### Please Read Instructions on Reverse Side of Yellow Copy

Please print in ink or type

CLAIMS COMMISSION

APR 3 0 2013

RECEIVED

### BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

₽ Mr.	Do Not Write in These Spaces
□ Mrs. □ Ms.	Claum No13-0760-CC
□ Miss	Date Filed April 30, 2013
Alonzo Gilliam, #098194 Claimant	(Month) (Day) (Year)
vs.	Amount of Claim \$ 850.00
State of Arkansus, Respondent	Fund DOC
Dept. of Correction	
COMPLAINT	Loss of Property Failure to Follow Procedure
lonzo Gilliam, #098194 the above named Claimant, of POB 180 (Name)	O, Brickeys, AR 72320 (Street or R.F.D. & No.) (City)
County of Lee represen	nted by PRO SE. (Legal Counsel, if any, for Claim)
(State) (Zip Code) (Daytime Phone No.)	(Legal Counsel, if any, for Claim)
(Street and No.) (City) (State) (Zip Code)	(Phone No.) (Fax No.)
	unt sought: \$ 850.00
·	eys Unit Isolation
Explanation: Personal Property Was Taken Inver	
Into The Property Room On May-9-201	2. Leten It Could
Not Be Found, But In Grievance * FAM 12-E	DATIG CO. 2 Winfrey
Suid 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 Connittee I Before The Board For Provide Evider	Would like To Appear nce And Testimony.
In This Above Style Claim	1.12.14.1
Respectfully S	COPHITIES AND REGUESTED.
As parts of this complaint, the claimant makes the statements, and answers the following questions, as indicated: (1)	
(Yes No) (Mogh) (Day) (Year) Do whom? Grievance	1 (D-14-4) (
60. But Wintrey E Jones and that the following action was taken thereon: Shid	That Property Would Be Give
To me when I came off of Punitive.	this claim? 150; if so, state name and address
and that \$ 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) and that the nature thereof is as follows:	(State) (Zip Code)
: and was acquired on	, in the following manner:
THE UNDERSIGNED states on outh that he or she is familiar with the matters and things set for	orth in the above complaint, and that he or she verily believes
that they are true.	9/11/2
(Print Claimant/Representative Name)	(Signature of Claimant/Representative)
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F-841-1

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

Appeal denied				
17mg				
Director	<u></u>	Date	8.22.12	

10W-1.
Attachment III

IGTT410 3GS

INMATE NAME: Gilliam, Alonzo III

DANNY BURL BYR.T.B LP

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.

Signature of Warden/Supervisor or Designee	Title	Date
•	٠	RECEIVED
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INMATE'S APPEAL		INMATE GRIEVANCE SUPERVISOR
If you are not satisfied with this response, y filling in the information requested below as	ou may appeal this decision wi	ADMINISTRATION BUILDING thin five working days by Chief
Deputy/Deputy/Assistant Director along wi appealing the decision to the original grieva original grievance as they will not be address the space provided below.	th the Unit Level Grievance Founce. Do not list additional issue	rm. Keep in mind that you are
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- Billiam	98/94	7/25//2
Inmate Signature ,	, ADC#	Date

