3608.23
Check Withdrawal		20000.00		

MARCUS KELLEBREW

Uch66(1) 22 AUG 22 14:43 Br 2 Op 58 Net Amt 20000.00



#10666 640 W GAINES ST  
MONTICELLO, AR 71655  
870-367-6146

118 3374 0021 09/29/2022 5:40 PM

BSK PLANNER ENTERPRISE 7X11		
69993190608	A	7.99
RETURN VALUE 7.99		
WEXFORD CLASP ENVLPS 9X12" 8S PPR		
04902206948	A	3.99
RETURN VALUE 3.99		
WEXFORD CLSP EVLPS 10"X13" 7S PPR		
04902206949	A	7.98
2 @ 3.99		
RETURN VALUE 3.99 ea		
WEXFORD VIEW PENCIL CASE DISP		
04902270560	A	1.29
RETURN VALUE 1.29		
PILOT G2 FINE PT PEN BLACK 4S		
07283831057	A	7.29
RETURN VALUE 7.29		
ZEBRA GEL PEN BLACK G-301	2S	
04588841312	A	5.99
RETURN VALUE 5.99		
SUBTOTAL		34.53
SALES TAX A=9.75%		3.37
TOTAL		37.90
DEBIT CARD		37.90
AUTH CODE		229716
CHANGE		.00

Sale  
AID A0000000042203  
DEBIT  
Integrated chip card  
PIN Verified

THANK YOU FOR SHOPPING AT WALGREENS

REDEEM \$5 WALGREENS CASH REWARDS ON YOUR  
NEXT PURCHASE! WALGREENS CASH REWARDS  
CANNOT BE REDEEMED ON SOME ITEMS. FOR  
FULL DETAILS SEE MYWALGREENS.COM

RFN# 1066-6213-3748-2209-2903



\*\*\*\*\*



313 N. Hyatt Street  
Monticello, AR 71656  
870 337-2845

06/25/2022	17,267.94
DEBIT	City Medical
CARD #	AMERICAN EXPRESS
PRC 1045	SPRINT
AUTH CODE 310441	
Merchant	Internet
A/C	AMERICAN EXPRESS
TYPE	DEBIT CARD
PRC	01/06/2017/2018 CARD CARD CARD CARD
UNIT #	
EST.	6666
ARC	00
TEL	01/06/2017/2018 CARD CARD CARD CARD
MIN	001 001 0114-4
TOTAL	17,267.94

[illegible]

34 BALANCE DUE	\$78.83
PAID	\$78.83

Auth. Code 310940

10-11-68 10:00 AM

TAX CORR	TAXADJ VAL	TAX VAL IN
TAX 3 3/5%	\$77.26	\$22.57

CARRIER NAME: UPS  
 CARRIER # 3209 11:20:34 2/20/2012  
 574255 1:00

# THE NEW YORK PUBLIC LIBRARY

SAVL A 100

He told the test for blood.

When you speak, be sure to include:

Date 9-6-22

Address \_\_\_\_\_

Reg. No.	Clerk	Account Forward
1	Arkansas Cede books book	
2		53.00
3		5.00
4		58.00
5		5.78
6		
7		60.78
8		
9	Card Man	
10		
11		
12		
13		
14		
15		

A-1200:3510/0530  
T-45202/45202/46200

Your Account Stated to Date - If Error Is Found - Return at Once

Give us feedback @ survey.walmart.com  
Thank you! ID #:7RHI1N3RYNH

**Walmart**

870-367-0409 Mgr:JEFFERY  
427 HIGHWAY 425 N  
MONTICELLO AR 71655

STW 00348 OP# 000147 TEN 17 TRM 04260  
SAFE 004907402118 54.00 X  
SAFE 004907402118 54.00 X  
PAPER CLIPS 005050572514 1.62 X  
PAPER CLIPS 005050572514 1.62 X  
SUPERSTICKY 005114136613 6.24 X  
SUPERSTICKY 005114136613 6.24 X  
HONEY BAG 695003709173 4.24 X  
HONEY BAG 695003709173 4.24 X  
1 INCH BNDR 692173492147 6.12 X  
1 INCH BNDR 692173492147 6.12 X  
SUBTOTAL 144.44  
TAX 1 9.750 14.08  
TOTAL 158.52  
DEBIT TEND 158.52  
CHANGE DUE 0.00

EFT DEBIT 158.52 TOTAL PURCHASE  
DEBIT \*\*\*\* \* 8971 I I  
REF # 227200305161  
NETWORK ID. 0056 APPR CODE 002466  
DEBIT  
AID A00000000042203  
AAC 7E70EE5386220846  
TERMINAL # SC010831

09/29/22 18:10:42  
# ITEMS SOLD 10  
TCN 5396 6942 9905 0990 6230 7



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Low Prices You Can Trust. Every Day.  
09/29/22 18:10:47

WELCOME  
CIRCLE K 247  
CIRCLE K  
274 HIGHWAY 425 N  
MONTICELLO AR  
71657

DATE 7/17/22 17:38  
TRAN# 9061590  
PUMP# 06  
SERVICE LEVEL: SELF  
PRODUCT: Plus  
GALLONS: 23.160  
PRICE/G: \$4.619  
FUEL SALE \$106.98  
DEBIT \$106.98

USD\$106.98  
Payment from  
Primary Account  
\*\*\*\*\*8971  
Entry: Chip Read  
AppName: DEBIT  
AuthNet: MAE DIR  
MODE: Issuer  
AID: A00000000042203  
Auth #: 420580  
Resp Code: 000  
Stan: 08381598716  
Invoice #: 927628  
Shift #: 1  
Store # 9986209

Verified By PIN  
No Signature Needed

THANK YOU  
HAVE A NICE DAY

MONTICELLO EXPRESS  
429 HIGHWAY 425 N  
MONTICELLO, AR, 71655  
0000000004827754  
MONTICELLO  
429 HWY 425 N  
MONTICELLO AR 71655

< DUPLICATE RECEIPT >

Description	Qty	Amount
Plus CA #01	19.3966	70.00
SELF @ 3.608/ 6		
Subtotal		70.00
<b>TOTAL</b>		<b>70.00</b>
DEBIT \$		70.00

USD\$70.00  
Payment from  
Primary Account  
\*\*\*\*\*  
Entry: Chip Read  
AppName: DEBIT  
AuthNet: MAE DIR  
MODE: Issuer  
AID: A0000000042203  
Auth #: 191098  
Resp Code: 000  
Stan: 0510625561  
Invoice #: 483444  
Shift #: 1  
Store # 4827754

Verified By PIN  
No Signature Needed

ST#AB123 TILL XXXX DR#1 TRAN#9016686  
CSH: 0 10/2/22 6:18:30 PM

#15392

12001 E. Cal. Glen Blvd.  
Little Rock, AR 72210  
(833) 435-4736

**ORDER 62**

EAT IN

1 CHMD CRISPY CK  
1 \*CRISPY CHICKEN  
1 \*MD FRY  
1 \*MD COKE

SUBTOTAL	9.79
Food/Bev 2% T	0.20
General 8.625	0.84
TOTAL	10.83
CREDIT CARD	10.83
CHANGE	0.00

Free\* Whoppers for your thoughts  
Complete the online survey at  
aybkexperience.com

\*Purchase of S/M/L soft drink and any size  
fries required. See terms at bk.com/terms.

Transaction ID: 29659-62111-50333-020202

**TOTAL CHARGE 10.83**

AcctNum: [REDACTED]  
Auth: 236055  
Type: CREDIT  
CTrautd: 26279  
Merchant Id: 456160729996

RETAIN THIS COPY FOR YOUR RECORDS  
**CUSTOMER COPY**

Turn Me Over @ Get your Whopper! @ Turn Me Over @ Get your Whopper! @ Turn Me Over @

ILCOME  
LE K 247  
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: \$186.98  
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#: 927628  
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: 9986289  
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THANK YOU  
A NICE DAY



**KELLEBREW, MARCUS**

10/17/22 3:26:41 PM ST:ST CLK:ALICIA

INV#: **453467**



COMET LAUNDRY & CLEANERS

tel: (870)367-9270

Pickup: **TUE** 10/18 - Pickup After 4PM

1 SPECIAL SHIRT	\$16.50
1 L SHIRTS M/S	\$3.16
2 L PANTS M/S	\$9.50
2 L PANT SPECIAL M/S	\$22.74

SUBTOTAL:	\$51.90
ENV. CHG:	\$3.11
TAX:	\$4.54
** TOTAL:	<b>\$59.55</b>

Total PC) **15 PC**  
[Dry] 6 [Ldy] 9 [Alt] 0 [PO] 0  
**9 M/S**

**KELLEBREW, MARCUS**

10/17/22 3:26:39 PM ST:ST CLK:ALICIA

INV#: **453467**



COMET LAUNDRY & CLEANERS

tel: (870)367-9270

Pickup: **TUE** 10/18 - Pickup After 4PM

1 SPECIAL SHIRT	\$16.50
1 L SHIRTS M/S	\$3.16
2 L PANTS M/S	\$9.50
2 L PANT SPECIAL M/S	\$22.74

SUBTOTAL:	\$51.90
ENV. CHG:	\$3.11
TAX:	\$4.54
** TOTAL:	<b>\$59.55</b>

Total PC) **15 PC**  
[Dry] 6 [Ldy] 9 [Alt] 0 [PO] 0  
**9 M/S**



KELLEBREW, MARCUS

0/28/22 11:11:46 AM ST:ST [Mileage:02.4] CLK:GABE/LA

INV#:

