

Please Read Instructions on Reverse Side of Yellow Cover

Please print in ink or type

BEFORE THE STATE CLAIMS COMMISSION
Of the State of Arkansas

ARKANSAS STATE
CLAIMS COMMISSION

APR 30 2013

RECEIVED

- ☒ Mr.
☐ Mrs.
☐ Ms.
☐ Miss

Alonzo Gilliam, #098194 Claimant

vs.

State of Arkansas, Respondent
Dept. of Correction

Do Not Write in These Spaces

Claim No. 13-0760-CC

Date Filed April 30, 2013

(Month) (Day) (Year)

Amount of Claim \$ 850.00

Fund DOC

COMPLAINT Loss of Property
Failure to Follow Procedure

Alonzo Gilliam, #098194 the above named Claimant, of POB 180, Brickeys, AR 72320
(Name) (Street or R.F.D. & No.) (City)

(State) (Zip Code) (Daytime Phone No.) County of Lee represented by Pro Se.
(Legal Counsel, if any, for Claim)

of _____ says:
(Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.)

State agency involved: Department of Correction Amount sought: \$850.00

Month, day, year and place of incident or service: May-9-2012, Brickeys Unit Isolation
Explanation: Personal Property Was Taken, Inventoried And Placed Into The Property Room On May-9-2012. Later It Could Not Be Found. But In Grievance #AM 12-02719 CO.2 Winfrey Said It Had Been Found And Would Be Given Back To Me When I Was Released From Punitive Isolation. But I Have Never Received It As Stated.

Notice

Members Of The Small Claims Committee, I would like To Appear Before The Board To Provide Evidence And Testimony In This Above Stated Claim.
Respectfully Submitted And Requested.

As parts of this complaint, the claimant makes the statements, and answers the following questions, as indicated: (1) Has claim been presented to any state department or officer thereof?
Yes; when? 5/31/12 And 7/17/12 to whom? Grievance Supervisor / Property Officers
(Yes or No) (Month) (Day) (Year) (Department)
CO.2 Winfrey Jones and that the following action was taken thereon: Said That Property Would Be Give To Me When I Came Off Of Punitive.
and that \$ 0 was paid thereon: (2) Has any third person or corporation an interest in this claim? NO; if so, state name and address
(Name) (Street or R.F.D. & No.) (City) (State) (Zip Code)
and that the nature thereof is as follows: _____; and was acquired on _____, in the following manner: _____

THE UNDERSIGNED states on oath that he or she is familiar with the matters and things set forth in the above complaint, and that he or she verily believes that they are true.

Alonzo Gilliam
(Print Claimant/Representative Name)

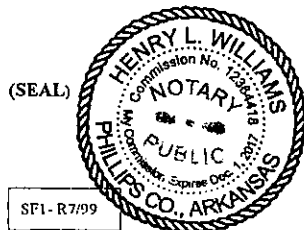
Alonzo Gilliam
(Signature of Claimant/Representative)

SWORN TO and subscribed before me at Brickeys (City) AR (State)

on this 24th day of March 2013
(Date) (Month) (Year)

Henry L Williams
(Notary Public)

My Commission Expires: Dec 01 2017
(Month) (Day) (Year)



100-02719

F-841-1

ADC INMATE PERSONAL PROPERTY INVENTORY RECORD

Inmate's Name: A. Gilliam ADC#: 093194 Institution: ISO Cell 27

Non-Expendable Items

ITEM	#	DESCRIPTION	CODE	ITEM	#	DESCRIPTION	CODE
Blanket				Pants			
Body Support Device				Photos			
Books				Photo Album			
Bowls				Pillow Case			
Magazines				Pillow			
Cap/Hat				Prosthetic			
Clock				Radio			
Comb				Religious Material			
Cup				Religious Medal			
Dentures				Rings			
Earphones				Sheets			
Earplugs				Shirts			
Eyeglasses				Shoes			
Gloves				Shower Shoes			
Gym Shoes				Socks			
Hair Braids				Stockings			
Hair Dressings				Sweat Pants			
Headphones				Sweat Shirts			
Inmate ID Badge				Toothbrush			
Jacket/Coat				Towels			
Laundry Bag				Towels-Hand			
Legal Materials				Undergarments			
Mail Legal				Undershirts			
Mail Personal				Under shorts			
Mattress				Wash Cloths			
Mirror				Watch-Pocket			
Nail Clippers				Watch-Wrist			
Padlock				Wallet			

Expendable Items

ITEM	#	#/DESCRIPTION	CODE	ITEM	#	#/DESCRIPTION	CODE
Denture Adhesive				Prescriptions			
Deodorant				Razor-Safety			
Flex Pen				Shampoo			
Food Items				Shaving Cream			
Hygiene Items				Soap			

Other

ITEM	#	#/DESCRIPTION	CODE	ITEM	#	#/DESCRIPTION	CODE
Tobacco				Medicine			
				Shirts of inmates			
				Distractions			
				Threats			

"I hereby certify that all of my property is listed on this inventory and disposition of all property listed on this inventory is correct. I further state that I do not have in my possession the legal materials belonging to any other inmate."

Signature of Official Receiving Property: [Signature] Date: 10/10/12 Location Stored: Inmate Room 27 Inmate's Signature: [Signature] Date: 10/10/12
Or Witness if inmate refuses to sign

Signature of Official Returning Property: _____ Date: _____ Witness Signature: _____ Date: _____ Inmate's Signature: _____ Date: _____

"If I should die during my incarceration, I designate the individual listed below to receive my personal property."

Name: _____ Address: _____ City: _____ State: _____ Phone: _____

Code Column: D=Donate M=Mail S=Storage I=Issued K=Keep in Possession DES=Destroy
Original - Unit Personal Property Officer Pink Copy - Inmate Yellow Copy - Inmate's File

IGTT430
3GD

Attachment VI

INMATE NAME: Gilliam, Alonzo III

ADC #: 098194

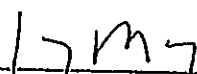
GRIEVANCE#: EAM12-02967

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

Inmate Gilliam, you allege your personal property was taken and placed in the property room, but staff claim it can't be found.

After reviewing your appeal and statement gathered from staff, I find records indicate your property has been located. Therefore, I concur with the Warden's response in which he states in part, "Corporal Winfrey, Property Officer, stated your property has been located and your property will be returned upon your release from isolation. Per AD 10-20, inmates sentenced to punitive segregation are not allowed personal property; thereby, personal property will be inventoried in accordance with appropriate policy addressing inmate property control. You are currently on punitive segregation therefore; I find no merit in your complaint."