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UNIT LEVEL GRIEVANCE FORM (Attachment I)  GF	HEVANCE/RECEIVED	FOR OFFICE USE ONLY GRV. # FAM 12-0335()
Vnit/Center E.A.B.R  Name Alonzo Gilliam	JUL 3 0 2012	Date Received: 1-30-13
		GRV. Code #: 505
	TAR REGIONAL UNIT	
7/15/18 (Date) STEP ONE: Informal Resolution		
7/26/12 (Date) STEP TWO: Formal Grievance (All complains If the issue was not resolved during Step One	state why: Benaus	and the first White &
On heard coult is about all of me a substantial risk of physical harm; emergency grievances are mature). If you marked yes, give this completed form to the desattached emergency receipt. If an Emergency, state why:	ot for ordinary prob signated problem-so	lems that are not of a serious lying staff, who will sign the
Is this Grievance concerning Medical or Mental Health Service BRIEFLY state your one complaint/concern and be specific as involved and how you were affected. (Please Print): I new my "HE He Relief and these are something including a few medical items. And other including a few medical items. And other into my property for safe keeping.	to the complaint, <u>di</u> <u>en receive r</u> that a receive	ate, place, name of personnel  y peoperty during
I would also like to exceive any and all the during the time that a hear plant 48 Hr. Relycfs and never received a	aced on Run.	T have been by  RECEIVED  OCT 12012
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- a. S. Delam	7/20/	12
Inmate Signature  If you are harmed/threatened because of your use of the grievance	Date	and the state of t
THIS SECTION TO BE FILLED	OUT BY STAFF	<u>dediately to the Warden or designee.</u> ONLY
This form was received on 7-20-13 (date), and determine	ed to be Sten One a	nd/or an Emergency Grievance
(Yes or No). This form was forwarded to medical or rof the person in that department receiving this form:	nental health?	(Yes or No). If yes, name
Sat. M. Smith Zagoz dot.	M. Short	Date
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signat Describe action taken to resolve complaint, including dates:		Date Received
your property is found it will be placed		then property.
Staff Signature & Date Returned Inc.	2. Belle	7-26-12
This form was received on 7-27-17 (date), pursuant to Step	ate Signature & Dat <b>Iwo</b> . Is it an Emero	te Received gency? // (Yes or No).
Staff Who Received Step Two Grievance:	10/1)	Date: 7-28-12
Action Taken:	e Officer/Warden/C	Other) Date: 7-27-12 Date: 7-27-13-
DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BI	LUE-Grievance Off	icer; ORIGINAL-Given back

1

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IGTT410 3GS Page 1 of 1

Attachment III

INMATE 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 08/02/20012, therefore I find your complaint with merit and corrective action will be taken.

/

SUBA	Wand	9/18/12
Signature of Warden/Supervisor or Designee	Title	Date
#TYTEOPOT UNGSTERFAN DASIMFELSEOFFELSKE PRESE TREATEROOGISTS WITHOUT LEV FINDSCOPELACIDA DE CUMPINCIES	MEDINALIZIONEA ELONENEZANIO NEONON NEON	RECEIVED
INMATE'S APPEAL	·	OCT 0 1 2012
If you are not satisfied with this response, filling in the information requested below Deputy/Deputy/Assistant Director along vappealing the decision to the original grievoriginal grievance as they will not be addithe space provided below.	you may appeal this decision with and mailing it to the appropriate with the Unit Level Grievance Forwance. Do not list additional issue ressed. Your appeal statement is little to the control of the co	Chief rm. Keep in mind that you are rs, which are not part of your imited to what you write in
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a Selliar	98199	9/19/12
. Inmate Signature	ADC#	Date

Attachment VI

INMATE NAME: Gilliam, Alonzo III

ADC #: 098194

GRIEVANCE#:EAM12-03350

Inmate Gilliam, you allege during your 48 hour relied 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.

