

DEC 23 2014

D10.

BEFORE THE STATE CLAIMS COMMISSION
Of the State of Arkansas

RECEIVED

- ☒ Mr.
☐ Mrs.
☐ Ms.
☐ Miss

Jerry Ellis, #078058, Claimant

vs.

State of Arkansas, Respondent

DOC

Do Not Write in These Spaces		
Claim No.	15-0484-CC	
Date Filed	Dec 23, 2014	(Month) (Day) (Year)
Amount of Claim \$	10,000.00	
Fund	DOC	

COMPLAINT Failure to Follow Procedures

JERRY ELLIS, the above named Claimant, of P.O. Box 400 Lead, AR 71644
(Name) (Street or R.F.D. & No.) (City)
(State) N/A (Zip Code) N/A (Daytime Phone No.) N/A County of LINCOLN represented by PRO, SE
(City) (State) (Zip Code) (Phone No.) (Fax No.) says:
of (Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.)

State agency involved: A.D.C.

Amount sought: 10,000.00

Month, day, year and place of incident or service:

Explanation: ON 12-26-03 SGT. D. DANIELS OF (DD) SHIP
WAS NEGLIGENCE TOWARD AD-12-24 POLICY AND
PROCEDURES DUE TO THE DEFERRED
CLAIMANT'S (H) HUSBAND'S DEFERRED
DURING THE (H) HUSBAND'S DEFERRED
REGULANCE (H) HUSBAND'S DEFERRED
PROCEDURES OF AD-12-24 POLICY AND
AD-12-24 POLICY AND PROCEDURES WHICH DUE TO
SHIP NEGLIGENCE OF THE AD-12-24 POLICY AND

STATE AGENCY INVOLVED A.D.C.
MONTH DAY YEAR AND PLACE OF INCIDENT OR SERVICE ON JAN 28, 2014 VICKERSVILLE, N.S.M.

EXPLANATION: ON JAN 28, 2014 SGT. LAMICKLE OF (DD) NIGHT
WAS NEGLIGENCE TOWARD AD-12-24 POLICY AND
PROCEDURES AND N.O.D.S. POLICY AND PROCEDURES DUE

As part 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?

N/A; when? N/A; to whom? N/A
(Yes or No) (Month) (Day) (Year)

and that the following action was taken thereon: N/A

and that \$ N/A was paid thereon: (2) Has any third person or corporation an interest in this claim? N/A; if so, state name and address

and that the nature thereof is as follows: N/A (Name) (Street or R.F.D. & No.) (City) (State) (Zip Code)

and was acquired on N/A 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 these are true.

JERRY ELLIS
(Print Claimant/Representative Name)

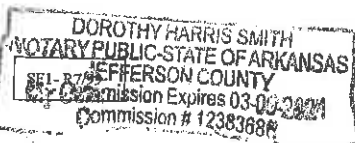
[Signature]
(Signature of Claimant/Representative)

SWORN TO and subscribed before me at

(SEAL)

on this 16 day of December (City) (State)

2014 (Date) (Month) (Year)



My Commission Expires:

3-9-2021 (Month) (Day) (Year)

(Notary Public)

TO THAT THE CLAIMANT WAS NOT ALLOWED
HIS TELEPHONE (48) HOUR RELIEF PRIVILEGES —
DURING HIS (48) HOUR RELIEF PERIOD AS OF 11-28-13.
12-26-015, 12-27-013 AND 1-27-14 WHICH THAT —
WAS NEGLIGENCE OF SGT. CARMICHALE OF (DD) SHIFT
TOWARD AD-12-24 POLICY AND PROCEDURES AND
V.U. 10.5.0 — POLICY AND PROCEDURES AND DUE
TO THAT THE A.D.C. IS LIABLE TOWARD —
SGT. CARMICHALE NEGLIGENCE OF THE ABOVE. —

STATE AGENCY INVOLVED: A.D.C.
MONTH, DAY, YEARS AND PLACE OF INCIDENT OF —
SERVICE: ON 3-1-14 VARNER LINE (V.S.M.)
EXPLANATION: COL L.L. SANDERS AND LT. PLUMMER
OF (CC) SHIFT WAS NEGLIGENCE TOWARD AD-12-
24 POLICY AND PROCEDURES AND V.U. 10.5.0 —
POLICY AND PROCEDURES THE CLAIMANT WAS NOT
ALLOWED TO USE THE TELEPHONE DURING HIS
(48) HOUR RELIEF PERIOD PER TO AD-12-24 —
POLICY AND PROCEDURES AND V.U. 10.5.0 —
POLICY AND PROCEDURES WHICH DUE TO THE ABOVE
THE A.D.C. IS LIABLE TOWARD LT. PLUMMER —
AND COL L.L. SANDERS NEGLIGENCE OF 3-1-14

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center V.S.M

Name JEFFREY ELLIS

ADC# 78058

Brks # 2-16 Job Assignment ADMIN. SEC.