Appeal denied



Director

Date

8.22.12

IGTT410
3GS100-7
Attachment IIIINMATE NAME: Gilliam, Alonzo III ADC #: 098194B GRIEVANCE #: EAM12-02967

WARDEN/CENTER SUPERVISOR'S DECISION

Inmate Gilliam, you grieve your personal property was taken but it has not been returned to you. Corporal Winfrey, Property Officer, stated your property has been located and your property will be returned upon your release from isolation. Per AD 10-20, inmates sentenced to punitive segregation are not allowed personal property; thereby, personal property will be inventoried in accordance with appropriate policy addressing inmate property control. You are currently on punitive segregation therefore; I find no merit in your complaint.

DANNY BURR BY R.T.B LPSignature of Warden/Supervisor or
DesigneeD/W

Title

7-20-12

Date

RECEIVED

JUL 30 2012

INMATE'S APPEAL

INMATE GRIEVANCE SUPERVISOR

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE? It was said that my property
has be found and will be returned to me upon my release from isolation. Because
i can't have property ofr punitive. That's understandable but i would like to receive
it during my next #48-Hr Relief in accordance with "AD 10-20" Page #3 Number #1
Because i did not receive it the last time i went on 48 Hr Relief. And this
will end my appeal to your office.

A. Gilliam

Inmate Signature

98194

ADC#

7/25/12

Date

To: Ms. Jones - Property Officer

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center E.A.B.R

GRIEVANCE/RECEIVED

Name Alonzo Gilliam

JUL 30 2012

ADC# 98144 Brks # ISO #1 Job Assignment FASTAR REGIONAL UNIT

FOR OFFICE USE ONLY
GRV. # FAM12-03350
Date Received: 7-30-12
GRV. Code #: 505

7/19/12 (Date) STEP ONE: Informal Resolution

7/26/12 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)
If the issue was not resolved during Step One, state why: Because I still have not seen or heard anything about all of my missing property.

7/17/12 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: Did not receive property.

Is this Grievance concerning Medical or Mental Health Services? NO If yes, circle one: medical or mental
BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): I never receive my property during my #48 Hr. Relief and there are something that I really like to get out including a few medical items. And other property that I would like to place into my property for safe keeping.

I would also like to receive any and all books that has come in for me during the time that I have been on #48 Hr. Reliefs and never received all my property.
RECEIVED
J.D.
OCT 01 2012

INMATE GRIEVANCE SUPERVISOR
ADMINISTRATION BUILDING

A. B. Gilliam
Inmate Signature

7/20/12
Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on 7-20-12 (date), and determined to be Step One and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health? (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

Sgt. M. Smith 72202 Sgt. M. Smith
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received 7-20-12

Describe action taken to resolve complaint, including dates: Ms Jones states that once your property is found it will be placed with your other property.

Sgt. M. Smith 7-26-12
Staff Signature & Date Returned

A. B. Gilliam 7-26-12
Inmate Signature & Date Received

This form was received on 7-27-12 (date), pursuant to Step Two. Is it an Emergency? NO (Yes or No).

Staff Who Received Step Two Grievance: Sgt. Under Date: 7-28-12

Action Taken: Forwarded (Forwarded to Grievance Officer/Warden/Other) Date: 7-28-12

If forwarded, provide name of person receiving this form: Ms Jones Date: 7-28-12

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE-Grievance Officer; ORIGINAL-Given back

Max 8/1/08
Attachment IIIIGTT410
3GSINMATE NAME: Gilliam, Alonzo III ADC #: 098194B GRIEVANCE #: EAM12-03350

WARDEN/CENTER SUPERVISOR'S DECISION

Inmate Gilliam, you grieve you were not given your property during your 48-Hour Relief. Your complaint is noted. Corporal Jones stated your property was located and placed in isolation one property room. This property was located after your 48-Hour Relief on 08/02/2012, therefore I find your complaint with merit and corrective action will be taken.

JUBorSignature of Warden/Supervisor or
DesigneeWarden

Title

9/18/12

Date

RECEIVED

OCT 01 2012

INMATE'S APPEAL

INMATE GRIEVANCE SUPERVISOR
ADMINISTRATIVE WORKING DAYS

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE? Property still has not been
sent to me and I just came off of a 48 hr. Relief, And it's been 3 to 5
months now. And my other Grievance about property and medical have not come
from Pine Bluff it's as if some in Pine Bluff on the mail room have
the Control Booth here is going out of the way to harass me by way
my Grievances. I have not received my Grievances that's over due from
1 month on this month. End of Statement.

A. Gilliam

Inmate Signature

98194

ADC#

9/18/12

Date

IGTT430
3GD

Attachment VI

INMATE NAME: Gilliam, Alonzo III

ADC #: 098194

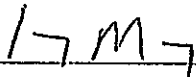
GRIEVANCE#: EAM12-03350

Inmate Gilliam, you allege during your 48 hour relief you did not receive your property.

After reviewing your appeal and statements gathered from staff, I find records indicate your property could not be located until after your 48 hour relief. Therefore, I concur with the Warden's response in which he states in part, "Corporal Jones stated your property was located and placed in isolation one property room. This property was located after your 48-Hour Relief on 08/02/20012, therefore I find your complaint with merit and corrective action will be taken."

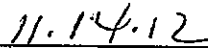
Appeal denied

By way of this response I will instruct the Unit Warden to forward a copy of corrective actions taken to my office.



Director

Date



UNIT LEVEL GRIEVANCE FORM (Attachment D)

Unit/Center E.A.B.R.

Name Alonso Gilliam

JUN 14 2012

ADC# 98194 Brks # 150 # 3 Job Assignment EAST AR REGIONAL UNIT

FOR OFFICE USE ONLY	
GRV. #	<u>EMM12-03719</u>
Date Received:	<u>6-14-12</u>
GRV. Code #:	<u>505</u>

5/31/12 (Date) STEP ONE: Informal Resolution

5/21/12 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: because I can't see or have my property back here.

5/31/12 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: Missing Personal Property. or someone threaten to take it, but it may be nothing but just in case.

Is this Grievance concerning Medical or Mental Health Services? No If yes, circle one: medical or mental
BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): I had personal property taken and inventoried on May-9-12 and May-6-12 and placed into the property room. But now it can't be found. will you please locate it and bring it to me.