1-m-	
Director	11.14.12

TENTED Y THE CONTROL OF THE CONTROL	FOR OFFICE USE ONLY
UNIT LEVEL GRIEVANCE FORM (Attachment Igrievance/Received Unit/Center F & B. B. R	GRV. # <u>137471/3</u> -03719
11 111 4 4 4 4	Date Received: 6-14-12
1000 (SI [14B]	
ADC# 95/94 Brks # 750 3 Job Assignment 1975	GRV. Code #: 505
[3]   12 (Date) STEP ONE: Informal Resolution	
[Date] STEP TWO: Formal Grievance (All complaints/concerns should lift the issue was not resolved during Step One, state why: Because the Property back have.  5/3/12 (Date) EMERGENCY GRIEVANCE (An emergency situation is one in a substantial risk of physical harm; emergency grievances are not for ordinary probnature). If you marked yes, give this completed form to the designated problem-so attached emergency receipt. If an Emergency, state why: Missing Personal one fhareten to take it but it may be nothing but just in Is this Grievance concerning Medical or Mental Health Services? No If yes, ci BRIEFLY state your one complaint/concern and be specific as to the complaint, dinvolved and how you were affected. (Please Print): I had personal problem on May 4-4-12 and May-6-12 and placed form. But now it can't be found, will you please become the many of the may be found.	which you may be subject to plems that are not of a serious diving staff, who will sign the property. Or some ircle one: medical or mental ate, place, name of personnel
	RECEIVED  JUL 2 6 2012
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ADMINIS	STRATION BUILDING
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a. Si Miam 5121	0=
Inmate Signature 5/3/	112
THIS SECTION TO BE FILLED OUT BY STAFF  This form was received on	ONLY nd/or an Emergency Grievance (Yes or No). If yes, name Date
Describe action taken to resolve complaint, including dates: I 7-year a	Date Réceived
to the the	re surgety sopice
Staff Signature & Date Returned  This form was received on 6-14-17 (date), pursuant to Step Two. Is it an Emerge Staff Who Received Step Two Grievance:  Action Taken: +011 All (Forwarded to Grievance Officer/Warden/Conference)  Inmate Signature & Date Returned  Inmate Signature	gency? (Yes or No). Date: (4-17

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

IGTT410 . 3GS Page 1 of 1

Attachment III

INMATE NAME: Gilliam, Alonzo III

ADC #: <u>098194B</u> GRIEVANCE #: <u>EAM12-02719</u>

### 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.

JUB on	NAN!	7/13/12
Signature of Warden/Supervisor or Designee	Title	Date RECEIVED
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### INMATE'S APPEAL

ADMINISTRATION BUILDING
within five working days by

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 RES	= upuld riceive it	once = complet
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it his-self and could not find it anyw	hear, But if it's loca	ted good because
E really do need my property. But to be		
1000, Faid Of Statement		
		<del>.</del>
a Selliam	98194	7/19/12
Inmate Signature	ADC#	Date

Appeal denied

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."

,	· .
17M-7	
	8.22.12
Director	Date

### BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

RECEIVED

ALONZO GILLIAM (ADC #098194)

**CLAIMANT** 

٧.

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

Cost Center: HCA0100 b.

c. Internal Order:

340301

đ.

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

CERTIFCIATE OF SERVICE

/ day of Mu I certify that a copy of this pleading has been served this 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

### BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

ALONZO GILLIAM (ADC #09194)

**CLAIMANT** 

٧.

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 judicate 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,

ARKANSAS STATE CLAIMS COMMISSION

MAY 1 6 2013

RECEIVED

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 the above pleading has been served this <u>//6</u> day of <u>Mout</u>, 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

> Sisa Mills Wilkins LISA MILLS WILKINS Ark. Bar #87190

12

## STATE CLAIMS COMMISSION COCKET

Date Filed April 30, 2013	<del></del>	Type of Claim _	Loss of Property & Follow Procedure	Failure to
State of Arkansas				Kesbourgelit
Department of Correction	Respondent	Lisa Wilkins, Attorney		Respondent
vs.				
Alonzo Gilliam, #098194	Claimant	Pro s	e	Claimant
		Attorneys		
Amount of Claim \$			Claim No.	
850.00				13-0760-CC

### 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.

June 13, 2013  Date of Hearing	
June 13, 2013  Date of Disposition	Sill Jancuse
	Commissioner
	Commissioner

A <sub>Mansas</sub> Cu
"State Claim Commission"
"State Claim Commission"  "State Claim Commission"  "RECENTED  Gilliam V. Respondents  Claim #13-0760-CC
"Motion For Recosideration"
Come Now Claimant With This Motion For Reconsideration of This Above Stirl 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 Dispissed For Claimants Failure To Respond.
"Claimants Response"
*I. Claimant Has Responded to Each Letter That The Commission Has.  Sent Concerning The Respondents Demying Liability, And The Letter Darecting 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.
The Only Thing The Respondents 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 Respondents I Have Never Received It, And TheRefore Could Not Respond To Something I Did Not Have.
4. The Brickeys Max Legal Mail Log Will Show That I Did Not Receive
laything From The Respondents Or The Commission Duning That
Time, And The Cameras From Max*6 Will Verify That As well.
Thorough Out Claimants History with The Claims Commission.