FOR OFFICE USE ONLY
GRV. VSM 14-970
Date Received: 03-14-14
GRV. Code #: 212

(Date) 3-10-14 STEP ONE: Informal Resolution

(Date) 3-13-14 STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: lack of response part 2

(Date) PG 7 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: I seek five thousand dollars

DOLLARS TOWARD THE ADC NEGLIGENCE SUIT

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

BRIEFLY state your complaint and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): ON THE MORNING OF 3-1-14 AT APPROX 8:30 AM I WAS ASKED BY L.L. SANDERS OF CO STAFF TO BRING ME THE MEDICINE WHICH I DID. SANDERS OF CO STAFF WAS ASSIGNED TO MY DUTY AND I WAS ON MY LAST DAY OF MY EMPLOYMENT. SANDERS OF CO STAFF ADVISED ME THAT I HAD A PLUMMER OF 3200 BUCKS WHICH HE SAID HE COULD NOT USE AS THE COMPANY OF SANDERS OF CO STAFF HAD TAKEN MY MONEY AND I HAD NO MONEY TO LIVE ON. SANDERS OF CO STAFF ADVISED ME THAT I HAD A PLUMMER OF 3200 BUCKS WHICH HE SAID HE COULD NOT USE AS THE COMPANY OF SANDERS OF CO STAFF HAD TAKEN MY MONEY AND I HAD NO MONEY TO LIVE ON. SANDERS OF CO STAFF ADVISED ME THAT I HAD A PLUMMER OF 3200 BUCKS WHICH HE SAID HE COULD NOT USE AS THE COMPANY OF SANDERS OF CO STAFF HAD TAKEN MY MONEY AND I HAD NO MONEY TO LIVE ON.

Inmate Signature

Date 3-10-14

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 _____ (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: _____

PRINT STAFF NAME (PROBLEM SOLVER) _____ ID Number _____ Staff Signature _____

Describe action taken to resolve complaint, including dates: _____ Date Received 3-11-14

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APR 22 2014

Staff Signature & Date Received _____ (date), pursuant to Step Two. Is it an Emergency? _____ (Yes or No). Staff Who Received Step Two Grievance: _____ Date: _____ Action Taken: MAR 14 2014 (Forwarded to Grievance Officer/Warden/Other) Date: _____ If forwarded, provide name of person receiving this form: _____ Date: _____

DISTRIBUTION: YELLOW - Inmate Receipts; BLUE - Grievance Officer; ORIGINAL - Given back to Inmate After Completion of Step One and Step Two

0302-216

IGTT410
3GS

Attachment III

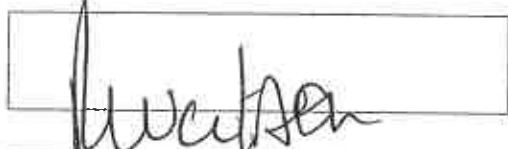
INMATE NAME: Ellis, Jerry J.ADC #: 078658BGRIEVANCE #: VSM14-00970

WARDEN/CENTER SUPERVISOR'S DECISION

In response to your grievance: Inmate Ellis, you state, " On the morning of 3-1-014 at approx 8:40 am I asked CO I L. L. Sanders of (cc)shift to bring me the telephone which CO I L. L. Sanders of (CC shift) was assigned to iso 4 due to that I was on my last day of my 48 hour relief toward my phone privileges anyway due to the above situation CO I L. L. Sanders of (CC)shift advised me that Lt Plummer of (CC) Shift had told him that he could not leave the control booth of iso 4 which due to that I asked CO I L. L. Sanders of (CC)shift to contact the (VSM) master control booth and advised Lt Plummer of (CC) shift that I needs to use the telephone which CO I L. L. Sanders of (CC)shift advised me that Lt Plummer of (CC)shift was cell block #6 conducting barbering services or those inmates of cell block #6 but that was not truth and cell block #6 surveillance camera will show that Lt Plummer of (CC) shift was negligence of the ADC regulation as of AD 12-24."