RECEIVED

JUL 26 2012

INMATE GRIEVANCE SUPERVISOR
ADMINISTRATION BUILDING

A. Gilliam

Inmate Signature

5/31/12
Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on 6-7-12 (date), and determined to be Step One and/or an Emergency Grievance
Yes (Yes or No). This form was forwarded to medical or mental health? Yes (Yes or No). If yes, name of the person in that department receiving this form: ht (MBA)

PRINT STAFF NAME (PROBLEM SOLVER) ht (MBA) ID Number 1461 Staff Signature [Signature] Date 6-7-12
Date Received 6-7-12

Describe action taken to resolve complaint, including dates: I tried looking for property but was unable to locate. However I will forward this matter on to the property officer

[Signature] 6-14-12
Staff Signature & Date Returned

A. Gilliam 6/12/12
Inmate Signature & Date Received

This form was received on 6-14-12 (date), pursuant to Step Two. Is it an Emergency? Yes (Yes or No).

Staff Who Received Step Two Grievance: Sgt Foreman Date: 6-14-12

Action Taken: forward (Forwarded to Grievance Officer/Warden/Other) Date: 6-14-12

If forwarded, provide name of person receiving this form: [Signature] Date: 6-14-12

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE-Grievance Officer; ORIGINAL-Given back

IGTT410
3GS180L/Mx20
Attachment IIIINMATE NAME: Gilliam, Alonzo III ADC #: 098194B GRIEVANCE #: EAM12-02719

WARDEN/CENTER SUPERVISOR'S DECISION

Inmate Gilliam, you grieve you need your property found and given to you. The Property Officer has located your property, and you will receive it once you complete your punitive sentence. This should resolve your complaint.

AUBonSignature of Warden/Supervisor or
DesigneeWarden

Title

7/13/12

Date

RECEIVED

JUL 26 2012

INMATE GRIEVANCE SUPERVISOR
ADMINISTRATION BUILDING

INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE? The property officer states
that the property has been located and I would receive it once I complete
my punitive sentence, But it should be when I go on my 48 Hr Relief
and this does not resolve my problem because I have been on two
48 Hour Reliefs and still have not received the property. Lt. Dean looked for
it his-self and could not find it anywhere, But if it's located good because
I really do need my property. But to be on the safe side I still appealing this to
you. End of Statement.

A. Gilliam

Inmate Signature

98194

ADC#

7/13/12

Date

IGTT430
3GD

Attachment VI

INMATE NAME: Gilliam, Alonzo III

ADC #: 098194

GRIEVANCE#: EAM12-02719

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

Inmate Gilliam, you allege your personal property was taken and inventoried on 5/9/12 and 5/6/12, and placed into the property room, but can't be found.

After reviewing your appeal and statement gathered from staff, I find COII Winfrey states in part, "This inmate property was located today 7/10/2012, I green property bag was located in Isolation 1, he will receive this property once he comes off Punitive. Due to evidence submitted in your appeal, I concur with the Warden's response in which he states in part, "The Property Officer has located your property, and you will receive it once you complete your punitive sentence. This should resolve your complaint."

Appeal denied

17M7

Director

Date

8.22.12

MAY 1 2013

RECEIVED

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

ALONZO GILLIAM (ADC #098194)

CLAIMANT

V.

NO. 13-0760-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT


ANSWER

COMES NOW the Respondent, Arkansas Department of Correction, 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: HCA0100
 - 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,
Department of Correction Office of Counsel


LISA MILLS WILKINS Ark. Bar #87190
Attorney Supervisor
Post Office Box 8707
Pine Bluff, AR 71611
(870)267-6844 Office
(870)267-6373 Facsimile

CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been served this 1 day of May, 2013, on the Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

ALONZO GILLIAM (ADC #098194)
EARU
P.O. Box 180
BRICKEYS, AR 72320-0180


LISA MILLS WILKINS Ark. Bar #87190

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

ALONZO GILLIAM (ADC #09194)

CLAIMANT

V.

NO. 13-0760-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

RESPONDENT'S MOTION TO DISMISS

1. This is the third claim filed by this Claimant over the same property placed in storage on or about May 9, 2012. He alleges that he has not received his property and seeks \$850.00.
2. The first suit, 13-0329 was filed October 11, 2012. Claimant attaches to this complaint a grievances dated prior to this filing date as evidence that he has exhausted his claim. This matter is res judicata as these claims have previously been adjudicated in the matter of Claim No. 13-0329-CC.
3. Furthermore, Claimant vaguely states that he still has not gotten his property. He fails to state when and has not exhausted his remedies for any time after the previous claim.
4. AD10-32 N. provides that "inmates are hereby advised that they must exhaust their administrative remedies as to all defendants at all levels of the grievance procedure before filing a Section 1983 lawsuit and Claims Commission claim. If this is not done, their lawsuit or claims may be dismissed immediately.

WHEREFORE, for the reasons stated above and the evidence submitted, the Claim should be dismissed.

Respectfully submitted,

Department of Correction
Office of Counsel

Lisa Mills Wilkins

LISA MILLS WILKINS Ark. Bar #87190
Attorney Supervisor
Post Office Box 8707
Pine Bluff, AR 71611
(870)267-6844 Office
(870)267-6373 Facsimile

**ARKANSAS STATE
CLAIMS COMMISSION**

MAY 16 2013

RECEIVED

CERTIFICATE OF SERVICE

I certify that a copy of the above pleading has been served this 16 day of May, 2013, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to

ALONZO GILLIAM (ADC #09194)
EAMU
P. O. Box 180
Brickeys, AR 72320-0180

Lisa Mills Wilkins
LISA MILLS WILKINS Ark. Bar #87190

12

STATE CLAIMS COMMISSION DOCKET
OPINION

Amount of Claim \$ 850.00

Claim No. 13-0760-CC

<u>Alonzo Gilliam, #098194</u> Claimant		<u>Attorneys</u>	
vs.		<u>Pro se</u> Claimant	
<u>Department of Correction</u> Respondent		<u>Lisa Wilkins, Attorney</u> Respondent	
<u>State of Arkansas</u>			
<u>Date Filed</u> <u>April 30, 2013</u>		<u>Type of Claim</u>	<u>Loss of Property & Failure to Follow Procedure</u>

FINDING OF FACTS

The Claims Commission hereby unanimously grants the Respondent's "Motion to Dismiss," solely for Claimant's failure to respond. Therefore, this claim is hereby unanimously denied and dismissed.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

The Claims Commission hereby unanimously grants the Respondent's "Motion to Dismiss," solely for Claimant's failure to respond. Therefore, this claim is hereby unanimously denied and dismissed.

Date of Hearing June 13, 2013

Date of Disposition June 13, 2013

<u>[Signature]</u>	Chairman
<u>[Signature]</u>	Commissioner
<u>[Signature]</u>	Commissioner

"State Claim Commission"

Gillian V. Respondants

Claim #13-0760-CC

Arkansas Claims Commission
JUN 28 2013
RECEIVED

"Motion For Recosideration"

Come Now Claimant With This Motion For Reconsideration Of This Above Stiel Property Claim. Stating The Following Reasons.