Motion File By The Respondents on A Letter Sent By The Commissing And I've Always Did So Timely And In Compliance with The Rules
Of The State Claims Commission, And The Ankansas Rules Of Civil Procedures
1
For The Facts State In This Motion For Reconsideration And.
The Recordes That The Commission Has On File, which will
Venify That Claimant Always Respond To Any And Evenything.
That Needs Responded to.
I Request That The Claims Commission Committed Recognisiden.
This Property Claim And Reverse It's Decision And Award.
THIS TREPERTY CHANGE WEX SERVED TO BE WARDED.
Claimant Relief In This Claim on Compel Respondants To Provide
All Discovery Request made By Gilliam And Schedule This Claim.
Fox A Hearing Within Cilliam Presence Duning That Hearing.
Respectfully Submitted & Requested.
I Alonzo Gilliam #98194 Henrby centify that on This 24 of
June 2013. I mailed The Inclosed Dorwnerd By Mail To The,
State Claims Commission 101 E. Capital Ave. Suite 410 L.R. Ar.
72201. From: Brickeys Unit, PO BOX 1812, Brickeys Ar. 72320
The state of the s
7
I Declare Under Penalty Of Penjury That The Foregoing
Is True And Connect . Frechted on June , 24 ,2013:
IS THUSE HAVE CASHICRET. FRECHTER DIN JUNE , 24 ,2015;
By: along Silliam
#2, Of #2

STALE		MMISSION [ _ VION	CKET	
850.00 Amount of Claim \$			Olesson III	13-0760-CC
THIS CALL OF CHARMAN AND CONTRACT OF CONTR		Attorneys	Ciaim No.	
Alonzo Gilliam, #098194	Olai	Pro se	;	
Vs.	Claimant	T-1		Claimant
Department of Correction	Respondent	Lisa V	Wilkins, Attorney	Respondent
State of Arkansas April 30, 2013 Date Filed		Type of Claim	Loss of Property & Follow Procedure	Failure to
	FINDING C	F FACTS	-	
The Claims Comm Reconsideration" for the available. Therefore, the	Claimant's failure to		was not previously	
IT IS SO ORDER	ED.			
	(See Back of (	Opinion Form)	·	
	CONCL	USION		
The Claims Comr Reconsideration" for the available. Therefore, the	Claimant's failure to		was not previously	
Date of Hearing August 14, 2013		Marie Ma	·	
		Quem.	24.00	
Date of Disposition August 14, 2013		1 1	CO /V	Chairman

Commissioner

" State Claims Commission"

Alonzo Gilliam

Arkansas Claims Commission

VL.

SEP 1 1 2013

Claim # 13-0760-CC

AiD.C

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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 Gillian #98/94
PO BOX 180
Brickeys Ar. 72320

"State Claims Commission"
Alonzo Gilliam V. Claim #13-0760-CC Depart. Of Corn.
"APPEAL"
Come Now Pro se Claimant With This Appeal of The Above Style. Claim Regarding Missing Property, Stating The Following.
I. On April 30, 2013, Claimant File A Missing Property Claim In The Amout of \$850.00 For Personal Property That was Inventory And Placed Into Isolation Storage on May, 9, 2013, By Officer J. T. Fryer.
*a. on May, 1, 2013, The Respondents Denied Liabitity In This Claim,
#3. On May, 2, 2013, Claimant Received A Letter From The Commission Informing Me That The Respondents Had Denied Liabitity And That I Needed In Write A Letter Informing Them That I wanted to Attend A Onal Hearing Within (15) Bays, And One Would Be Arranged.
. #H. On May, 5, 2013. Claimant Mailed A Letter Requesting A Hearing. On The Above Style Clain, That Letter was Received And File With The Commission on Pary, 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.  ed 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 Inconnect", And That I Had A File Mank 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,
face # d. Of # 16