453817



COMET LAUNDRY & CLEANERS

tel: (870)367-9270

Pickup: MON 10/31 - Pickup After 4PM

2 SPECIAL SHIRT	\$33.00
1 L. SHIRTS L/S	\$3.16

SUBTOTAL:	\$36.16
ENV. CHG:	\$2.17
TAX:	\$3.16

\*\* TOTAL: \$41.49

[Total PC] 13 PC  
[Dry] 12 [Ldy] 1 [Alt] 0 [PO] 0  
1 L/S

Nov 2 2022 1:05 PM

\$41.49

Subtotal \$41.49

Total \$41.49

Payment [REDACTED] authorized

Trans. ID TS-3679273537

Comet Cleaners  
122 Canaan  
Munroe, AR 71659



100% Satisfaction  
Call (870) 367-9270



MONTICELLO  
1492 N HYATT ST  
MONTICELLO, AR 71655-9998  
(800)275-8777

10/03/2022 02:25 PM

Product	Qty	Unit Price	Price
---------	-----	------------	-------

First-Class Mail® Large Envelope	1		\$3.60
-------------------------------------	---	--	--------

Little Rock, AR 72201  
Weight: 0 lb 10.50 oz  
Estimated Delivery Date  
Wed 10/05/2022  
Restricted Del \$10.35

Recipient name  
JOHN FLEETS  
Tracking #:  
70212720000171382496

Return Receipt \$3.25  
Tracking #:  
9590 9402 7055 1225 3388 21

Total \$17.20

First-Class Mail® Large Envelope	1		\$3.60
-------------------------------------	---	--	--------

Pine Bluff, AR 71603  
Weight: 0 lb 10.50 oz  
Estimated Delivery Date  
Wed 10/05/2022  
Restricted Del \$10.35

Recipient name  
THOMAS MCBROOME  
Tracking #:  
70212720000171382489

Return Receipt \$3.25  
Tracking #:  
9590 9402 7055 1225 3388 14

Total \$17.20

Grand Total: \$34.40

\$34.40

Approval #: 009166  
Transaction #: 816  
Receipt #: 038056  
Debit Card Purchase: \$34.40  
AID: A0000000042203 Chip  
AL: DEBIT  
PIN: Verified DEBIT

Preview your Mail  
Track your Packages  
Sign up for FREE @  
<https://informedelivery.usps.com>

7021 2720 0001 7138 2434

# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

Little Rock, AR 72202

Certified Mail Fee \$7.75  
Extra Services & Fees (check box, add fee as appropriate)  
☐ Return Receipt (hardcopy) \$0.00  
☐ Return Receipt (electronic) \$0.00  
☐ Certified Mail Restricted Delivery \$0.00  
☐ Adult Signature Required \$0.00  
☐ Adult Signature Restricted Delivery \$0.00

Postage \$1.27

Total Postage and Fees \$14.92

Sent to **James A Dawson (SAC)**  
Street and Apt. No., or PO Box No.  
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

JAMES A DAWSON

Tracking #: 70212720000171382434

Return Receipt \$3.25  
Tracking #:  
9590 9402 7055 1225 3388 69

Total \$14.92

Grand Total: \$14.92

Debit Card Remit \$14.92

Approval #: 008106  
Transaction #: 808  
Receipt #: 038046  
Debit Card Purchase: \$14.92  
AID: A0000000042203 Chip  
AL: DEBIT  
PIN: Verified DEBIT

Preview your Mail  
Track your Packages  
Sign up for FREE @  
<https://informedelivery.usps.com>

All sales final on stamps and postage.  
Refunds for guaranteed services only.  
Thank you for your business.

Tell us about your experience  
Go to: <https://postalexperience.com/Pos>  
or scan this code with your mobile device.



or call 1-800-410-7420



MONTICELLO  
1492 N HVAIT ST  
MONTICELLO, AR 71655-9998  
(800) 275-8777

10/03/2022 01:08 PM  
Product Qty Unit Price  
Price

First-Class Mail® 1 \$3.60  
Large Envelope  
Little Rock, AR 72201  
Weight: 0 lb 10.30 oz  
Estimated Delivery Date  
Wed 10/05/2022  
Restricted Del \$10.35  
Recipient name  
JERRY BRADSHAW  
Tracking #: 70212720000171382441  
Return Receipt \$5.25  
Tracking #: 9590 9402 7055 1225 3388 52  
Total \$17.20

First-Class Mail® 1 \$1.92  
Large Envelope  
Monticello, AR 71655  
Weight: 0 lb 3.60 oz  
Estimated Delivery Date  
Wed 10/05/2022  
Certified Mail® \$4.00  
Tracking #: 70212720000171382458  
Return Receipt \$3.25  
Tracking #: 9590 9402 7055 1225 3388 45  
Total \$9.17

First-Class Mail® 1 \$1.92  
Large Envelope  
Monticello, AR 71655  
Weight: 0 lb 3.70 oz  
Estimated Delivery Date  
Wed 10/05/2022  
Certified Mail® \$4.00  
Tracking #: 70212720000171382465  
Return Receipt \$3.25  
Tracking #: 9590 9402 7055 1225 3388 58  
Total \$9.17

Grand Total: \$35.54

Debit Card Remit \$35.54

COMPLETE THIS SECTION

1. Article Addressed to:  
Kers MPD  
Police Dept.  
Church St.  
16 AR 71655

2. Article Number (Transfer from service label)  
7021 2720 0001 7138 2458

3. Service Type  
Priority Mail Express®  
Registered Mail™  
Registered Mail Restricted Delivery  
Certified Mail®  
Signature Confirmation™  
Signature Confirmation Restricted Delivery  
Collect on Delivery  
Collect on Delivery Restricted Delivery

4. Article Addressed to:  
Drew City Sheriff  
Mark Gober  
210 S. Main  
Monticello AR 71655

5. Article Number (Transfer from service label)  
7021 2720 0001 7138 2465

6. Service Type  
Priority Mail Express®  
Registered Mail™  
Registered Mail Restricted Delivery  
Certified Mail®  
Signature Confirmation™  
Signature Confirmation Restricted Delivery  
Collect on Delivery  
Collect on Delivery Restricted Delivery

COMPLETE THIS SECTION ON DELIVERY

7. Article Addressed to:  
Drew City Sheriff  
Mark Gober  
210 S. Main  
Monticello AR 71655

8. Article Number (Transfer from service label)  
7021 2720 0001 7138 2465

9. Service Type  
Priority Mail Express®  
Registered Mail™  
Registered Mail Restricted Delivery  
Certified Mail®  
Signature Confirmation™  
Signature Confirmation Restricted Delivery  
Collect on Delivery  
Collect on Delivery Restricted Delivery

COMPLETE THIS SECTION ON DELIVERY

10. Article Addressed to:  
Drew City Sheriff  
Mark Gober  
210 S. Main  
Monticello AR 71655

11. Article Number (Transfer from service label)  
7021 2720 0001 7138 2465


12. Service Type  
Priority Mail Express®  
Registered Mail™  
Registered Mail Restricted Delivery  
Certified Mail®  
Signature Confirmation™  
Signature Confirmation Restricted Delivery  
Collect on Delivery  
Collect on Delivery Restricted Delivery

2020 PSN 7530-02-000-9053


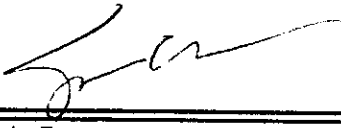
Domestic Return Receipt

PS Form 3811, July 2020 PSN 7530-02-000-9053

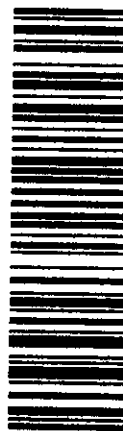
Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="font-size: 1.2em; margin-left: 20px;">Drew City Sheriff Mark Gober 210 S. Main Monticello AL 36165</p> <div style="text-align: center;">  <p>9590 9402 7055 1225 3388 38</p> </div> <p>2. Article Number (Transfer from service label)</p> <p style="font-size: 1.2em; text-align: center;">7021 2720 0001 7138 2465</p>	<p>A. Signature</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> <i>Lai Wilkerson</i> <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p style="margin-left: 20px;"><i>Lai Wilkerson</i> <span style="float: right;">10/4/22</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <hr/> <p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input checked="" type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery </div> <div style="width: 35%;"> <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery </div> </div>