Staff advises that you never asked to use the telephone.

Therefore, I find this issue without merit.


Signature of Warden/Supervisor or Designee


Title

4-10-14
RECEIVED

APR 22 2014

INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filing 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.

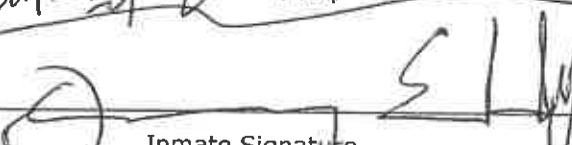
WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

I OBJECT TO WARDEN
WATSON AND MRS. CANTAL V.S.M. GRIEVANCE SPECIALIST
COORDINATOR RESPONSE DUE TO THE FACT THAT PER TO AD-12-10
POLICY AND PROCEDURES OF (PG) 15 SECTION 2 I
NAMED THE PERSONS EFFECTS THAT WERE INVOLVED IN MY
SUBMITTED COMPLAINT BUT MRS. CANTAL V.S.M. GRIEVANCE
SPECIALIST COORDINATOR NEVER OBTAINED AND STATEMENT FROM LT.

Inmate Signature

ADC#

Date

 78658 4-12-14
PLUMMER OF (CC) SHIFT NOT L.L. SANDERS OF (CC) SHIFT.

4

INMATE NAME: Ellis, Jerry J.

ADC #: 078658

GRIEVANCE#:VSM14-00970

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

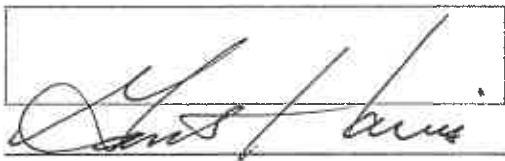
You state, on 3-1-14 staff refused to allow you to use the phone.

Based on the Warden's response in which he states in part, "Staff advises that you never asked to use the telephone.

Therefore, I find this issue without merit."

I find that I concur with the unit's response.

Appeal denied



Director

5-29-2014
Date

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center VSM

Name JEFFREY ELLIS

ADC# 78658

Brks # 1624

Job Assignment ADMIN SEC

FOR OFFICE USE ONLY

GRV. #

VSM14-552

Date Received:

02-10-14

GRV. Code #:

717

(Date) 2-4-14 STEP ONE Informal Resolution

(Date) 2-8-14 STEP TWO Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why:

(Date) AD-12-16 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:

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):

ON THE NIGHT OF 1-28-14 AT APPROX 8:45P/M I WALKED OUT TO CO. BROWN OF (DD) SHFT DUE TO THAT I WAS ON MY LAST DAY OF MY 18 HOUR BELIEF WHICH I WANTED HIM TO ADVISE THE PL. OFFICER OF IS. I 2:00M/1M I 5 BRAB ME THE IS 2-4 PHONE WHICH CO. BROWN OF (DD) SHFT ADVISED ME THAT SGT. CHAMBERLAIN OF (DD) SHFT HAD PULLED 2:00M/1M FROM IS 2-4 THAT I HAD NOT MEDICAL JACKET INTERVIEWING WHICH THAT WAS NEGLIGENCE OF SGT. CHAMBERLAIN DUE TO THAT I WAS NOT ALLOWED TO USE THE IS 2-4 TELEPHONE I WOULD MY 18 HOUR BELIEF PERIOD OF 1-28-14 AND IN THAT I WOULD NOT USE IS 2-4 TELEPHONE DUE TO THE PHONE WOULD HAVE BEEN DISCONNECTED OF IS 2-4 TELEPHONE AND SGT. PERKINS CAN VERIFY THE ABOVE AND DUE TO THAT I WAS NOT ALLOWED MY 18 HOUR BELIEF PERIODS AS OF 1-28-14, 1-27-14, 1-26-14, 1-25-14, 1-24-14, 1-23-14, 1-22-14, 1-21-14, 1-20-14, 1-19-14, 1-18-14, 1-17-14, 1-16-14, 1-15-14, 1-14-14, 1-13-14, 1-12-14, 1-11-14, 1-10-14, 1-9-14, 1-8-14, 1-7-14, 1-6-14, 1-5-14, 1-4-14, 1-3-14, 1-2-14, 1-1-14, 12-31-13, 12-30-13, 12-29-13, 12-28-13, 12-27-13, 12-26-13, 12-25-13, 12-24-13, 12-23-13, 12-22-13, 12-21-13, 12-20-13, 12-19-13, 12-18-13, 12-17-13, 12-16-13, 12-15-13, 12-14-13, 12-13-13, 12-12-13, 12-11-13, 12-10-13, 12-9-13, 12-8-13, 12-7-13, 12-6-13, 12-5-13, 12-4-13, 12-3-13, 12-2-13, 12-1-13, 11-30-12, 11-29-12, 11-28-12, 11-27-12, 11-26-12, 11-25-12, 11-24-12, 11-23-12, 11-22-12, 11-21-12, 11-20-12, 11-19-12, 11-18-12, 11-17-12, 11-16-12, 11-15-12, 11-14-12, 11-13-12, 11-12-12, 11-11-12, 11-10-12, 11-9-12, 11-8-12, 11-7-12, 11-6-12, 11-5-12, 11-4-12, 11-3-12, 11-2-12, 11-1-12, 10-31-11, 10-30-11, 10-29-11, 10-28-11, 10-27-11, 10-26-11, 10-25-11, 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INMATE NAME: Ellis, Jerry J.