On Aug. 5, 2013 Claimant Submitted A Notarize Affidavit Addressed. To The Director Mr. Norman Hodges And The Staff Of The Ankansas State Claims Commission. — Requesting That The Commission Look Into And Address Errors Made By The Commisson 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 File Manked Copies of All Phy Response Montions And Request. See Exhibit (B) Which Is A File Manked Copy Of That Affidavit.
**8. On The Date Of Aug. 5.2013 Cighnant Also Submitted Several Other Documents That Shows that Claimats Property was Inventoried And Plaked Into Storage On May 6, 2013 And May 9, 2013, See Exhibit (C) And (D) Property Form Of Inventoried Broperty For Both Days.
#9. Claimant Also Presented Gnievance FAM 12-02719, Which Proves That My Property From Both Days Had Been Round By The Property Officers, And Would Be Return To Mc Once I Complete My Punitive Sentence, And That was According To The Wanders Respond, >> See Exhibit (E)
Exist When Plaimant File This His Misnissins Property Claim But This Consevence Show That Claimants Property Had Been Destonyed Because Another Property Officer Had Mistakely Destonyed Property From Both Days Thinking It Had Mc Confiscated When It Had Not See Exhibit (F)
#11. All The Stated Documents were Submitted with my Claim On Apail 30 2013. Exhibit (F) Did Not Exist, And was wrote After I sad Already Mailed My Claims Farm To The Commission,
#12 (All The Documents Supert My Claims Por Relief In Both Claim.) #13. On August, 14, 2013, The Claim Commission Diagnimously Denied Claimants Motion For Reconsideration" For The Claimant's Failure To offer Evidence That Was Not Previously Available.
And On The Same Day As My Claims Foam Is "Galcavane 13-01377" Which Did Not Come Into Existence Unit After This Claim was File with The Commission. And I what It Inving 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 On Old Evidence And I Surely Old Not Fail To Offen Any.
15. Which Has Nothing To Do with My Claim Being Originally Dismissed For Claimants Failure To Respond Which was In Error Because I How File Marked Copies of All Those Document. Which I Addressed In My Affidavit To Mr. Hodges And The Commission, Bring To Attention And Asking That Counterties Action Be Taken. See Exhibit (B). But Instead of Connecting This nisteke My Claim wise Denied.
To Denix on Dismiss A Claim Do to Bruons on Violates of It's Own Policy of By It's On Staff And Then Fall to Connect As Require By Law, Supports Leability. So Staff And Then Fall to Connect As Require By Law, Supports Leability.