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p style="font-size: 1.2em; margin-left: 20px;">Chief Aikers MPD Monticello Police Dept. 101 N. Church St. Monticello AL 36165</p> <div style="text-align: center;">  <p>9590 9402 7055 1225 3388 45</p> </div> <p>2. Article Number (Transfer from service label)</p> <p style="font-size: 1.2em; text-align: center;">7021 2720 0001 7138 2458</p>	<p>A. Signature</p> <p style="margin-left: 20px;"><input checked="" type="checkbox"/> <i>Jason Aikers</i> <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span></p> <p style="margin-left: 20px;"><i>Jason Aikers</i> <span style="float: right;">10/5/22</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <div style="text-align: center; margin-top: 20px;">  </div> <hr/> <p>3. Service Type</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input checked="" type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery </div> <div style="width: 35%;"> <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery </div> </div>

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt



7021 2720 0001 7138 2496

Handwritten: 11/15

Arkansas People's Bank  
Attn: John Feltz, Director  
105 W. Capitol, Suite 500



1000



72201

U.S. POSTAGE PAID  
FOR THE  
MONTH OF  
OCTOBER 22  
AMOUNT

**\$17.20**  
R2301 D155590-04

NIXIE

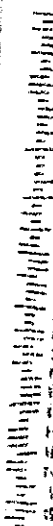
731 CC 1

0110/07/22

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

BC: 71555919284

2266N289192-01333



CTED  
ERY



# RESTRICTED DELIVERY

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

AR Parale Board  
John Felts  
105 W Capital  
Little Rock AR 72201

9590 9402 7055 1225 3388 21



2. Article Number (Transfer from service label)

9642 RETL T000 0222 T202

PS Form 3811, July 2020 PSN 7530-02-000-9053

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

B. Received by (Printed Name)

☐ Addressee

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☒ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Mail  
Restricted Delivery  
(over 3500)

Domestic Return Receipt

# RESTRICTED DELIVERY



EAST

055



7021 2720 0001 7138 2441

RESTRICTED  
DELIVERY

RETURN RECEIPT  
REQUESTED

Handwritten signature/initials

Terry Bradshaw, Director  
ATKINS DAS Pueblo/D...

NIXIE 731 CE 1 0110/07/22  
RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD  
BC: 71555919284 2266N289192-01329



1000



72201

U.S. POSTAGE PAID  
FCM LG ENV  
MONTICELLO, AR  
71855  
OCT 09, 22  
AMOUNT  
**\$17.20**  
R2301D155590-1007

**SENDER: COMPLETE THIS SECTION**

- Complete items **RESTRICTED DELIVERY**
- Print your name and address so that we can return the card to you
- Attach this card to the back of the mailpiece, or on the front if space permits

Article Addressed to:

*Jerry Bradshaw, Director  
AR Parole*

*105 W Capital Ave.  
LE AR 72201*

9590 9402 7055 1225 3388 52



2 Article Number (Transmit from item 1)  
7021 2720 0001 7138 2441

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X**

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

- |  |   |
|--|---|
| <input type="checkbox"/> Adult Signature                         | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery     | <input type="checkbox"/> Registered Mail™                           |
| <input checked="" type="checkbox"/> Certified Mail®              | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery      | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery                     | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery |   |

(over \$500) ☐ Mail Restricted Delivery

Domestic Return Receipt

**From:** [Amber Schubert \(DOC\)](#)  
**To:** [Kathryn Irby](#)  
**Subject:** RE: Marcus Kellebrew v. Arkansas Division of Correction and Arkansas Division of Community Correction, Claim No. 230636  
**Date:** Wednesday, December 14, 2022 2:01:57 PM  
**Attachments:** [image001.jpg](#)

---

Thank you for the clarification! I'll send my motion through the pleadings email.



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---

**From:** Kathryn Irby <[Kathryn.Irby@arkansas.gov](mailto:Kathryn.Irby@arkansas.gov)>  
**Sent:** Wednesday, December 14, 2022 2:01 PM  
**To:** Amber Schubert (DOC) <[Amber.Schubert@arkansas.gov](mailto:Amber.Schubert@arkansas.gov)>  
**Subject:** RE: Marcus Kellebrew v. Arkansas Division of Correction and Arkansas Division of Community Correction, Claim No. 230636

Amber, the Claims Commission only serves the complaint on the agency. After that, the parties file motions with the Claims Commission and serve each other with the motions in accordance with the Arkansas Rules of Civil Procedure.

Kathryn

---

**From:** Amber Schubert (DOC) <[Amber.Schubert@arkansas.gov](mailto:Amber.Schubert@arkansas.gov)>  
**Sent:** Wednesday, December 14, 2022 12:32 PM  
**To:** Kathryn Irby <[Kathryn.Irby@arkansas.gov](mailto:Kathryn.Irby@arkansas.gov)>  
**Subject:** FW: Marcus Kellebrew v. Arkansas Division of Correction and Arkansas Division of Community Correction, Claim No. 230636

Kathryn,

I just realized I never received a filed pleading from the claims commission in this case that I thought would be coming. In late November I received something called a Motion for Directed Verdict and

Summary Judgment in the mail directly from the claimant. I drafted a response to have ready when the file-marked version was served from your office, but I never received it.

Did you all receive it and has it been docketed in the case? Should I go ahead and send you my response to that motion?

Thank you!



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---

**From:** Misty Scott <[Misty.Scott@arkansas.gov](mailto:Misty.Scott@arkansas.gov)> **On Behalf Of** ASCC Pleadings  
**Sent:** Wednesday, November 16, 2022 8:30 AM  
**To:** Amber Schubert (DOC) <[Amber.Schubert@arkansas.gov](mailto:Amber.Schubert@arkansas.gov)>; ASCC Pleadings <[ASCCPleadings@arkansas.gov](mailto:ASCCPleadings@arkansas.gov)>  
**Cc:** Thomas Burns (DOC) <[Thomas.Burns@arkansas.gov](mailto:Thomas.Burns@arkansas.gov)>; Leslie Browning (DOC) <[Leslie.Browning@arkansas.gov](mailto:Leslie.Browning@arkansas.gov)>  
**Subject:** RE: Marcus Kellebrew v. Arkansas Division of Correction and Arkansas Division of Community Correction, Claim No. 230636

Received on 11-15-22.

---

**From:** Amber Schubert (DOC) <[Amber.Schubert@arkansas.gov](mailto:Amber.Schubert@arkansas.gov)>  
**Sent:** Tuesday, November 15, 2022 4:51 PM  
**To:** ASCC Pleadings <[ASCCPleadings@arkansas.gov](mailto:ASCCPleadings@arkansas.gov)>  
**Cc:** Thomas Burns (DOC) <[Thomas.Burns@arkansas.gov](mailto:Thomas.Burns@arkansas.gov)>; Leslie Browning (DOC) <[Leslie.Browning@arkansas.gov](mailto:Leslie.Browning@arkansas.gov)>  
**Subject:** Marcus Kellebrew v. Arkansas Division of Correction and Arkansas Division of Community Correction, Claim No. 230636

Please see attached enclosure letter and Motion to Dismiss on behalf of Arkansas Division of Correction and Arkansas Division of Community Correction for filing in the above-referenced case.

Thank you.



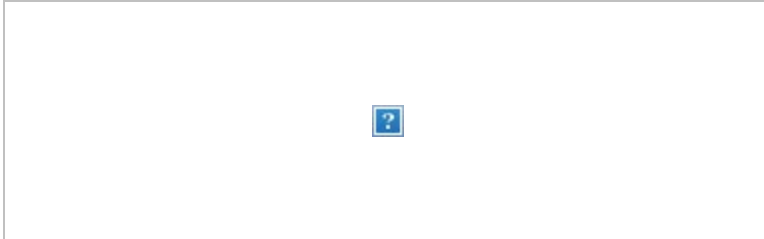
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**From:** [Amber Schubert \(DOC\)](#)  
**To:** [ASCC Pleadings](#)  
**Cc:** [Thomas Burns \(DOC\)](#)  
**Subject:** Marcus Kellebrew vs. ACC and ADC, Case Nos. 230636, 230565, 230414  
**Date:** Wednesday, December 14, 2022 2:10:22 PM  
**Attachments:** [Kellebrew Encl Ltr and Response to MSJ, signed.pdf](#)  
[image001.jpg](#)

---

Please see attached pleading to be filed in the three claim numbers listed above.

Thank you.



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**ARKANSAS DEPARTMENT OF CORRECTIONS**  
**Division of Community Correction**

1302 Pike Avenue, Suite B  
North Little Rock, Arkansas 72114  
Phone: (501) 682-9510 | Fax: (501) 682-9513  
DOC.ARKANSAS.GOV

December 14, 2022

Ms. Kathryn Irby, Director  
Arkansas State Claims Commission  
Via Email to: [ASCCPleadings@arkansas.gov](mailto:ASCCPleadings@arkansas.gov)

Re: *Marcus Kellebrew v. Arkansas Division of Community Correction and Arkansas  
Division of Correction*  
Claim Nos. 230636, 230565, 230414

Dear Ms. Irby:

Please find enclosed a Response to Claimant's Motion for Directed Verdict and Motion for Summary Judgment on behalf of both the Arkansas Division of Correction and the Arkansas Division of Community Correction for filing in the above-referenced claims.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Amber Schubert", with a long, sweeping horizontal stroke extending to the right.