ADC #: 078658B

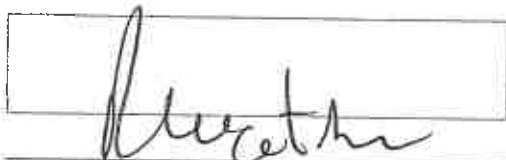
GRIEVANCE #: VSM14-00552

WARDEN/CENTER SUPERVISOR'S DECISION

In response to your grievance: Inmate Ellis, you state, " On the night of 1-28-14 at approx 8:45 p/m I yell out to CO I Brown of (DD) shift due to that I was on my last day of my 48 hour relief which I wanted him to advise the floor officer of ISO 4 CO II McCray to bring me the ISO 4 phone which CO Brown of (DD) shift advised me that Sgt Carmickle of (DD) shift and pulled CO II McCray from ISO 4 to help conduct medical jacket interviews which that was negligence of Sgt Carmickle due to that I was not allowed to use the ISO telephone toward my 48 hour relief period of 1-28-14 and on 1-27-14 I couldn't use ISO 4 telephone due to the phone wiring had been disconnected of ISO 4 telephone Sgt Perkins can verify the above and due to that I was not allowed any of my telephone privileged on my 48 hour relief per to AD 12-24 policy and procedure as if 11-28-14, 1-27-14, 12-20-13 and 12-21-13 due to the ISO 4 telephone wasn't working properly or not working at all."

Officer Brown advises that he was working in the control booth on 01/28/2014 and does not recall you asking him anything. There is no evidence the phone was not working. Also staff assignments are a management decision not an inmate's.

Therefore, I find this issue without merit.



Signature of Warden/Supervisor or Designee

RECEIVED



4-11-14

Date

APR 22 2014

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?

I OBJECT TO WARDEN WATSON, MRS CAMPBELL, V.S.M. GRIEVANCE SPECIALIST COORDINATOR AND CO BROWN OF (DD) SHIFT BROWN'S ALSO CO BROWN OF (DD) SHIFT MISLEADING STATEMENT TO WHO MY SUBMITTED COMPLAINT AS WELL WARDEN WATSON AND MRS CAMPBELL, V.S.M. GRIEVANCE SPECIALIST COORDINATOR THEY NEVER OBTAINED ANY WITNESS STATEMENTS FROM SGT. W. CARMICKLE OF (DD) SHIFT AND CO II MCCRAY OF (DD) SHIFT WHO MY SUBMITTED STEP (2) - GRIEVANCE OF 8-14

Inmate Signature

ADC#

Date

INMATE NAME: Ellis, Jerry J.

ADC #: 078658

GRIEVANCE#:VSM14-00552

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

You state on 1/28/11, you wasn't allowed to use the isolation #4 telephone due to the phone wiring had been disconnected.

According to my review, I didn't find where staff violated policy or procedure in this current complaint. It is your responsibility to advise staff when you want to use the phone on your 48hr. relief. The phone had been repaired at the time you wanted to use it. I find merit to your complaint.