On June, 21, 2013 I Received A Finding Of Facts Sheet From The Claims Committee Stating That This Property Claim Had Been Unanimously Dismissed For Claimants Failure To Respond.

"Claimants Response"

#1. Claimant Has Responded To Each Letter That The Commission Has Sent Concerning The Respondants Denying Liability, And The Letter Directing Me To Respond Withing #15 Days, If I Wanted To Appear Before The Committee To Present Evidence, Which I Did The Same Week And In Return I Received Two File Marked Copies From The Office Of The State Claims Commission.

#2. Respondants Have Never File A Motion To Dismiss In This Complaint. The Only Thing The Respondants Have File Was A Answer To The Complaint, Which I Responded To Accordingly And As Directed By The Commission.

#3. If There Has Been Something Else File By The Respondants I Have Never Received It, And Therefore Could Not Respond To Something I Did Not Have.

#4. The Brickys Max Legal Mail Log Will Show That I Did Not Receive Anything From The Respondants Or The Commission During That Time, And The Cameras From Max #6 Will Verify That As Well.

5. Thorough Out Claimants History With The Claims Commission. Not Once Has Claimant Alanzo Gilliam Ever Fail To Respond To A

Motion File By The Respondants or A Letter Sent By The Commission
And I've Always Did So Timely And In Compliance With The Rules
Of The State Claims Commission, And The Arkansas Rules Of Civil
Procedures.

For The Facts State In This Motion For Reconsideration And
The Records That The Commission Has On File, Which Will
Verify That Claimant Always Respond To Any And Everything
That Needs Responded To.

I Request That The Claims Commission Committed Reconsider
This Property Claim And Reverse It's Decision, And Award
Claimant Relief In This Claim or Compel Respondants To Provide
All Discovery Request Made By Gilliam And Schedule This Claim
For A Hearing Within Gilliam Presence During That Hearing.

Respectfully Submitted & Requested.

I Alonzo Gilliam #98194, Hereby Certify That On This 24 of
June, 2013, I Mailed The Inclosed Document By Mail To The
State Claims Commission 101 E. Capital Ave. Suite 410 L.R. Ar.
72201, From: Bricks Unit, PO Box 1812, Bricks Ar. 72320

I Declare Under Penalty Of Perjury That The Foregoing
Is True And Correct. Executed On June, 24, 2013.

By: *Alonzo Gilliam*

STATE CLAIMS COMMISSION DOCKET
OPINION

Amount of Claim \$ 850.00 Claim No. 13-0760-CC

Alonzo Gilliam, #098194 Claimant Attorneys Pro se Claimant
vs.
Department of Correction Respondent Lisa Wilkins, Attorney Respondent
State of Arkansas
Date Filed April 30, 2013 Type of Claim Loss of Property & Failure to Follow Procedure

FINDING OF FACTS

The Claims Commission hereby unanimously denies Claimant's "Motion for Reconsideration" for the Claimant's failure to offer evidence that was not previously available. Therefore, the Commission's June 13, 2013, order remains in effect.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

The Claims Commission hereby unanimously denies Claimant's "Motion for Reconsideration" for the Claimant's failure to offer evidence that was not previously available. Therefore, the Commission's June 13, 2013, order remains in effect.

Date of Hearing August 14, 2013

Date of Disposition August 14, 2013

[Signature] Chairman
Bill Lancaster Commissioner
Jim Baker Commissioner

"State Claims Commission"

Alonzo Gilliam

Arkansas Claims Commission

V.

SEP 11 2013

Claim # 13-0760-CC

A.D.C

RECEIVED

Notice Of Appeal

Notice Is Hereby Given That Claimant In The
Above Style Claim Is Appealing The Decision
Of The Claims Committee That Was Entered On
Aug. 14. 2013 , To The General Assembly.

Date Sep, 4 , 2013.

Alonzo Gilliam #98/94
PO BOX 180
Brickeys Ar. 72320

"State Claims Commission"

Alonzo Gilliam

V.

Claim #13-0760-CC

Depant. of Corr.

"APPEAL"

Come Now Pro se. Claimant With This Appeal Of The Above Style Claim Regarding Missing Property, Stating The Following.

- *1. On April 30, 2013, Claimant File A Missing Property Claim In The Amount Of \$850.00 For Personal Property That Was Inventory And Placed Into Isolation Storage On May 9, 2013, By Officer J. T. Fryer.
- *2. On May 1, 2013, The Respondents Denied Liability In This Claim.
- *3. On May 2, 2013, Claimant Received A Letter From The Commission Informing Me That The Respondents Had Denied Liability And That I Needed To Write A Letter Informing Them That I Wanted To Attend A Oral Hearing Within (15) Days, And One Would Be Arranged.
- *4. On May 5, 2013, Claimant Mailed A Letter Requesting A Hearing On The Above Style Claim, That Letter Was Received And File With The Commission ~~On May~~, 9, 2013. See Exhibit(A) - A Copy Of That File Marked Letter.
- *5. On June 13, 2013, The Claims Commission Unanimously Dismissed Claimant Missing Property Claim, Stating That Claim Was Being Dismissed "Solely For Claimants Failure To Respond".
- *6. On June 24, 2013, Claimant Mailed A Motion For Reconsideration To The Commission Arguing That Claimants Claim Had Been Dismissed For Failing To Respond, "Which Was Incorrect", And That I Had A File Mark Copy Of That Respond, See Exhibit(A). - Which Shows That Claimant Had Responded.
- *7. Claimants Motion For Reconsideration Was File With The Commission As Being Received On June 28, 2013, ~~RECEIVED~~

On Aug. 5, 2013 Claimant Submitted A Notarize Affidavit Addressed To The Director Mr. Norman Hedges And The Staff Of The Arkansas State Claims Commission. — Requesting That The Commission Look Into And Address Errors Made By The Commission In The Wrongful Dismissal Of Two Of My Claims (13-0760-CC And 13-0716) → Where It Was Said That I Had Fail To Respond, But That Was Incorrect Because I Had Filed Marked Copies Of All My Response ~~Which~~ Mentions And Request. See Exhibit (B) Which Is A File Marked Copy Of That Affidavit.

*8. On The Date Of Aug. 5, 2013 Claimant Also Submitted Several Other Documents That Shows That Claimants Property Was Inventoried And Placed Into Storage On May 6, 2013 And May 9, 2013, See Exhibit (C) And (D) Property Form Of Inventoried Property For Both Days.