Amber Schubert  
General Counsel

cc: Marcus Kellebrew, Claimant

**BEFORE THE STATE CLAIMS COMMISSION  
OF THE STATE OF ARKANSAS**

**MARCUS KELLEBREW**

**CLAIMANT**

**V.**

**Claim Nos. 230636, 230565, 230414**

**ARKANSAS DIVISION OF  
COMMUNITY CORRECTION  
and  
ARKANSAS DIVISION OF  
CORRECTION**

**RESPONDENTS**

**RESPONSE IN OPPOSITION TO MOTION FOR DIRECTED VERDICT  
AND MOTION FOR SUMMARY JUDGMENT**

Come now Respondents, Arkansas Department of Corrections – Division of Community Correction (ACC), and Arkansas Department of Corrections – Division of Correction (ADC), by and through undersigned counsel and for their Response to the Motion for Directed Verdict and Motion for Summary Judgment filed by Claimant state:

1. Claimant, a parolee and sex offender conditionally released from prison to the supervision of the Arkansas Department of Corrections – Division of Community Correction (ACC), has filed three separate Claims based on the same or similar facts. All Claims allege that ACC has violated Claimant's constitutional rights by enforcing various conditions of his supervised release and primarily based on ACC's searches of his property pursuant to Ark. Code Ann. § 16-93-106, and the Warrantless Search Waiver he signed as a condition of his parole.
2. ACC has pending Motions to Dismiss based on failure to state a claim and lack of jurisdiction by the Commission in all three Claims. Although no factual allegations have been made against the ADC, it was named as a Respondent in one of the Claims and a Motion to Dismiss is pending on its behalf as well.

3. As stated in the pending Motions to Dismiss, it's clear that the Claims must be dismissed because the Commission doesn't have jurisdiction over Claimant's Claims, and that Claimant has failed to state a claim for relief in any of his Claims.
4. In his Motion for Directed Verdict and Summary Judgment, Claimant continues to assert that ACC violated his "civil constitutional rights" including the Eighth Amendment and due process. These assertions support Respondents' position that the Claims must be dismissed for lack of jurisdiction by the Commission.
5. Claimant is not entitled to a directed verdict pursuant to Ark. R. Civ. P. 50(a) primarily because there has been no trial in this case. Rule 50(a) motions for directed verdict may only be granted during a trial and at the end of a party's presentation of evidence. Claimant's motion is improper and should be denied.
6. Similarly, Claimant's Motion for Summary Judgment is premature at this stage of the case. First, Rule 56(a) only allows a claimant to make a motion for summary judgment "after the expiration of 20 days from the commencement of the action..." Claim No. 230565 was docketed on November 2, 2022, and Claim No. 230636 was docketed on November 8, 2022, both less than 20 days after November 21, 2022 – the date on which Claimant signed his Motion and cover letter.
7. Second, there are pending motions to dismiss that would dispose of the Claims entirely if granted. If Respondents' motions to dismiss are denied, Respondents must be afforded the opportunity to engage in discovery and present evidence supporting their positions.
8. Moreover, the information before the Commission does not support Claimant's contention that he has proven his Claims and is entitled to judgment in his favor. On the contrary, as more thoroughly set out in the motions to dismiss pending in each case, the

facts show that the Commission lacks jurisdiction, and that Respondents did not violate Claimant's civil rights by enforcing the conditions of his supervised release from prison.

9. For the foregoing reasons, Claimant's Motion for Directed Verdict and Motion for Summary Judgment should be denied and his Claims should be dismissed in their entirety.

WHEREFORE, Respondents ADC and ACC respectfully request that Claimant's Claims be dismissed and for all other relief to which they may be entitled.

Respectfully submitted,



Amber R. Schubert, Bar No. 2009150  
General Counsel  
Arkansas Department of Corrections  
1302 Pike Avenue, Suite B  
North Little Rock, AR 72114  
(501) 747-3783  
amber.schubert@arkansas.gov

**CERTIFICATE OF SERVICE**

I, Amber R. Schubert, certify that on December 14, 2022, I forwarded a copy of the foregoing, by U.S. Mail, postage prepaid, addressed to the following:

Marcus Kellebrew



Amber R. Schubert

**BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**

**MARCUS KELLEBREW**

**CLAIMANT**

**V.**

**CLAIM NO. 230636**

**ARKANSAS DIVISION OF  
COMMUNITY CORRECTION AND  
ARKANSAS DIVISION OF CORRECTION**

**RESPONDENTS**

**ORDER**

Now before the Arkansas State Claims Commission (the “Claims Commission”) is motion filed by the Arkansas Department of Correction – Division of Community Correction (“ACC”) and the Arkansas Division of Correction (“ADC”) (collectively the “Respondents”) to dismiss the claim of Marcus Kellebrew (the “Claimant”). Based upon a review of the motion, the arguments made therein, and the law of Arkansas, the Claims Commission hereby finds as follows:

1. On September 24, 2022, Claimant filed a claim against Respondents, seeking five million dollars in punitive damages and a forty-five million dollar “Min. Award Settlement” related to a notice of lock-in on October 31, 2022. Claimant described his claim type as “Civil Rights Violations; 8<sup>th</sup> Amendment Ark. State Community Corrections Mandatory Lock-down, Due Process; Miranda Excessive Punishment[.]”

2. Respondents filed a motion to dismiss, arguing, *inter alia*, that Claimant has failed to state facts supporting his claim. Respondents noted that Claimant made no allegations against the ADC and that the Claims Commission lacks jurisdiction over Claimant’s claims for civil rights violations and constitutional violations as those claims can be brought in a court of general jurisdiction.

3. Claimant responded to the motion to dismiss in his motion for directed verdict and summary judgment, arguing that dismissal was not proper.

4. The Claims Commission agrees with Respondents that Claimant's claim is premised upon alleged constitutional and civil rights violations. Because such claims can be brought a court of general jurisdiction, the Claims Commission does not have jurisdiction to hear them. *See* Ark. Code Ann. § 19-10-204.

5. Respondents' motion is granted pursuant to Ark. R. Civ. Proc. 12(b), and Claimant's claim is DISMISSED.

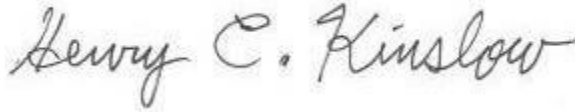
6. Any other pending motions, including Claimant's motion for directed verdict and summary judgment, are denied as moot.



IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION  
Courtney Baird



ARKANSAS STATE CLAIMS COMMISSION  
Henry Kinslow



ARKANSAS STATE CLAIMS COMMISSION  
Paul Morris, Chair

DATE: January 20, 2023

**Notice(s) which may apply to your claim**

- (1) A party has forty (40) days from the date of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the date of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a)(3).
- (2) If a Claimant is awarded less than \$15,000.00 by the Claims Commission at hearing, that claim is held forty (40) days from the date of disposition before payment will be processed. *See* Ark. Code Ann. § 19-10-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of \$15,000.00 or more are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 19-10-215(b).

**From:** [Misty Scott](#) on behalf of [ASCC Pleadings](#)  
**To:** [Thomas Burns \(DOC\)](#); [Amber Schubert \(DOC\)](#); [REDACTED]  
**Cc:** [Leslie Browning \(DOC\)](#); [ASCC Pleadings](#); [Mika Tucker](#)  
**Subject:** ORDERS: Marcus Kellebrew v. ADC, Claim Nos. 230414, 230565, and 230636  
**Date:** Friday, January 20, 2023 4:01:00 PM  
**Attachments:** [Marcus Kellebrew-order1.pdf](#)  
[Kellebrew-order2.pdf](#)

---

Mr. Kellebrew, Mr. Burns, and Ms. Schubert:

Please see attached. Contact Mika Tucker with any questions.

Thank you,

*Misty*

**Misty Scott**  
**Arkansas State Claims Commission**

**BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**

**MARCUS KELLEBREW**

**CLAIMANT**

**V.**

**CLAIM NO. 230414**

**CLAIM NO. 230565**

**ARKANSAS DIVISION OF  
COMMUNITY CORRECTION**

**RESPONDENT**

**ORDER**

Now before the Arkansas State Claims Commission (the “Claims Commission”) are the motions filed by the Arkansas Department of Correction – Division of Community Correction (the “Respondent”) to dismiss Claim Nos. 230414 and 230565 of Marcus Kellebrew (the “Claimant”). Based upon a review of the motions, the arguments made therein, and the law of Arkansas, the Claims Commission hereby finds as follows:

**Claim No. 230414**

1. On September 24, 2022, Claimant filed Claim No. 230414 against Respondent, seeking “\$550,000 (Punitive Damages) [and] \$150,000,000 Award Settlement” related to “Multiple Civil Rights Violations[.]” In support of his claim, Claimant attached a letter to Respondent alleging “Multiple Civil Rights Violations” by Respondent’s employees related to an “S.O.A.P.” class. In the letter, Respondent also alleges that his 5<sup>th</sup> Amendment right to remain silent was violated and that there was an unreasonable search and pilfering of a home.