The Commercial Cleanty Abuse Discounting The State of the
The Commission Cleanty Abuse Discretion In Dismissing These Claims.  And After A The Ephons of The Commission Brought To The Attention of
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See: Watkins V. State, 2010 Ank 156 (2010) Maulding V. State, 299 Ank, 570, 776 5.W. 2d 339 (1989).
Nash V. Black, 781, F. 21 665, 668, 8th (Cit - 1986).
Honsey V. Asher, 741 F. 2d, 209, 212 (8th cin 1984).
- Chap V. Ballistia, 636 F. Supp. 2d 170, 178 (D. Bass, 2009)
- Colon V. Coughlin, 58 F. 31 865, 873 (24 Cir. 1995)
Supervison's on Notice of The Need to Correct An Erron And Pails To
Do so can be Held Libble, See Hildebrandt V. Inllinois D.O.N Pescurces
347 F. 3d 1014, 1039 (7th cin 2003).
Failure To RESPOND To Evidence Of Misconduct or Erron By Subordinates
Pailure Tr Ensure. That Department Procedures War Followed Knowledge
- Of EARDA IN the Proper Working Of That Ocpanisment Supports Liability.
SEE: Combs V. Wilkins, 315 F. 31 548, 559 (6th cin 2002)
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Demonstrated By: (1) The Existence of A continuing, wide approad, Bensistent
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Deliberate Indifference To on Tacit Authorization of such conduct by The
Policymaking Officials After Notice of Misconduct (3) The Injury By Acts Pursuant Tololicy OR Entity's Custom, was The Moving Fonce Behind The Violation. See:
Repking V. Lokey, 377 S.W. 3d 211 Ank, 2010.
Repking V. Lokey, 377 S.W. 3d 211 Ank., 2010.  For The Stated Reasons And Evidence Presented In This Appeal, I Claimant Alonzo
- WILLIAM REDUCST MAT INIS COMMITTED HIMEAN TWO RENTINA OF THE CLASSIC CAMBICETORS
From The Date Of Aug. 14. 2013. And Award Claimant Relief or Have This claim
Stateduled For A Hearing and Fother Litisation.
Respectibilly Submitted."
market activities.
Pursuant To 28 U.S.C 1746, I Declare Under Penalty of Pensury That The Foregoing Is
THUC And Connect, Excuted On This 26 Day of Aug. , 2013.
By Alionzo Gilliam #98194
PO BOX 180
Burcheys An. 72320
1/1977119 Hillimm 31
Page # 4 of # 16
TOT 16

	Exhibit State Claims Commission CLAIMS COMMISSION  MAY: 0.0
	MAY 0 9 2013
	RECT.
	6
	Suite 410 Claim # 13-0760-CC
	Little Rock, Ank 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.
	Paraattil a 1 111 i
	Respectfully Submitted
	By Alonzo Gilliam #98194
	May 4,2013. PO BOX 180
	Brickeys Ark. 72320
	517C17C17C17C17C1
·	
	Sworn To Before Me A Notary Publice Data Mais 05
	Day Of may 2013, Notary: Sacrony 3006
	My Commission Expines: Dec. 13/8 200/100
	Santas Ost, 15 Ost 10 O
	Disco., Area

TO: Norman Hodges JR-Director, And Staff of The Arkansas State Claims Commission

Address : 101 East Capital Swate 410, L-R Ank. 72201

From: Alonzo Gilliam III

Re: Complaint of Error.

Solution: Requesting Corrective Actions Be Taken ge: 1 of 2.

State of Arkansas
County of Pulaski

B

Claims 13-0716-cc" & "#13-0760-cc"

### **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# D98194 Address PO BOX 180 BRICKEYS Ank. 72320 Reason for statement: MR. Hodges. I'm Writing This To You And The To Piling 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 3 ed 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-CE 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 & Mostions 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 on Six Copies So I Would Receive A File Marked Copie In Return, And I've Alvaya 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 Then With The Commission, Because It's Inpossible That I've Fail To Respond, When I've A File Marked Copy of All My Response From The Commission Tts Self. So T Bring This To Your Attention Requesting That You Look Into This Matter And Take Consodius