Appeal denied



Director

5-29-2014
Date

Attachment 1

RECEIVED

JAN 14 2014

Job Assignment

Resolution

WARNER UNIT GRIEVANCE

Name: ZKBY ZLH

ADC# 18658

Brks # 2504

Job Assignment FDNY N. SEC

GRV. # 15 M-14-00193

Date Received: 1/14/14

GRV. Code #: 800

(Date) STEP ONE: Informal Resolution WARNER UNIT GRIEVANCE

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

If the issue was not resolved during Step One, state why

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a serious 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 emergency receipt. If an Emergency, state why: _____)

Is this Grievance concerning Medical or Mental Health Services? 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): ON 12-26-13 BETWEEN 3:40-4:00

I ADVISED SGT DANIELS OF (CC) SHIFT THAT I WAS ON MY 18 HOUR BELIEF AND I NEED TO USE THE PHONE WHICH SGT DANIELS RESPONDED TO ME SAYING THAT THE 2-4 PHONE WAS NOT WORKING AND ON 11-27-13 BETWEEN 5:00PM I ADVISED SGT BIVENS OF (AA) SHIFT THAT I WAS ON MY 18 HOUR BELIEF AND I NEED TO USE THE PHONE WHICH SGT BIVENS OF (AA) SHIFT ADVISED ME THAT THE 2-4 PHONE WAS OUT OF ORDER. I WAS NOT ALLOWED TO USE THE PHONE DURING MY 18 HOUR BELIEF PERIOD. I HAVE BELIEF FIRST OFFERED TO ME BY (CC) SHIFT ON 11-27-13 AND THE AAR WAS NGLGENCE TOWARD THE AAR POLICY AND PROCEDURE.

END OF STATEMENT

Inmate Signature

Dáte

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 1-2-11 (date), and determined to be **Step One** and/or an Emergency Grievance No (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 _____

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number

Staff Signature _____

Date Received _____

Describe action taken to resolve complaint, including dates:

RECEIVED

JAN 28 2014

Staff Signature & Date Returned

Inmate Signature _____ Date Received _____

This form was received on _____ (date), pursuant to **Step Two**. Is it an Emergency? **BUILDING** (Yes or No).

Staff Who Received Step Two Grievance: _____ Date: _____

Action Taken: (Forwarded to Grievance Officer/Warden/Other) Date:

If forwarded, provide name of person receiving this form: _____ Date: _____

DISTRIBUTION: YELLOW & PINK – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back \ CC

Max 4/14

ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE

TO: Inmate Ellis, Jerry J.
FROM: Burchfield, Delania D
DATE: 01/17/2014

ADC #: 078658B
TITLE: ADC Inmate Grievance Coord
GRIEVANCE #: VSM14-00193

Please be advised, I have received your Grievance dated 01/11/2014 on 01/14/2014.
Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious.

Delania Burchfield
Signature of ADC Inmate Grievance Coord

CHECK ONE OF THE FOLLOWING

- ☐ This Grievance will be addressed by the Warden/Center Supervisor or designee.
- ☐ This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- ☐ This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- ☐ This Grievance has been determined to be an emergency situation, as you so indicated.
- ☐ This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
- ☒ This Grievance was REJECTED because it was either non-grievable (), untimely, was a duplicate of , or was frivolous or vexatious.

INMATE'S APPEAL

If you disagree with a rejection, 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. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a 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.

I OBJECT TO MRS. BURCHFIELD V.S.M -
GRIEVANCE COORDINATOR'S OPINION OF 1-17-14 DUE TO THAT I -

Inmate Signature

ADC #

Date

2-11-14 78658 1-23-14
MET THE REQUIREMENT OF AD-12-16 POLICY AND PROCEDURES OF
(Pg. 7) TOWARD SECTION (II.) ALSO MRS BURCHFIELD V.S.M
GRIEVANCE COORDINATOR'S OPINION OF 1-17-14 HAS INTERFERE
OF ME EXHAUSTING MY AVAILABLE ADMINISTRATIVE REMEDIES SEE
MILLER V. NORRIS, 247 F.3d 736 (8th Cir 2001) AND SEE FOUR V.
CHARBET, 262 F.3d 687 (2001) ALSO SEE GIBSON V. WEBER -
131 F.3d 341 (8th Cir 2005)

RECEIVED

JAN 28 2014

INMATE GRIEVANCE SUPERVISOR

INMATE NAME: Ellis, Jerry J.