2. Respondent filed a motion to dismiss, arguing, *inter alia*, that Claimant has failed to state facts supporting his claim and that the Claims Commission lacks jurisdiction over Claimant’s claims for civil rights violations and constitutional violations as those claims can be brought in a court of general jurisdiction.

3. Claimant responded to the motion to dismiss, arguing that dismissal was not proper.

4. The Claims Commission agrees with Respondent that Claimant's claim is premised upon alleged constitutional and civil rights violations. Because such claims can be brought a court of general jurisdiction, the Claims Commission does not have jurisdiction to hear them. *See Ark. Code Ann. § 19-10-204.*

5. Respondent's motion is granted pursuant to Ark. R. Civ. Proc. 12(b), and Claimant's Claim No. 230414 is DISMISSED.

6. Any other pending motions are denied as moot.

Claim No. 230565

7. On October 21, 2022, Claimant filed Claim No. 230565 against Respondent, seeking unspecified damages in his claim described as a "Counterlawsuit for damages by Arkansas State Agents in Violation of Civil Rights/Breach of Search/Warrantless." Claimant explained the incident giving rise to his claim as "Multiple Civil Rights Violations by Agents of the State of Arkansas (ACC) Ark. Community Corrections." This claim was submitted by Claimant with documents related to Claim No. 230414.

8. Respondent filed a motion to dismiss, arguing, *inter alia*, that Claimant has failed to state facts supporting his claim and that the Claims Commission lacks jurisdiction over Claimant's claims for civil rights violations as those claims can be brought in a court of general jurisdiction.

9. Claimant did not file a response to the motion to dismiss.

10. The Claims Commission agrees with Respondent that Claimant's claim is premised upon alleged civil rights violations. Because such claims can be brought a court of general jurisdiction, the Claims Commission does not have jurisdiction to hear them. *See Ark. Code Ann. § 19-10-204.*

11. Moreover, the Claims Commission agrees with Respondent that Claimant has failed to state facts supporting his claim as the claim contained no factual allegations to support the causes of action specified.

12. Respondent's motion is granted pursuant to Ark. R. Civ. Proc. 12(b), and Claimant's Claim No. 230565 is DISMISSED.

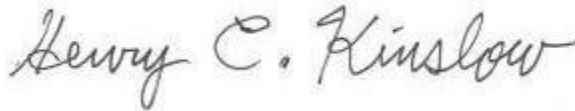
13. Any other pending motions are denied as moot.

IT IS SO ORDERED.



---

ARKANSAS STATE CLAIMS COMMISSION  
Courtney Baird



---

ARKANSAS STATE CLAIMS COMMISSION  
Henry Kinslow



---

ARKANSAS STATE CLAIMS COMMISSION  
Paul Morris, Chair

DATE: January 20, 2023

**Notice(s) which may apply to your claim**

- (1) A party has forty (40) days from the date of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the date of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a)(3).
- (2) If a Claimant is awarded less than \$15,000.00 by the Claims Commission at hearing, that claim is held forty (40) days from the date of disposition before payment will be processed. *See* Ark. Code Ann. § 19-10-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of \$15,000.00 or more are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 19-10-215(b).



**BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**

**MARCUS KELLEBREW**

**CLAIMANT**

**V.**

**CLAIM NO. 230636**

**ARKANSAS DIVISION OF  
COMMUNITY CORRECTION AND  
ARKANSAS DIVISION OF CORRECTION**

**RESPONDENTS**

**ORDER**

Now before the Arkansas State Claims Commission (the “Claims Commission”) is motion filed by the Arkansas Department of Correction – Division of Community Correction (“ACC”) and the Arkansas Division of Correction (“ADC”) (collectively the “Respondents”) to dismiss the claim of Marcus Kellebrew (the “Claimant”). Based upon a review of the motion, the arguments made therein, and the law of Arkansas, the Claims Commission hereby finds as follows:

1. On September 24, 2022, Claimant filed a claim against Respondents, seeking five million dollars in punitive damages and a forty-five million dollar “Min. Award Settlement” related to a notice of lock-in on October 31, 2022. Claimant described his claim type as “Civil Rights Violations; 8<sup>th</sup> Amendment Ark. State Community Corrections Mandatory Lock-down, Due Process; Miranda Excessive Punishment[.]”

2. Respondents filed a motion to dismiss, arguing, *inter alia*, that Claimant has failed to state facts supporting his claim. Respondents noted that Claimant made no allegations against the ADC and that the Claims Commission lacks jurisdiction over Claimant’s claims for civil rights violations and constitutional violations as those claims can be brought in a court of general jurisdiction.

3. Claimant responded to the motion to dismiss in his motion for directed verdict and summary judgment, arguing that dismissal was not proper.

4. The Claims Commission agrees with Respondents that Claimant's claim is premised upon alleged constitutional and civil rights violations. Because such claims can be brought a court of general jurisdiction, the Claims Commission does not have jurisdiction to hear them. *See* Ark. Code Ann. § 19-10-204.

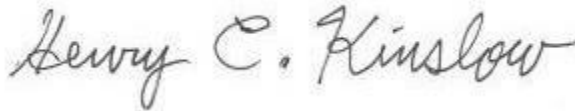
5. Respondents' motion is granted pursuant to Ark. R. Civ. Proc. 12(b), and Claimant's claim is DISMISSED.

6. Any other pending motions, including Claimant's motion for directed verdict and summary judgment, are denied as moot.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION  
Courtney Baird



ARKANSAS STATE CLAIMS COMMISSION  
Henry Kinslow



ARKANSAS STATE CLAIMS COMMISSION  
Paul Morris, Chair

DATE: January 20, 2023

**Notice(s) which may apply to your claim**

- (1) A party has forty (40) days from the date of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the date of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a)(3).
- (2) If a Claimant is awarded less than \$15,000.00 by the Claims Commission at hearing, that claim is held forty (40) days from the date of disposition before payment will be processed. *See* Ark. Code Ann. § 19-10-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of \$15,000.00 or more are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 19-10-215(b).

**From:** [Marcus Kellebrew](#)  
**To:** [ASCC Pleadings](#)  
**Subject:** Re: ORDERS: Marcus Kellebrew v. ADC, Claim Nos. 230414, 230565, and 230636  
**Date:** Saturday, January 21, 2023 5:14:38 PM

---

You don't often get email from [marcuskellebrew@gmail.com](mailto:marcuskellebrew@gmail.com). [Learn why this is important](#)

Thank you for your email petition of reconsideration is forthcoming along with proper documentation of itemized claims and counter claims along with motions for habuas corpus Relief....and counter response to Order of Arkansas Claims Commissioner Ruling....Once again thank you for you Email...

Sign,  
Marcus A. Kellebrew

On Fri, Jan 20, 2023, 4:01 PM ASCC Pleadings <[ASCCPleadings@arkansas.gov](mailto:ASCCPleadings@arkansas.gov)> wrote:

Mr. Kellebrew, Mr. Burns, and Ms. Schubert:

Please see attached. Contact Mika Tucker with any questions.

Thank you,

*Misty*

**Misty Scott**

**Arkansas State Claims Commission**

**From:** [Kathryn Irby](#)  
**To:** [Desikan, Suba](#)  
**Cc:** [Seaton, Gina](#)  
**Bcc:** [Kathryn Irby](#)  
**Subject:** APPEALED CLAIMS: Kellebrew, Claim Nos. 230414, 230565, 230636  
**Date:** Wednesday, January 25, 2023 2:19:00 PM  
**Attachments:** [Appealed to GA \(ADC claim\) -- form.pdf](#)

---

Suba, please confirm receipt of these three appealed claims. The claim documents can be found at this Dropbox link: [REDACTED]  
[REDACTED]

Thanks,  
Kathryn

# ARKANSAS STATE CLAIMS COMMISSION

(501)682-1619  
FAX (501)682-2823



KATHRYN IRBY  
DIRECTOR

101 EAST CAPITOL AVENUE  
SUITE 410  
LITTLE ROCK, AR 72201-3823

## MEMORANDUM

DATE: January 25, 2023

TO: Suba Desikan (via email)  
Bureau of Legislative Research

FROM: Kathryn Irby

RE: Claim referred to the Claims Review Subcommittee pursuant to Ark. Code Ann. § 19-10-211

***Marcus Kellebrew v. Arkansas Community Correction***

Claim No. 230414  
Claim No. 230565

***Marcus Kellebrew v. Arkansas Community Correction and Arkansas Division of Correction***

Claim No. 230636

---

This memorandum is sent to transmit the above-referenced claim to the Claims Review Subcommittee pursuant to Ark. Code Ann. § 19-10-211.

cc: Mr. Marcus Kellebrew, *Claimant* (w/o encl.) (via email)

[REDACTED]

Mr. Jerry Bradshaw, *Director of Respondent ACC* (w/o encl.) (via email)  
jerry.bradshaw@arkansas.gov  
kerry.knuckles@arkansas.gov

Mr. Thomas Burns, *counsel for Respondent ADC* (w/o encl.) (via email)  
thomas.burns@arkansas.gov  
leslie.browning@arkansas.gov.