*9. Claimant Also Presented Grievance EAM 12-02719, Which Proves That My Property From Both Days Had Been Found By The Property Officers, And Would Be Return To Me Once I Complete My Punitive Sentence. And That Was According To The Warden's Respond, → See Exhibit (E).

*10. Claimant Also Presented Grievance EAM 13-01377, Which Did Not Exist When Claimant File This His Missing Property. ^{claiming} But This Grievance Show That Claimants Property Had Been Destroyed Because Another Property Officer Had Mistakenly Destroyed Property From Both Days Thinking It Had Me Confiscated When It Had Not. See Exhibit (F)

*11. All The Stated Documents Were Submitted With My Claim On April 30 2013, Exhibit (F), Did Not Exist, And Was Wrote After I Had Already Mailed My Claims Form To The Commission.

*12. (All The Documents Support My Claims For Relief In Both Claim.)

*13. On August 14, 2013, The Claim Commission Unanimously Denied Claimants Motion For "Reconsideration" For The Claimant's Failure To Offer Evidence That Was Not Previously Available.

*14. The Only Evidence That I Have Subitted That Was Not Submitted With And On The Same Day As My Claims Form Is "Grievance 13-01377" Which Did Not Come Into Existence Until After This Claim Was File With The Commission. And I Wrote It Trying To Find Out What Had Happen To My Property, And Trying Once Again To Get My Property. Other Than That I Have Not Submitt Any New Or Old Evidence And I Surely Did Not Fail To Offer Any.

*15. Which Has Nothing To Do With My Claim Being Originally Dismissed For Claimants Failure To Respond "Which Was In Error" Because I Have File Marked Copies Of All These Document, Which I Addressed In My Affidavit To Mr. Hedges And The Commission, ~~Which~~ Bring To Attention And Asking That Corrective Action Be Taken. — See Exhibit (B). But Instead Of Correcting This mistake My claim was Denied.

"Case Law"

To Denie Or Dismiss A Claim Do To Errors Or Violates Of It's Own Policy OR By It's On Staff And Then Fail To Correct As Required By Law, Supports Liability. ~~See v. State of Ark. and v. State of Ark. and v. State of Ark.~~

The Commission Cleanly Abuse Discretion In Dismissing These Claims And After A The Errors Of The Commission Brought To The Attention Of The Director And Committee Members, And Then These Errors Disregarded And Claims Denied. Was Abuse Of Discretion, Depriving, Conspiratorial And A Denial Of Due Process At State And Fed. Levels.

See: Watkins v. State, 2010 Ark 156 (2010)

Maulding v. State, 299 Ark. 570, 776 S.W. 2d 339 (1989).

Nash v. Black, 781 F.2d 665, 668, 8th Cir. (1986).

Honsey v. Asher, 741 F.2d, 209, 212 (8th Cir 1984).

Chan v. Ballister, 630 F. Supp. 2d 170, 178 (D. Bass, 2009)

Colon v. Coughlin, 58 F.3d 865, 873 (2d Cir. 1995)

Supervisor's On Notice Of The Need To Correct An Error And Fails To Do So Can Be Held Liable. See Hildebrandt v. Illinois D.O.N Resources 347 F.3d 1014, 1039 (7th Cir 2003).

Failure To Respond To Evidence Of Misconduct Or Error By Subordinates Failure To Ensure That Department Procedures Were Followed, Knowledge Of Error In The Proper Working Of That Department Supports Liability. SEE: Combs v. Wilkins, 315 F.3d 548, 559 (6th Cir 2002)

A "Custom or Usage", For Purposes Of Suing A Municipal Arm For Violation Or Deprivations Visited Pursuant To A Custom or Usage, Is Demonstrated By: (1) The Existence Of A Continuing, Widespread, Persistent Pattern Of Unconstitutional Misconduct By Governmental Entity's Employees (2) Deliberate Indifference To or Tacit Authorization Of Such Conduct By The Policymaking Officials After Notice Of Misconduct, (3) The Injury By Acts Pursuant To Policy Or Entity's Custom, Was The Moving Force Behind The Violation. See: Repking v. Loke, 377 S.W. 3d 211 Ark., 2010.

For The Stated Reasons And Evidence Presented In This Appeal, I Claimant Alonzo Gilliam Request That This Committee Amend The Ruling Of The Claims Commission From The Date Of Aug. 14, 2013. And Award Claimant Relief Or Have This Claim Scheduled For A Hearing And Further Litigation.

"Respectfully Submitted."

Pursuant To 28 U.S.C 1746, I Declare Under Penalty Of Perjury That The Foregoing Is True And Correct, Executed On This 26 Day Of Aug., 2013.

By Alonzo Gilliam #98194
PO BOX 180
Buckeye Ar. 72320

Alonzo Gilliam

Exhibit
A

State Claims Commission

ARKANSAS STATE
CLAIMS COMMISSION

MAY 09 2013

RECEIVED

TO:

101 East Capitol Avenue

Suite 410

Claim # 13-0760-CC

Little Rock, Ark 72201

Gilliam V. Department Of Correction

Be Advised That Claimant Would Like To
Appear Before The Claims Commission To
Give Testimony And To Show Evidence In
This Above Style Property Claim.

Respectfully Submitted

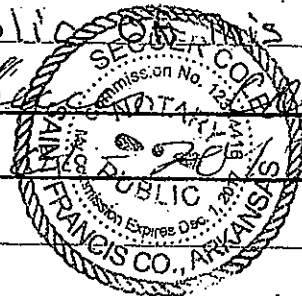
By Alonzo Gilliam #98194

May 4, 2013.
Date

PO BOX 180

Brickeys Ark. 72320

Sworn To Before Me A Notary Public on this 05
Day of May, 2013. Notary: [Signature]
My Commission Expires: Dec.



TO: Norman Hodges Jr. - Director And Staff Of The
Arkansas State Claims Commission

Address: 101 East Capitol Suite 410, L.R. Ark. 72201

From: Alonzo Gilliam III

Re: Complaint Of Error

Solution: Requesting Corrective Actions Be Taken

Page: 1 of 2

State of Arkansas
County of Pulaski

Exhibit
B

Claims #13-0716-CC & #13-0760-CC

Arkansas Claims Commission

AFFIDAVIT

AUG 05 2013

RECEIVED

I swear the following statements are true and correct to the best of my knowledge and belief. I make them of my own free will.