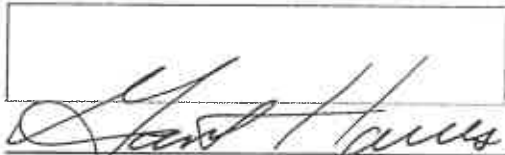
ADC #: 078658

GRIEVANCE#:VSM14-00193

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

Inmate Ellis, your Grievance VSM-14-00193 was rejected by the Unit Warden because it was considered untimely. According to my review this was done in accordance with AD 12-16. I find no merit to your complaint.

Appeal denied


Director

3-5-2014
Date

JAN 07 2015

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CLAIMANT

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

JERRY ELLIS (ADC 078658)

V.

NO. 15-0484-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: HCA 0100
 - c. Internal Order: 340301
 - d. Fund Center: 509

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

Respectfully submitted,
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 6th day of January, 2015, on the Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

Jerry Ellis (ADC 078658)
Varner Super Max
PO Box 400
Grady, AR 71644-0400


LISA MILLS WILKINS Ark. Bar #87190

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

JERRY ELLISH #78658

CLAIMANT

#45-184-CC

ARKANSAS DEPARTMENT OF CORRECTION

Arkansas
Claims Commission
JAN 26 2015

RESPONDENT

MOTION FOR REVERSAL OF PRODUCTION
DOCUMENTS

RECEIVED

COMES NOW THE CLAIMANT JERRY ELLISH #78658 PRO, SE, MAKES THE STATE CLAIM COMMISSION PURSUANT TO RULE (45) TOWARD-RULE (34) OF THE ARKANSAS RULES OF CIVIL PROCEDURE TO GRANT THE FOLLOWING.

1. THE CLAIMANT MOTION PURSUANT RULE (45) TOWARD RULE (34) OF THE ARKANSAS RULES OF CIVIL PROCEDURE PER T O MRS. BRIDON WIDE DIRECTOR OF THE STATE CLAIMS COMMISSION LETTERS OF 5-15-15 AND 5-27-15 THAT THE REQUESTED DOCUMENTS BE PRODUCED TO THE CLAIMANT FOR HIS SCHEDULED HEARING OF 6-10-15

REQUEST FOR PRODUCTION DOCUMENT #1

THE CLAIMANT REQUEST IS SECRETIVELY OF THE DAY 12-26-13 AND 12-27-13 OF - GRIEVANCE # V. S. M-14-2013 PRODUCED TO THE CLAIMANT FOR HIS SCHEDULED HEARING OF -

6-10-95

REQUEST FOR PRODUCTION DOCUMENT #2
THE CLAIMANT REQUEST FOR COPIES OF ALL
I S-4 TELEPHONE MAINTENANCE REPORTS OF
12-22-93 THROUGH 12-31-93 OF GREENWICH
V. S. M. - 94-00143 PRODUCED TO THE CLAIMANT
OF THE CLAIMANT SCHEDULED HEARING OF 6-12-
95

REQUEST FOR PRODUCTION DOCUMENT #3
THE CLAIMANT REQUEST FOR ALL 005 REPORTS
OF 12-22-93 THROUGH 12-31-93 BY EX-SC. J.
BAUER AND SC. D. DANIEL S. MONT I S-4 -
TELEPHONE PRODUCED TO THE CLAIMANT OF -
THE CLAIMANT SCHEDULED HEARING OF 6-10-95

REQUEST FOR PRODUCTION DOCUMENT #4
THE CLAIMANT REQUEST FOR COPIES OF LT. J.
PLUMMER AND EX-CD. L. L. STOLDS WRITTEN
EMPLOYEE STATEMENTS TOWARD GREENWICH V. S.
04-00147 PRODUCED TO THE CLAIMANT OF -
THE CLAIMANT SCHEDULED HEARING OF 6-10-95

REQUEST FOR PRODUCTION DOCUMENT #5.
THE CLAIMANT REQUEST A COPY OF I S-4 SECURITY
LOG OF MAR. 1, 94 TOWARD GREENWICH V. S. M. -
94-00147 PRODUCED TO THE CLAIMANT OF
OF 2