Ms. Gina Seaton, Bureau of Legislative Research (w/ encl.) (via email)



**From:** [Kathryn Irby](#)  
**To:** [Amber Schubert \(DOC\)](#); [Jerry Bradshaw \(DOC\)](#); [kerry.knuckles@arkansas.gov](mailto:kerry.knuckles@arkansas.gov); [Thomas Burns \(DOC\)](#); [Leslie Browning \(DOC\)](#)  
**Subject:** APPEALED CLAIMS: Kellebrew, Claim Nos. 230414, 230565, 230636  
**Date:** Wednesday, January 25, 2023 2:22:00 PM  
**Attachments:** [Appealed to GA \(ADC claim\) -- form.pdf](#)

---

Amber and Thomas, please see attached CRS memo sent with these claim files over to the Legislature.

Thanks,  
Kathryn

**Kathryn Irby**  
**Arkansas State Claims Commission**  
101 East Capitol Avenue, Suite 410  
Little Rock, Arkansas 72201  
(501) 682-2822

# ARKANSAS STATE CLAIMS COMMISSION

(501)682-1619  
FAX (501)682-2823



KATHRYN IRBY  
DIRECTOR

101 EAST CAPITOL AVENUE  
SUITE 410  
LITTLE ROCK, AR 72201-3823

## MEMORANDUM

DATE: January 25, 2023

TO: Suba Desikan (via email)  
Bureau of Legislative Research

FROM: Kathryn Irby

RE: Claim referred to the Claims Review Subcommittee pursuant to Ark. Code Ann. § 19-10-211

***Marcus Kellebrew v. Arkansas Community Correction***

Claim No. 230414  
Claim No. 230565

***Marcus Kellebrew v. Arkansas Community Correction and Arkansas Division of Correction***

Claim No. 230636

---

This memorandum is sent to transmit the above-referenced claim to the Claims Review Subcommittee pursuant to Ark. Code Ann. § 19-10-211.

cc: Mr. Marcus Kellebrew, *Claimant* (w/o encl.) (via email)

[REDACTED]

Mr. Jerry Bradshaw, *Director of Respondent ACC* (w/o encl.) (via email)  
jerry.bradshaw@arkansas.gov  
kerry.knuckles@arkansas.gov

Mr. Thomas Burns, *counsel for Respondent ADC* (w/o encl.) (via email)  
thomas.burns@arkansas.gov  
leslie.browning@arkansas.gov.

Ms. Gina Seaton, Bureau of Legislative Research (w/ encl.) (via email)

**From:** [Kathryn Irby](#) on behalf of [ASCC Pleadings](#)  
**To:** [REDACTED]  
**Subject:** RE: Notice of Appeal: FW: Request for claim files  
**Date:** Wednesday, January 25, 2023 2:34:00 PM  
**Attachments:** [Appealed to GA \(ADC claim\) -- form.pdf](#)

---

Mr. Kellebrew, your appealed claims have been transmitted to the Bureau of Legislative Research. Please see attached memo.

Yesterday, I provided the claim files to you electronically through a Dropbox link. If you would like for us to mail these records, you will need to pay the mailing costs. I do not know what the mailing cost will be, but it could be \$20-30 given the amount of pages involved. If this is what you would like for us to do, and if you're willing to pay the mailing costs, please confirm, and we will get those copies made.

Thanks,  
Kathryn Irby

---

**From:** Marcus Kellebrew <[REDACTED]>  
**Sent:** Tuesday, January 24, 2023 4:22 PM  
**To:** ASCC Pleadings <[ASCCPleadings@arkansas.gov](mailto:ASCCPleadings@arkansas.gov)>  
**Subject:** Re: Request for claim files

You don't often get email from [REDACTED]. [Learn why this is important](#)

Notice of Appeal:

I want a copy of all files send to address listed on file at:

[REDACTED]  
[REDACTED]

To include all receipts of Expenditure sent, All Color Photos, Disk # 1, and additional evidence submitted to Katherine Irby. Of the Arkansas Claims Commission..

I hereby give notice of Appeal

Signed, Marcus A. Kellebrew

On Tue, Jan 24, 2023, 10:39 AM ASCC Pleadings <[ASCCPleadings@arkansas.gov](mailto:ASCCPleadings@arkansas.gov)> wrote:

Mr. Kellebrew, your claim files are too large to email. I have uploaded all three to a Dropbox link. You should be able to access everything through this link:

[REDACTED]  
[REDACTED]

Thanks,  
Kathryn Irby

**Arkansas State Claims Commission**

101 East Capitol Avenue, Suite 410

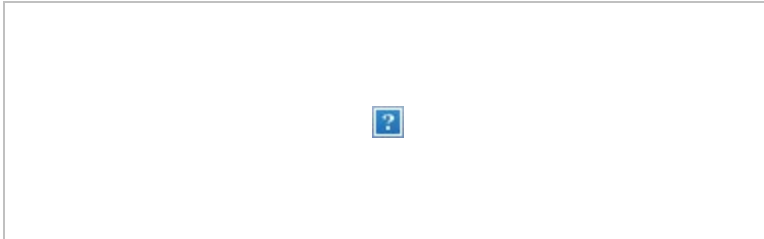
Little Rock, Arkansas 72201

(501) 682-1619

**From:** [Amber Schubert \(DOC\)](#)  
**To:** [Kathryn Irby](#)  
**Subject:** RE: APPEALED CLAIMS: Kellebrew, Claim Nos. 230414, 230565, 230636  
**Date:** Wednesday, January 25, 2023 2:35:17 PM  
**Attachments:** [image001.jpg](#)

---

Thanks, Kathryn.



Confidentiality Notice: The information contained in this email message and any attachment(s) is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is intended solely for the use of the entity to whom this email is addressed. If you are not the intended recipient, you are hereby notified that reading, copying or distributing this transmission is STRICTLY PROHIBITED. The sender has not waived any applicable privilege by sending the accompanying transmission. If you have received this transmission in error, please notify the sender by return email and delete the message and attachment(s) from your system.

---

**From:** Kathryn Irby <Kathryn.Irby@arkansas.gov>  
**Sent:** Wednesday, January 25, 2023 2:23 PM  
**To:** Amber Schubert (DOC) <Amber.Schubert@arkansas.gov>; Jerry Bradshaw (DOC) <Jerry.Bradshaw@arkansas.gov>; kerry.knuckles@arkansas.gov; Thomas Burns (DOC) <Thomas.Burns@arkansas.gov>; Leslie Browning (DOC) <Leslie.Browning@arkansas.gov>  
**Subject:** APPEALED CLAIMS: Kellebrew, Claim Nos. 230414, 230565, 230636

Amber and Thomas, please see attached CRS memo sent with these claim files over to the Legislature.

Thanks,  
Kathryn

**Kathryn Irby**  
**Arkansas State Claims Commission**  
101 East Capitol Avenue, Suite 410  
Little Rock, Arkansas 72201  
(501) 682-2822

**From:** [Kathryn Irby](#)  
**To:** [Desikan, Suba](#)  
**Cc:** [Seaton, Gina](#)  
**Subject:** Kellebrew -- correction re email address  
**Date:** Wednesday, January 25, 2023 3:05:00 PM  
**Attachments:** [image001.jpg](#)

---

Suba, I had Kerry Knuckles listed as an ACC contact, but her name is Kelly Knuckles. Her email is below. Apologies for any confusion.

Kathryn

---

**From:** Kelly Knuckles <Kelly.Knuckles@arkansas.gov>  
**Sent:** Wednesday, January 25, 2023 2:57 PM  
**To:** Kathryn Irby <Kathryn.Irby@arkansas.gov>  
**Cc:** Amber Schubert (DOC) <Amber.Schubert@arkansas.gov>  
**Subject:** RE: Kerry Knuckles email question

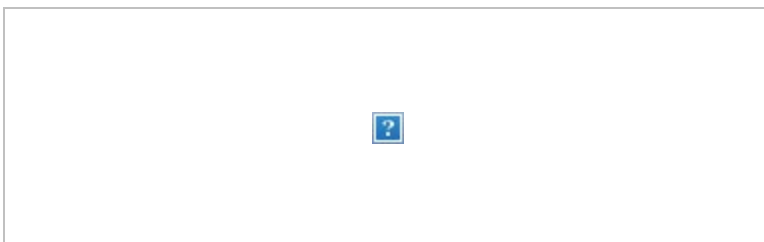
Hello, Kathryn!

---

**From:** Amber Schubert (DOC) <[Amber.Schubert@arkansas.gov](mailto:Amber.Schubert@arkansas.gov)>  
**Sent:** Wednesday, January 25, 2023 2:50 PM  
**To:** Kathryn Irby <[Kathryn.Irby@arkansas.gov](mailto:Kathryn.Irby@arkansas.gov)>  
**Cc:** Kelly Knuckles <[Kelly.Knuckles@arkansas.gov](mailto:Kelly.Knuckles@arkansas.gov)>  
**Subject:** RE: Kerry Knuckles email question

It should be Kelly Knuckles. She is copied on this email with her correct email address.

Thanks.