Name: Alonzo Gilliam III Date of birth 3/23/1977

Book-In # 098194 Address PO BOX 180 Briceys Ark. 72320

Reason for statement: Mr. Hodges, I'm Writing This To You And The
Members Of Your Staff, To Bring To Attention A Few Mistake Or Errors
Made By The Committee In Regards To Two Claims That Were Dismissed
Stating That Claimant Had Fail To Respond. This Is The 3rd Claim
That Has Been Dismissed For A Error Made By The Committee
Or The Commissions Clerk. The Following Claims 13-0716-CC
And 13-0760-CC Were File At Different Times, But Both Dism
issed At The Same Time And Same Reason "Failure To Respond"
At This Time Their Both Pending A Motions For Reconsideration
If You'll Look At The File For These Claims, You'll See That I Have
Responded To All Letters And Documents As Directed By The Commission.
And That I've Always Sent Five Or Six Copies So I Would
Receive A File Marked Copy In Return And I've Always Responded
Within Two Week Of Any Communication In Regards To My Claims.
Now My Reason For Explaining That Was To Point Out That
There Has Been A Mistake Made In Regards To The Filing
Of These Documents Once I've File Them With The Commission,
Because It's Impossible That I've Fail To Respond, When I've
Received A File Marked Copy Of All My Response From
The Commission It's Self. So I Bring This To Your Attention
Requesting That You Look Into This Matter And Take Correction

Exhibit

B

(Affidavit Page: 2 of 2.)

Action In Considering My Claims.

"Supporting New Information"

Inclosed With This Document Is A Grievance With The Number
#EAM 13-01377, I Ask That You Read This Grievance, My Appeals
And The Response That I Received. You'll See That My Property
From May-6 And May-9-2012 Was Destroyed Because Someone
Thought That The Property Had Been Confiscated When In Fact
It Was Not. This Property Had Been Inventory And Placed Into
Storage By Officer C. Rosborough On May-6-2012 And The Other
Property Was Inventory And Placed Into Storage By Officer J. Fryer
On May-9-2012. Because I Was Being Locked Up In Isolation
On Behavior Control. And The Property Inventory Form That
Was Submitted With My Claims Complaint Form Will Verify That As
Well. If This Property Would Have Been Confiscated, In Accordance
With Policy "AD 13.09" All Confiscated Property Would Have Been
Listed On A (F-401 Confiscation Form). See Exhibit (00)
If Any Other Information Is Need To Verify All The Facts
That I've Stated Is True, And Claimant Is Entitled To The
Full Amount Of The Request Relief In These Claims. That
Information Can Be Found In Claimants Discovery Request
In Detail. Those Discovery Request Are Also Over Do As
Well. —————> See Claimant Notice And Motion To Compel.

In witness wherefore, I hereunto set my hand this 20 day of July 2013.

WILLIAM IVORY
NOTARY PUBLIC-STATE OF ARKANSAS
ST. FRANCIS COUNTY
My Commission Expires Dec. 1, 2017
Commission # 12363868

State of Arkansas)

George S. M.../
(Signature of Affiant)

)ss.

County of Pulaski)

Subscribed and sworn to before me this 21 day of July 2013.

My commission expires Dec. 1, 2017.

23

13-0716-CC

ADC INMATE PERSONAL PROPERTY INVENTORY RECORD

Institution: FBI

ITEM	#	DESCRIPTION	CODE	ITEM	#	DESCRIPTION	CODE
Blanket	2		2	Pants			
Body Support Device				Photos			
Books				Photo Album			
Bowls	1		1	Pillow Case	3		
Magazines	1		1	Pillow	3		3
Cap/Hat				Prosthetic			
Clock				Radio			
Comb				Religious Material			
Cup				Religious Medal			
Dentures				Rings			
Earphones	1		1	Sheets			
Earplugs	1		1	Shirts			
Eyeglasses				Shoes			
Gloves				Shower Shoes	1		
Gym Shoes				Socks	1		
Hair Braids				Stockings			
Hair Dressing				Sweat Pants			
Headphones				Sweat Shirts			
Inmate ID Badge				Toothbrush			
Jacket/Coat				Towels			
Laundry Bag	3	WASH CLOTHES	3	Towels-Hand			
Legal Materials	1	LEGAL MATERIALS	1	Undergarments			
Mail Legal	1	LEGAL MAIL	1	Undershirts			
Mail Personal	1	PERSONAL MAIL	1	Under shorts			
Mattress				Wash Cloths			
Mirror				Watch-Pocket			
Nail Clippers				Watch-Wrist			
Padlock				Wallet			

DEPENDABLE ITEMS				DEPENDABLE ITEMS			
ITEM	#	#/DESCRIPTION	CODE	ITEM	#	#/DESCRIPTION	CODE
Denture Adhesive	1			Prescriptions			
Deodorant	1			Razor-Safety			
Flex Pen	1			Shampoo			
Food Items	1			Shaving Cream			
Hygiene Items	1			Soap			
TEALIPS SHAVE	101	NET MTLX	W				

ITEM	#	#/DESCRIPTION	CODE	ITEM	#	#/DESCRIPTION	CODE
BUBBLE	1	REF	5	WIND-SHIELD	1	WIND	5
WIND	2	REF	5	BUBBLE	1	BUBBLE	5
WIND	1	REF	5				

Signature of Official Receiving Property		Date		Location Stored		Inmate's Signature		Date	
[Signature]		5/6/12		ISO-1		[Signature]		5/6/12	

Signature of Official Receiving Property	Date	Location Stored	Inmate's Signature Or Witness if inmate refuses to sign	Date
------------------------------------------	------	-----------------	------------------------------------------------------------	------

Signature of Official Returning Property	Date	Witness Signature	Date	Inmate's Signature	Date
------------------------------------------	------	-------------------	------	--------------------	------

If I should die during my incarceration, I designate the individual listed below to receive my personal property.