THE CLAIMANT SCHEDULED HEARING OF 6-10-15

REQUEST FOR PRODUCTION DOCUMENT #6
THE CLAIMANT REQUEST COPIES OF SGT.
CARMICKLE AND CO: 21 MCCRY WRITTEN
EMPLOYEE STATEMENTS TO JAMES GREENWICH
V. S. M. - 14-00551 PRODUCED TO THE
CLAIMANT OF THE CLAIMANT SCHEDULED
HEARING OF 6-10-15

REQUEST FOR PRODUCTION DOCUMENT #7
THE CLAIMANT REQUEST FOR ALL COPIES OF
HIS 48 HOUR RELIEF NOTIFICATION SLIPS AS
OF 1-26-13, 1-27-14 AND 2-28-14
PRODUCED TO THE CLAIMANT OF THE
CLAIMANT SCHEDULED HEARING OF 6-10-15

THE CLAIMANT REQUEST THE PROTECTED
DOCUMENTS IN GOOD FAITH AS NOT INTENDED TO
HARM HIM AND HAS SAID THE SUP-SING PART
BUT TO PREVENT HIS DEFENSE AND PROTECTING HIS
CLAIM SCHEDULED FOR 6-10-15

CERTIFICATE OF SERVICE
I, JAMES H. LEE #7868 PRO, SEC,
CERTIFY THAT (3) COPIES OF THE FOLLOWING
DOCUMENTS HAS BEEN MAILED TO MRS. BRINDA A. LEE
DIRECTOR OF THE STATE CLAIMS COMMISSION
OF 2 15

AND ONE (1.) COPY OF THE SAME MOTION HAS BEEN
MAILED TO THE RESIDENT ATTORNEY, MRS. LISA
MILLS WILKINS AT P.O. BOX 8757
PINE BLUFF, AR 71601-8757 ON THIS 20
TH DAY OF MAY 2015

SLH
RESPECTFULLY SUBMITTED
JERRY C. LEE
V.S.M.
P.O. BOX 400
GRADY, AR 71644

STATE CLAIMS COMMISSION DOCKET
OPINION

Amount of Claim \$ 10,000.00

Claim No. 15-0484-CC

Jerry Ellis #078658 Claimant
vs. Pro se Claimant
AR Department of Corrections Respondent
State of Arkansas Respondent
Date Filed December 23, 2014
Type of Claim Failure to Follow Procedure

FINDING OF FACTS

This claim was filed for Failure to Follow Procedure in the amount of \$10,000.00 against Arkansas Department of Corrections.

Present at a hearing June 10, 2015, was the Claimant, pro se, and the Respondent, represented by Lisa Wilkins, Attorney.

The Claims Commission hereby unanimously denies and dismisses this claim for Claimant's failure to prove by a preponderance of the evidence any liability on the part of the Respondent.

Therefore, this claim is hereby unanimously dismissed.

IT IS SO ORDERED.

(See Back of Opinion Form)

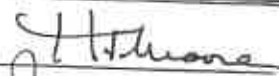
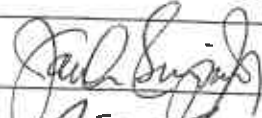
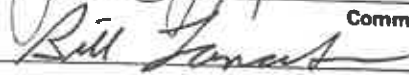
CONCLUSION

Upon consideration of all the facts, as stated above, the Claims Commission unanimously denied and dismissed this claim for Claimant's failure to prove by a preponderance of the evidence any liability on the part of the Respondent.

Date of Hearing June 10, 2015

June 10, 2015

Date of Disposition


Chairman

Commissioner

Commissioner

**Appeal of any final Claims Commission decision is only to the Arkansas General Assembly as provided by Act #33 of 1997 and as found in Arkansas Code Annotated §19-10-211.