22

Action In Considering My Claims,
- Supporting New Infomation"
Inclosed with This Document Is A Grievance with The Number
EAM 13-01377, I Ask That You Read This Gricuance: My Appeals
Had The Response That I Received, You'll See That My PRODUCTU
From May-6 And May-9-2012 Was Destoryed Because Someone
Thought That The Property Had Been Confiscated When In Fact
It Was Not. This Property Had Been Inventory And Placed Total
Storage By Officer C. Roseborugh On May-6-2012 And The other
Roperty Was Inventory And Placed Into Storage By Officer J. Free
On May-9-2012 Because I his Being Locked Up To Topilating
On Behavior Control, And The Property Inventory Form That
was submitted with My Claims Complaint Fram Will Verify That he
Well It This Property Would Have Been Confiscated In Accordance
WITH Policy 40 13,09" All Confiscated Property Wideld How Been
LISTED ON HIF-401 Confiscation Form), See Exhibit (00)
It the Other Information Is Need To Venifu All The Facts
that I've Stated Is True Hird Claimant Is Entitled to The
tull Homount Of The Request Relief In These Claims That
Internation Can Be Found In Claimants Discovery Request
In Detail, Those Dascovery Request Ane Also Over Bo As
Well. See Claimant Notice And Motion To Compel.
n witness wherefore, I hereunto set my hand this 20 day of Tilly 2008.
NOTARY PUBLIC-STATE OF ARKANSAS Closes & Missing
tate of Arkansas)  ST. FRANCIS COUNTY  My Commission Expires Dec. 1, 2017  (Signature of Affiant)
Commission # 12363868
County of Pulaski)

Subscribed and sworn to before me this 21 day of July

My commission expires <u>()</u>

23



## 13-0716-CC

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# Exhibit D

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ther state that I do not have	ve in	my possession the lega	al mate	erials be	elonging to any other inn	nate."		
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UNIT LEVEL GRIEVANCE FORM (Attachment Igrievance/Received	FOR OFFICE USE ONLY
Unit/Center F.A.B.R.	GRV.# <i>1321113-03719</i>
Name Alonzo Gillian JUN 1 4 2012	Date Received: 6-14-12
ADC# G5/94 Brks # Tso 3 Job Assignmen REGIONAL UNIT	GRV. Code #: 575
6[3] Lia (Date) STEP ONE: Informal Resolution	
If the issue was not resolved during Step One, state why: BELLY State on the second during Step One, state why: BELLY State of physical harm; emergency grievances are not for ordinary nature). If you marked yes, give this completed form to the designated problem attached emergency receipt. If an Emergency, state why: Missing Person One therefore to the designated problem attached emergency receipt. If an Emergency, state why: Missing Person One therefore to the designated problem attached emergency receipt. If an Emergency, state why: Missing Person Is this Grievance concerning Medical or Mental Health Services? No If you BRIEFLY state your one complaint/concern and be specific as to the complain involved and how you were affected. (Please Print):	ne in which you may be subject to problems that are not of a serious m-solving staff, who will sign the not problems that me to some some some some some some some som
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IGTT410 - Warden's/Center Supervisor's Decision

IGTT410 3GS

Page I of 1

INMATE 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.

JUB in	Ward	7/13/12
Signature of Warden/Supervisor or Designee	Title	Date RECEIVED
91/47/10 (1986) 14 (1976) 15 (1986) 16 (1987) 16 (1986) 16 (1986) 16 (1986) 16 (1986) 16 (1986) 16 (1986) 16 (1986) 16 (1986) 16 (1986) 16 (1986) 16 (1986) 16 (1986) 16 (1986) 16 (1986)	TO AN INCLUDED IN THE PROPERTY SEAT OF REMODERATION OF SEAT, NAMED AND ASSOCIATION OF SEAT, NAMED ASS	JUL 2.6.2012
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/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 R	EGDONGEO The according	COOL CIL
t the property has been located and	ESPUNSEY THE PROPERTY	t ance a march
punitive sentence, But it should	be when I go on	my 48 He Relief
this does not resolve my problem	- because a have	baen on two
HAUN Reliefs and Still have not rece	ived the property. Lt	. Dean Looked for
his-self and could not find it any	where , But if it's loc	sted good because
really do need my property. But to be	on the safe side =	still appealing that to
un Faid Of Statement		
		10 mm
a Selliam	98194	7//9/12
Inmate Signature	ADC#	Date

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	
,	1
17M7	
	8.22.12
Director	Date