[illegible]

Code Column: D=Donate M=Mail S=Storage I=Issued K=Keep in Possession DES=Destroy
Original - Unit Personal Property Officer Pink Copy - Inmate Yellow Copy - Inmate's File

**Exhibit
D**

F-841-1

ADC INMATE PERSONAL PROPERTY INVENTORY RECORD

Inmate's Name: A Gilliam

ADC#: 093194

Institution: East Coll 27

Non-Expendable Items

ITEM	#	DESCRIPTION	CODE	ITEM	#	DESCRIPTION	CODE
Blanket				Pants			
Body Support Device				Photos			
Books				Photo Album			
Bowls				Pillow Case			
Magazines				Pillow			
Cap/Hat				Prosthetic			
Clock				Radio			
Comb				Religious Material			
Cup				Religious Medal			
Dentures				Rings			
Earphones				Sheets			
Earplugs				Shirts			
Eyeglasses				Shoes			
Gloves				Shower Shoes			
Gym Shoes				Socks			
Hair Braids				Stockings			
Hair Dressings				Sweat Pants			
Headphones				Sweat Shirts			
Inmate ID Badge				Toothbrush			
Jacket/Coat				Towels			
Laundry Bag				Towels-Hand			
Legal Materials				Undergarments			
Mail Legal				Undershirts			
Mail Personal				Under shorts			
Mattress				Wash Cloths			
Mirror				Watch-Pocket			
Nail Clippers				Watch-Wrist			
Padlock				Wallet			

Expendable Items

ITEM	#	#/DESCRIPTION	CODE	ITEM	#	#/DESCRIPTION	CODE
Denture Adhesive				Prescriptions			
Deodorant				Razor-Safety			
Flex-Pen				Shampoo			
Food Items				Shaving Cream			
Hygiene Items				Soap			

Other

ITEM	#	#/DESCRIPTION	CODE	ITEM	#	#/DESCRIPTION	CODE
Tobacco				9 Cigarettes			
				12 Cigarettes			
				10 Cigarettes			
				10 Cigarettes			

"I hereby certify that all of my property is listed on this inventory and disposition of all property listed on this inventory is correct. I further state that I do not have in my possession the legal materials belonging to any other inmate."

Signature of Official Receiving Property: [Signature] Date: 3-12-12 Location Stored: Room 27 Inmate's Signature: [Signature] Date: 3-12-12
Or Witness if inmate refuses to sign

Signature of Official Returning Property: _____ Date: _____ Witness Signature: _____ Date: _____ Inmate's Signature: _____ Date: _____

"If I should die during my incarceration, I designate the individual listed below to receive my personal property."

Name: ARKANSAS STATE CLAIMS COMMISSION Address: _____ City: _____ State: _____ Phone: _____

Code Column: D=Donate M=Mail S=Storage I=Issued K=Keep in Possession DES=Destroy
Original - Unit Appraiser Property Officer Pink Copy - Inmate Yellow Copy - Inmate's File

UNIT LEVEL GRIEVANCE FORM (Attachment D)

Unit/Center F.A.B.R.

Name Alonzo Gilliam

JUN 14 2012

ADC# 98194 Brks # ISO #3 Job Assignment EAST AR REGIONAL UNIT

FOR OFFICE USE ONLY	
GRV. #	<u>12M12-03719</u>
Date Received:	<u>6-14-12</u>
GRV. Code #:	<u>525</u>

5/31/12 (Date) STEP ONE: Informal Resolution

5/31/12 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: because I can't see or have my property back now.

5/31/12 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: Missing Personal Property, or someone threaten to take it, but it may be nothing but just in case.

Is this Grievance concerning Medical or Mental Health Services? No If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): I had personal property taken and inventoried on May-9-12 and May-6-12 and placed into the property room. But now it can't be found. Will you please locate it and bring it to me.

Exhibit
"E"

Three Pages

RECEIVED

JUL 26 2012

INMATE GRIEVANCE SUPERVISOR
ADMINISTRATION BUILDING

[Signature]

A. Gilliam

Inmate Signature

Date

5/31/12

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on 6-7-12 (date), and determined to be Step One and/or an Emergency Grievance Yes (Yes or No). This form was forwarded to medical or mental health? No (Yes or No). If yes, name of the person in that department receiving this form:

ht (LBN) 1461 [Signature] Date 6-7-12
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: I tried looking for property but was unable to locate. However I will forward this matter on to the property room

[Signature] 6-14-12 A. Gilliam 6/12/12
Staff Signature & Date Returned Inmate Signature & Date Received

This form was received on 6-14-12 (date), pursuant to Step Two. Is it an Emergency? No (Yes or No).

Staff Who Received Step Two Grievance: Sgt. Foreman Date: 6-14-12

Action Taken: forward (Forwarded to Grievance Officer/Warden/Other) Date: 6-14-12

If forwarded, provide name of person receiving this form: [Signature] Date: 6-14-12

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE-Grievance Officer; ORIGINAL-Given back

26

IGTT410
3GS180L/MX20
Attachment IIIINMATE NAME: Gilliam, Alonzo III ADC #: 098194B GRIEVANCE #: EAM12-02719

WARDEN/CENTER SUPERVISOR'S DECISION

Inmate Gilliam, you grieve you need your property found and given to you. The Property Officer has located your property, and you will receive it once you complete your punitive sentence. This should resolve your complaint.

[Signature]
Signature of Warden/Supervisor or
Designee

Warden
Title

7/13/12
Date
RECEIVED

JUL 26 2012

INMATE'S APPEAL

INMATE GRIEVANCE SUPERVISOR
ADMINISTRATION BUILDING

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE? The property officer states
it the property has been located and I would receive it once I complete
a punitive sentence, But it should be when I go on my 48 Hr Relief
and this does not resolve my problem because I have been on two
48 Hour Reliefs and still have not received the property. Lt. Dean looked for
his-self and could not find it anywhere, But if it's located good because
really do need my property. But to be on the safe side I still appealing this to
you. End of Statement.

[Signature]
Inmate Signature

98194
ADC#

7/13/12
Date

IGTT430
3GD

Attachment VI

INMATE NAME: Gilliam, Alonzo III

ADC #: 098194

GRIEVANCE#: EAM12-02719

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

Inmate Gilliam, you allege your personal property was taken and inventoried on 5/9/12 and 5/6/12, and placed into the property room, but can't be found.

After reviewing your appeal and statement gathered from staff, I find COII Winfrey states in part, "This inmate property was located today 7/10/2012, I green property bag was located in Isolation 1, he will receive this property once he comes off Punitive. Due to evidence submitted in your appeal, I concur with the Warden's response in which he states in part, "The Property Officer has located your property, and you will receive it once you complete your punitive sentence. This should resolve your complaint."