Confidentiality Notice: The information contained in this email message and any attachment(s) is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is intended solely for the use of the entity to whom this email is addressed. If you are not the intended recipient, you are hereby notified that reading, copying or distributing this transmission is STRICTLY PROHIBITED. The sender has not waived any applicable privilege by sending the accompanying transmission. If you have received this transmission in error, please notify the sender by return email and delete the message and attachment(s) from your system.

---

**From:** Kathryn Irby <[Kathryn.Irby@arkansas.gov](mailto:Kathryn.Irby@arkansas.gov)>



**Sent:** Wednesday, January 25, 2023 2:49 PM  
**To:** Amber Schubert (DOC) <[Amber.Schubert@arkansas.gov](mailto:Amber.Schubert@arkansas.gov)>  
**Subject:** Kerry Knuckles email question

Amber, can you please review the below email address? My email to Kerry Knuckles bounced back, and I cannot figure out why. Any thoughts?

Kathryn

---

**From:** Microsoft Outlook  
<[MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@arkansas.gov](mailto:MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@arkansas.gov)>  
**Sent:** Wednesday, January 25, 2023 2:23 PM  
**To:** Kathryn Irby  
**Subject:** Undeliverable: APPEALED CLAIMS: Kellebrew, Claim Nos. 230414, 230565, 230636

**Delivery has failed to these recipients or groups:**

[kerry.knuckles@arkansas.gov](mailto:kerry.knuckles@arkansas.gov) ([kerry.knuckles@arkansas.gov](mailto:kerry.knuckles@arkansas.gov))

The email address you entered couldn't be found. Please check the recipient's email address and try to resend the message. If the problem continues, please contact your email admin.

**Diagnostic information for administrators:**

Generating server: CM-SAS-EXCH-07.sas.arkgov.net

[kerry.knuckles@arkansas.gov](mailto:kerry.knuckles@arkansas.gov)

Remote Server returned '550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient not found by SMTP address lookup'

**Original message headers:**

Received: from CM-SAS-EXCH-06.sas.arkgov.net (170.94.157.25) by  
CM-SAS-EXCH-07.sas.arkgov.net (170.94.157.26) with Microsoft SMTP Server  
(version=TLS1\_2, cipher=TLS ECDHE\_RSA\_WITH\_AES\_128\_GCM\_SHA256) id  
15.1.2176.14; Wed, 25 Jan 2023 14:22:32 -0600  
Received: from GCC02-BL0-obe.outbound.protection.outlook.com (170.94.39.218)  
by CM-SAS-EXCH-06.sas.arkgov.net (170.94.157.25) with Microsoft SMTP Server  
(version=TLS1\_2, cipher=TLS ECDHE\_RSA\_WITH\_AES\_128\_GCM\_SHA256) id  
15.1.2176.14 via Frontend Transport; Wed, 25 Jan 2023 14:22:32 -0600  
ARC-Seal: i=1; a=rsa-sha256; s=arcselector9901; d=microsoft.com; cv=none;  
b=Xt+znASqloCM4GFLl/b2gPGB48vJ8jljHlxc10Wpi9e6Oo15+8az+35xteSlPPY7GPwLXp4skS  
hmub17imybu6BtocktVVVELvoYB1/vG1lsUU749p7DdmCzNgYTn3rlzb/b/jdfKgM75Skqs6fO2md  
3FA48BWYv83B9cYjiMX/+66IQoay6My6zgekSQ7lH5LnbnQ7iUUnAEwMmgDf0BmOb/NpZ8/BT8Vcr  
yutVZz+r+/mHyfcguHqeEeyhbyKenoveluuHZTwkTPfKh3CVSKSA/y5ofxa0oDk6puy5/wHbwi+ny  
gTDj7pRW6dbv4GQeZ5w2AKIk5LFRP4xqiBWvA==  
ARC-Message-Signature: i=1; a=rsa-sha256; c=relaxed/relaxed; d=microsoft.com;  
s=arcselector9901;  
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version:X-MS-Exchange-  
AntiSpam-MessageData-ChunkCount:X-MS-Exchange-AntiSpam-MessageData-0:X-MS-  
Exchange-AntiSpam-MessageData-1;  
bh=RszRx9SQsSxENTpd0BkGneMtL9+PudHwJyL+JTRBwtM=;  
b=C0DXGQKEg9JPSpbqFUnqswpAsAhKmeJQiChhAh1rZilSbUCwrfbznq0mkC7KJcDLKV7U1tLYjn

4ry6RJ6AFk55ueW3tXlwbul5fFPne0JnUnU6Sa/mEOhJRLbcqTbLM8x9KAawsgfzx2o2D+fXeXfJQ  
X/2MFIIX3eEweQuTscsxzLk3lfqVvtqil19sRLV3qqrNZwdbbsIncTlon8jAbytLyWhOA0v5bldJrp  
MhQagdROP8xQ5L/0HqK6wJNn+ZSeze9T8V/ESDamBmjvv2eS3CQjsgVe78GguIJkSXQssQI9NxxuA  
OubcW8XrXxbqHwWXQ8Kby2fg0/ovlGk4DN1LA==

ARC-Authentication-Results: i=1; mx.microsoft.com 1; spf=pass  
smtp.mailfrom=arkansas.gov; dmarc=pass action=none header.from=arkansas.gov;  
dkim=pass header.d=arkansas.gov; arc=none

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=arkansas.gov;  
s=selector1;  
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version:X-MS-Exchange-  
SenderADCheck;  
bh=RszRx9SQsSxENTpd0BkGneMtL9+PudHwJyL+JTRBwtM=;  
b=ZXZVnZtqmQbt8yAm5zly0xHmkolTg5+W+apr2iy2pCtFwJw4o3iJNdTssQGyRIWTJJ4014g1LL  
Y+sAhputpn17+5beMkz9ybdxYefMBYgw2b+3UYkbMKsuaqPVhtSVckcm5w1lBXnTj006fhLa3gv2A  
lM4KKJZ4wGri8xwxk9b0=

Received: from SA0PR09MB6266.namprd09.prod.outlook.com (2603:10b6:806:7d::20)  
by SJ0PR09MB6990.namprd09.prod.outlook.com (2603:10b6:a03:269::16) with  
Microsoft SMTP Server (version=TLS1\_2,  
cipher=TLS\_ECDHE\_RSA\_WITH\_AES\_256\_GCM\_SHA384) id 15.20.6002.33; Wed, 25 Jan  
2023 20:22:30 +0000

Received: from SA0PR09MB6266.namprd09.prod.outlook.com  
([fe80::f0dd:f8f0:b4e3:e4]) by SA0PR09MB6266.namprd09.prod.outlook.com  
([fe80::f0dd:f8f0:b4e3:e4%9]) with mapi id 15.20.6043.021; Wed, 25 Jan 2023  
20:22:30 +0000

From: Kathryn Irby <[Kathryn.Irby@arkansas.gov](mailto:Kathryn.Irby@arkansas.gov)>  
To: "Amber Schubert (DOC)" <[Amber.Schubert@arkansas.gov](mailto:Amber.Schubert@arkansas.gov)>, "Jerry Bradshaw  
(DOC)" <[Jerry.Bradshaw@arkansas.gov](mailto:Jerry.Bradshaw@arkansas.gov)>, "[kerry.knuckles@arkansas.gov](mailto:kerry.knuckles@arkansas.gov)"  
<[kerry.knuckles@arkansas.gov](mailto:kerry.knuckles@arkansas.gov)>, "Thomas Burns (DOC)"  
<[Thomas.Burns@arkansas.gov](mailto:Thomas.Burns@arkansas.gov)>, "Leslie Browning (DOC)"  
<[Leslie.Browning@arkansas.gov](mailto:Leslie.Browning@arkansas.gov)>

Subject: APPEALED CLAIMS: Kellebrew, Claim Nos. 230414, 230565, 230636  
Thread-Topic: APPEALED CLAIMS: Kellebrew, Claim Nos. 230414, 230565, 230636  
Thread-Index: Adkw+njmv8KWvOebThG4n4fYllsSpQ==  
Date: Wed, 25 Jan 2023 20:22:30 +0000  
Message-ID:  
<[SA0PR09MB62664F6A954E4D2DABDE466EE1CE9@SA0PR09MB6266.namprd09.prod.outlook.com](mailto:SA0PR09MB62664F6A954E4D2DABDE466EE1CE9@SA0PR09MB6266.namprd09.prod.outlook.com)>