	GRIEVANCEIRECE	· · · · · · · · · · · · · · · · · · ·
UNIT LEVEL GRIEVANCE FORM (Attack	hment I) WAY 01 2013	FOR OFFICE USE ON
Unit/Center E. A. B. R		GRV. # EAM 13-0 1377
Name Alonco Gilliam	EAST AN REGIONAL UNIT	Date Received: 5-1-3
ADC# 98194 Brks # 1926 Je	•	GRV. Code #: 50
터 /19/13(Date) STEP ONE: Informal Resolu	•	
If the issue was not resolved de Francis The Two the first the issue was not resolved de Francis The Transfer for the Island f	turing Step One, state why: The color of the	e in which you may be subject to problems that are not of a serious in-solving staff, who will sign the set on Stelen Property
involved and how you were affected. (Please Property of the complaint/concern and involved and how you were affected.)	d be specific as to the complain	it, <u>date</u> , place, name of personnel
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24/21/13, And I Still Haire	Not Received My	Missing Property.
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Inmate Signature	Date 1/	
If you are harmed/threatened because of your use of	of the grievance process, report it	immediately to the Warden or design
THIS SECTION T	O BE FILLED OUT BY STA	FF ONLY
This form was received on	), and determined to be Step Or	ne and/or an Emergency Grievanc (Yes or No). If yes, name
of the person in that department receiving this fo	orm:	Date
WINDOGARD 139)	- JCKNIMMGNY	4/29/13
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Describe action taken to resolve complaint, included the complaint of the complai		Date Received
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also elimente had la volente &	Latura antiscoto	Tond Milweda
disciplinary and & will had		thing work and
The Astartish of The Word of 41	30113	4 /2 1/2
Staff Signature & Date Returned	Inmate Signature &	Date Received
This form was received on 4/30/13 (data), pu	usuant to Step Two. Is it an Er	
Staff Who Received Step Two Grievance:	rwww.man.a.	Date: 4 30 13
	ded to Grievance Officer/Warde	
If forwarded, provide name of person receiving t	his form:	Date: 29
DISTRIBUTION: YELLOW & PINK - Inma	ate Receipts; BLUE-Grievance	Officer; ORIGINAL-Given back

Page 1 of 1

IGTT410 3GS

Attachment III

INMATE NAME: Gilliam, Alonzo III

ADC #: 098194B

GRIEVANCE #: <u>EAM13-01377</u>

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

https://eomischister.state.ar.us/7002/2002:

Title

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 approphile EABETYPESSISTENT Director along with the Unit Level Grievance Form. Keep in mind the Myder குள்ளுக்க 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 PRODUKTU Offices My Property Thinking Inventorized BLEGUSE. Disciplaionu Inmate Signature ADC# Date , As Well As The Discip Had Nothing To Do with Mistake Made By Officers: I

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	7.15.13

# The Form Would Be used Is Confiscated . By Policy

Exhibit!

## STATE OF ARKANSAS – DEPARTMENT OF CORRECTION CONFISCATED FORM – AREA OR PERSON

F-401	
T -10 T	

(Check One) / Inmate Visitor Staff Area
Unit: 9/1/211 Building or Area: 1/273 Barracks (Cell 3/
Date and Time of Search: 19 19013 11021: pm : am
Officer(s) Conducting Search: (Print) (1) (1) (1) (1) (1) (1) (1) (1) (1)
Officer(s) Conducting Search: (Signature)
Inmate Name: ADC #:
Articles Seized (description and number of items):
Number Description
Salar listan
December Scient 1/ Emperature 1 1 1 D
Reason Seized: <u>Excess/Unauthorized Property</u> Disciplinary/Criminal Evidence
Other
Inmate Signature: () Refused to Sign
Area/Shift/Supervisor: (Signature)
Disposition of Contraband: 105/
Copy Delivered to Inmate: Date: 1/1/9/2/18  Time: ////
Delivered By: (Signature)
Disciplinary Written: (X) No () Yes By:
Articles may be mailed to:
Inmate authorizes deduction of postage from pen store account:
(No () Yes Inmate Signature:
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