Appeal denied

17 M. 7

Director

Date

8.22.12

28

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center E. A. B. RName Alonzo Gilliam

GRIEVANCE RECEIVED

MAY 01 2013

EAST AFRICAN REGIONAL UNIT

FOR OFFICE USE ONLY

GRV. # EAM13-01377Date Received: 5-1-13GRV. Code #: 505ADC# 98194 Brks # Max 6 Job Assignment Ad-Sec

4/29/13 (Date) STEP ONE: Informal Resolution

4/30/13 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: I'm talking about the property from the month of May-2012. The other property that I mentioned has not4/29/13 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: Missing, Lost or Stolen PropertyIs this Grievance concerning Medical or Mental Health Services? NO If yes, circle one: medical or mental BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): I Was Told That My Property From5/6/12 And 5/9/12 Had Been Found, And That I Would Receive It When I Came Off Of Punitive. I Came Off Of Punitive On 4/21/13, And I Still Have Not Received My Missing Property. Will Someone Please Bring My Property Or Let Me Know What's Going On. My Property Has Been Gone For Too Long. If It's Been Lost Again Can Someone At Least Tell Me That, I Talk With Warden Payne On April-18-13 And He Said I Would Get My Property. So Where Is It.CAN I Get My Property? I'm Off Of Punitive Now.**Exhibit**"F"Three Pages

Inmate Signature

Date

4/29/13

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLYThis form was received on 4/29/13 (date), and determined to be Step One and/or an Emergency Grievance. Yes (Yes or No). This form was forwarded to medical or mental health? Yes (Yes or No). If yes, name of the person in that department receiving this form: W. Woodard 7395 Staff W. Woodard 4/29/13

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number

Staff Signature

Date Received

Describe action taken to resolve complaint, including dates: Per W. Dinkerson, she stateyou have no more property stored in the mail. She also eliminate her property that was confiscated, and received a disciplinary for it. She is now moving those things back end of the month. Staff W. Woodard 4/30/13

Staff Signature & Date Returned

Inmate Signature & Date Received

This form was received on 4/30/13 (date), pursuant to Step Two. Is it an Emergency? Yes (Yes or No).Staff Who Received Step Two Grievance: Staff W. WoodardDate: 4/30/13Action Taken: Forwarded to Grievance Officer/Warden/Other Date: 4/30/13If forwarded, provide name of person receiving this form: 29

Date:

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE-Grievance Officer; ORIGINAL-Given back

MAX 6/CB36


IGTT410
3GS

Attachment III


INMATE NAME: Gilliam, Alonzo IIIADC #: 098194BGRIEVANCE #: EAM13-01377

WARDEN/CENTER SUPERVISOR'S DECISION

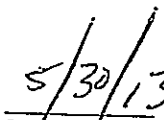
Inmate Gilliam, you grieve someone informed you that your missing property was found and you want it to be issued to you. Your complaint is noted. Sergeant Dickerson, Max Property Officer, stated the property you are questioning was confiscated and you were afforded the opportunity to choose how dispose of your property, which you did not. Per AD 13-09, unauthorized property shall be disposed of as follows: mail the items at the inmate's expense, destruction, or pick-up by a third party. You failed to choose a method of disposal and confiscated items will not be returned to the inmates; therefore, I find no merit in your complaint.



Signature of Warden/Supervisor or Designee



Title



Date

RECEIVED

INMATE'S APPEAL

JUN 06 2013

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate authority. The appeal must be filed with the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE? The Property Officer Made A Mistake And Destroyed All My Property Thinking That It Had Me Confiscated. When All Along It Had Been Taken And Inventoried Because I Was Placed On Behavioral Control On May-8-2012 For A Disciplinary That I Was Waive By CO-1 Gregory Moore. That Property Was Inventoried By CO-2 C. Res Rough And Placed Into Storage In Iso #1

SEE Grievance -> "EAM 12-02719" And "EAM 12-02350"
The Other Property Was Taken On May-9-2012 When I Was Written Up By Sgt. Jeffrey Hughes And Was Placed Back On Behavioral Control And That Property Was Taken And Inventoried By CO-1 Jeremy Fayer And Also Place Into Isolation #1 Storage Room.

Sgt. Dickerson Was Not Here During Those Times But CO-2 Winifrey



Inmate Signature

98194

ADC#

May-21-13

Date

And CO-2 Jones Was And That's The Ones That Found And Place My Property Some Where Safe. But When Officer Dickerson Came Back To Work, By Her Not Knowing She Destroyed My Property Thinking It Had Been Confiscated When It Had Not. I Even Still Have My Property Froms show It Was Inventoried. As Well As The Disciplinarys show Why I Was Locked Up Which Had Nothing To Do With My Personal Property.

This Was A Mistake Made By Officer 23. I Think.

30

IGTT430
3GD

Attachment VI

INMATE NAME: Gilliam, Alonzo III

ADC #: 098194

GRIEVANCE#: EAM13-01377

Inmate Gilliam, I have received your formal grievance dated 4/30/2013, where you allege you were informed that your missing property from 5/6/2012 and 5/9/2012 was found and you want it returned to you.

After reviewing all supporting documentation, I concur with the Warden's response in which he states in part, "Sergeant Dickerson, Max Property Officer, stated the property you are questioning was confiscated and you were afforded the opportunity to choose how to dispose of your property, which you did not. Per AD 13-09, unauthorized property shall be disposed of as follows: mail the items at the inmate's expense, destruction, or pick-up by a third party. You failed to choose a method of disposal and confiscated items will not be returned to the inmates; therefore, I find no merit in your complaint."

Appeal denied

17M7

Director

Date

7.15.13

31

→ "The Form Would Be Used Is Confiscated, By Policy"

F-401

Exhibit
"00"

STATE OF ARKANSAS - DEPARTMENT OF CORRECTION
CONFISCATED FORM - AREA OR PERSON

(Check One) ☒ Inmate ☐ Visitor ☐ Staff ☐ Area
Unit: 9 ARU Building or Area: W 223 Barracks 6 Cell 316
Date and Time of Search: 6 19 1 2013 1102 pm : am
Officer(s) Conducting Search: (Print) CPI Washington CPI Miller
Officer(s) Conducting Search: (Signature) CPI Washington
Inmate Name: Al Miller ADC #: _____

Articles Seized (description and number of items):

Number	Description
<u>2</u>	<u>Paperclips</u>
	<u>Robert Miller</u>

Reason Seized: ☒ Excess/Unauthorized Property ☐ Disciplinary/Criminal Evidence
Other _____

Inmate Signature: [Signature] () Refused to Sign

Area/Shift/Supervisor: (Signature) _____

Disposition of Contraband: Wash

Copy Delivered to Inmate: Date: 6/19/2013 Time: 11:10 pm

Delivered By: (Signature) [Signature]

Disciplinary Written: ☒ No () Yes By: n/a

Articles may be mailed to: n/a

Inmate authorizes deduction of postage from pen store account:

☒ No () Yes Inmate Signature: n/a

To be completed by UPCO

Destruction Date: ____/____/____

UPCO: (Signature) _____ Witnessing Staff: (Signature) _____

Distribution - White-Remains with Contraband; Yellow- Institutional File; Pink-Inmate Copy
(To Be Printed On NCR Paper)

F-401

Revised 8/28/2006

32