Accept-Language: en-US  
Content-Language: en-US  
X-MS-Has-Attach: yes  
X-MS-TNEF-Correlator:  
authentication-results: dkim=none (message not signed)  
header.d=none; dmarc=none action=none header.from=arkansas.gov;  
x-ms-publictraffictype: Email  
x-ms-trafficitypediagnostic: SA0PR09MB6266:EE | SJ0PR09MB6990:EE  
x-ms-office365-filtering-correlation-id: 0f93d015-6039-45ef-ea5c-08daff11e273  
x-ms-exchange-atpmessageproperties: SA|SL  
x-microsoft-antispam: BCL:0;  
x-microsoft-antispam-message-info:  
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dOTIOZau0Y61h/3l0eR1hIj6QSLiZ6U0F2OHHLGaf4wHbJvGMXDG+YHntSqaqNNqsiCdLHTmwLJ8  
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qZxcBZzuGjUB9QeCneIMFpS1Jq2wbjQsW4YOKeltqm/Iw+n4aT6z2QJQq+F8XUae/I44IcEf93c0x  
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bnHroyIWMdjzdhS7rtytvK5PJaP3jdR+h4ZY2UBfB+WGBLvAPjLeWfkTVZhtTj5/H3FuwLL3Qzzh+  
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CQjVUrMiYQ2MHqqGu/qWOKArQqzYKG1BrMM9qHYgDcsHB4X0uQktb+FDDPJ4/QBGEi84yLwtHP2Sh  
V92/8Kb68XbMYc4JVygQ==

x-forefront-antispam-report:  
CIP:255.255.255;CTRY:;LANG:en;SCL:-1;SRV:;IPV:NLI;SFV:SKI;H:SA0PR09MB6266  
.namprd09.prod.outlook.com;PTR:;CAT:NONE;SFS:;DIR:INB;  
x-ms-exchange-atpsafelinks-stat: 0  
x-ms-exchange-atpsafelinks-bitvector: 3000:0x0|0x0|0x3000|0x0;  
Content-Type: multipart/mixed;

boundary=" 004 SA0PR09MB62664F6A954E4D2DABDE466EE1CE9SA0PR09MB6266nampr\_"  
MIME-Version: 1.0  
X-MS-Exchange-CrossTenant-AuthAs: Internal  
X-MS-Exchange-CrossTenant-AuthSource: SA0PR09MB6266.namprd09.prod.outlook.com  
X-MS-Exchange-CrossTenant-Network-Message-Id: 0f93d015-6039-45ef-ea5c-  
08daff11e273  
X-MS-Exchange-CrossTenant-originalarrivaltime: 25 Jan 2023 20:22:30.4652  
(UTC)

X-MS-Exchange-CrossTenant-fromentityheader: Hosted  
X-MS-Exchange-CrossTenant-id: 5ec1d8f0-cb62-4000-b327-8e63b0547048  
X-MS-Exchange-Transport-CrossTenantHeadersStamped: SJ0PR09MB6990  
X-OrganizationHeadersPreserved: SJ0PR09MB6990.namprd09.prod.outlook.com  
Return-Path: [Kathryn.Irby@arkansas.gov](mailto:Kathryn.Irby@arkansas.gov)  
X-CrossPremisesHeadersPromoted: CM-SAS-EXCH-06.sas.arkgov.net  
X-CrossPremisesHeadersFiltered: CM-SAS-EXCH-06.sas.arkgov.net  
X-OriginatorOrg: arkansas.gov

**From:** [Kathryn Irby](#)  
**To:** [Misty Scott](#)  
**Subject:** please upload: APPEALED CLAIMS: Kellebrew, Claim Nos. 230414, 230565, 230636  
**Date:** Friday, February 17, 2023 2:15:51 PM

---

Misty, please upload BLR's confirmation of receipt in the three Kellebrew claims listed below as "BLR confirmed receipt of claim file"

---

**From:** Desikan, Suba <desikans@blr.arkansas.gov>  
**Sent:** Friday, February 17, 2023 2:03 PM  
**To:** Kathryn Irby <Kathryn.Irby@arkansas.gov>  
**Cc:** Seaton, Gina <seatong@blr.arkansas.gov>  
**Subject:** RE: APPEALED CLAIMS: Kellebrew, Claim Nos. 230414, 230565, 230636

Kathryn,

We have received those 3. Please see below for all the claims we have pending. Please let me know if we have missed something.

**Denied and Dismissed Claims - Appealed by Claimant**

1. #230126 William Iversen v. Arkansas Department of Transportation

**Corrections Denied and Dismissed Claims - Appealed by Claimant**

1. #221100 Kwasi McKinney v. Arkansas Division of Correction
2. #230414 Marcus Kellebrew v. Arkansas Community Correction
3. #230565 Marcus Kellebrew v. Arkansas Community Correction
4. #230636 Marcus Kellebrew v. Arkansas Community Correction and Arkansas Division of Correction

**Outside Timeframe For Appeal**

1. #191008 Marsha Frazier, as Administratrix of the Estate of Marshall Frazier, Jr v. University of Arkansas for Medical Sciences

Thank You,  
Suba Desikan

*Suba Desikan*

Legislative Attorney | Administrative Rules Review Section  
Bureau of Legislative Research  
1 Capitol Mall, 5<sup>th</sup> Floor  
[desikans@blr.arkansas.gov](mailto:desikans@blr.arkansas.gov)  
Office: 501-537-9185

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**From:** Kathryn Irby [<mailto:Kathryn.Irby@arkansas.gov>]  
**Sent:** Friday, February 17, 2023 1:54 PM  
**To:** Desikan, Suba <[desikans@blr.arkansas.gov](mailto:desikans@blr.arkansas.gov)>  
**Subject:** APPEALED CLAIMS: Kellebrew, Claim Nos. 230414, 230565, 230636

Suba, can you confirm receipt, please?

Thanks,  
Kathryn

---

**From:** Kathryn Irby <[Kathryn.Irby@arkansas.gov](mailto:Kathryn.Irby@arkansas.gov)>  
**Sent:** Wednesday, January 25, 2023 2:20 PM  
**To:** Desikan, Suba <[desikans@blr.arkansas.gov](mailto:desikans@blr.arkansas.gov)>  
**Cc:** Seaton, Gina <[seatong@blr.arkansas.gov](mailto:seatong@blr.arkansas.gov)>  
**Subject:** APPEALED CLAIMS: Kellebrew, Claim Nos. 230414, 230565, 230636

Suba, please confirm receipt of these three appealed claims. The claim documents can be found at this Dropbox link: [REDACTED]

Thanks,  
Kathryn

**From:** [Marcus Kellebrew](#)  
**To:** [Kathryn Irby](#)  
**Subject:** Re: Invoice re mailed documents  
**Date:** Saturday, February 18, 2023 3:57:10 AM

---

Thank you!

On Fri, Feb 17, 2023, 1:52 PM Kathryn Irby <[Kathryn.Irby@arkansas.gov](mailto:Kathryn.Irby@arkansas.gov)> wrote:

Mr. Kellebrew, attached is the invoice for shipping the requested documents to you. Please remit payment to the Claims Commission at the address below.

Thanks,

Kathryn Irby

**Arkansas State Claims Commission**

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

(501) 682-1619

**From:** [Marcus Kellebrew](#)  
**To:** [Kathryn Irby](#)  
**Subject:** Re: Invoice re mailed documents  
**Date:** Saturday, February 18, 2023 4:02:28 AM

---

Appeal has been additionally Filed in Federal Court as well..

On Sat, Feb 18, 2023, 3:59 AM Marcus Kellebrew [REDACTED] wrote:  
Send me confirmation of transfer and Appeal to Arkansas State Legislature as well...  
Thank You,  
M. Kellebrew

On Sat, Feb 18, 2023, 3:57 AM Marcus Kellebrew [REDACTED] wrote:  
Thank you!

On Fri, Feb 17, 2023, 1:52 PM Kathryn Irby <[Kathryn.Irby@arkansas.gov](mailto:Kathryn.Irby@arkansas.gov)> wrote:

Mr. Kellebrew, attached is the invoice for shipping the requested documents to you.  
Please remit payment to the Claims Commission at the address below.

Thanks,

Kathryn Irby

**Arkansas State Claims Commission**

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

(501) 682-1619



**From:** [Kathryn Irby](#)  
**To:** [Marcus Kellebrew](#)  
**Subject:** RE: Invoice re mailed documents  
**Date:** Thursday, February 23, 2023 10:25:00 AM  
**Attachments:** [RE Notice of Appeal FW Request for claim files.msg](#)

---

Mr. Kellebrew, your appealed claims were transmitted to the Legislature on January 25. Attached is the email that we sent to you at the time with confirmation.

Thanks,  
Kathryn Irby

---

**From:** Marcus Kellebrew [REDACTED]  
**Sent:** Saturday, February 18, 2023 3:59 AM  
**To:** Kathryn Irby <[Kathryn.Irby@arkansas.gov](mailto:Kathryn.Irby@arkansas.gov)>  
**Subject:** Re: Invoice re mailed documents

Send me confirmation of transfer and Appeal to Arkansas State Legislature as well...  
Thank You,  
M. Kellebrew

On Sat, Feb 18, 2023, 3:57 AM Marcus Kellebrew [REDACTED] wrote:

Thank you!

On Fri, Feb 17, 2023, 1:52 PM Kathryn Irby <[Kathryn.Irby@arkansas.gov](mailto:Kathryn.Irby@arkansas.gov)> wrote:

Mr. Kellebrew, attached is the invoice for shipping the requested documents to you. Please remit payment to the Claims Commission at the address below.

Thanks,  
Kathryn Irby

**Arkansas State Claims Commission**  
101 East Capitol Avenue, Suite 410  
Little Rock, Arkansas 72201  
(501) 682-1619