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

Arkansas Claims Commission
JUL 16 2015
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JERRY ELLIS #78658

CLAIMANT

#15-0484-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

MOOTION FOR RECONSIDERATION

COME'S NOW THE CLAIMANT JERRY ELLIS #78658 PRO, SE. MOVES THIS ARKANSAS - STATE CLAIMS COMMISSION TO VACATE THE ARKANSAS STATE CLAIMS COMMISSION OPINIA OF JUNE 12, 2015 DUE TO THE FOLLOWS:

1. THE CLAIMANT STATES THAT THE ARKANSAS STATE-CLAIMS COMMISSION COMMITTEE MEMBER'S AS OF MR. H. T. MOORE, CHAIRMAN, MR. JIMMY SIMPSON COMMISSIONER AND MR. BILL LANCASTER COMMISSIONER PREJUDICED HIS PROCEEDING OF HIS SCHEDULED HEARING OF JUNE 12, 2015 DUE TO THE CLAIMANT WAS NOT ALLOWED HIS REQUESTED WITNESSES TO TESTIFY AND THAT DENYING THE CLAIMANT IN FAIR AND IMPARTIAL HEARING. WHICH DUE TO THE ABOVE, THE ARKANSAS STATE CLAIMS COMMISSION COMMITTEE MEMBER'S OPINION OF JUNE 12, 2015 SHALL BE VACATED SEE HUNTER V. MCDANIEL CONSTRUCTION 22. 623 S.W.2d 196 (1981) PENNINGTON V. HARVEY FOODS INC 9 S.W.2d 485 (1996) BONE V. Bone 7-71

217 1984) ARKANSAS DEPT. OF HUMAN SERVICE
V. KESTLER, 898 S.W.2d 32 1995) REGIONAL
HEALTH CARE FACILITIES INC. V. ROSE CARE
INC., 912 S.W.2d 429 1995) CORNETT V. PRATHER,
CITING SERVICE V. DULLES, 354 U.S. 363 1957)

2. THE CLAIMANT STATES THAT DEPT. ASST
WARDEN ANDREWS TESTIMONY BEFORE THE
ARKANSAS STATE CLAIMS COMMISSION
COMMITTEE MEMBERS PRECEDED HIS HEARING
PROCEEDING DUE TO THAT DEPT. ASST WARDEN
ANDREWS ALLEGED THAT FROM JAN. 25 THROUGH
MAR. 1, 2015 THE CLAIMANT HAD MADE (26)
PERSONALLY PHONE'S CALLS BUT THAT WAS NOT
TRUE BECAUSE THE CLAIMANT PERSONALLY
TELEPHONE'S NUMBER HAD BEEN DISABLED DUE
TO THE CLAIMANT WAS SERVING CONSECUTIVE
PUNITIVE SEGREGATION PUNITIVE SENTENCES
AND DUE TO THAT THE ARKANSAS STATE
CLAIMS COMMISSION COMMITTEE MEMBERS
OPINION OF JUNE 12, 2015 SHALL BE
VACATED SEE MCCANN V. COUGHLIN, 698
F.2d 127 2d CIR 1983) POWELL V. WARD,
542 F.2d 133 2d CIR 1976) CORNETT V.
PRATHER, 737 S.W.2d 459 1987) SERVICE V.
DULLES, 354 U.S. 363 1957) CITING TOWNSEND V.
SAIN, 372 U.S. 379 1963)

3. THE CLAIMANT STATES THAT DUE TO THE -
STATE CLAIMS COMMISSION CHAIRMAN MR. H.
T. MORE BELIEVED SOLELY OF WARDEN
WATSON GRIEVANCE RESPONSES OF 4-11-14 AND
4-10-14 THAT PREJUDICING THE CLAIMANT
HEARING PROCEEDING OF PROVING HIS CLAIM BUT
MR. GRANT HARRIS, CHIEF DEPT. DIRECTOR
RESPONSE OF 5-29-14 TOWARD GRIEVANCE #
V. S. M-014-00552 HAVE DISPUTED WARDEN -
WATSON RESPONSE OF 4-11-14 AND DUE TO THAT
THE ARKANSAS STATE CLAIMS COMMISSION -
COMMITTEE MEMBERS' MEETING OF JUNE 9, 2015
SHALL BE VACATED SEE ARKANSAS DEPT'S -
OF HUMAN SERVICE V. KESTLER, 898 S.W.2d
32 (1995) REGIONAL HEALTH CARE FACILITIES INC.
V. ROSE CARE INC., 912 S.W.2d 439 (1995)
CABNET V. PRATHER, 737 S.W.2d 459 (1987)
COTING SERVICE V. DULLES, 384 U.S. 363
(1957)

4. THE CLAIMANT STATES THAT DEPT. ASST -
WARDEN ANDREWS TESTIMONY BEFORE THE -
ARKANSAS STATE CLAIMS COMMISSION -
COMMITTEE MEMBERS' IS IN CONFLICT
TOWARD MR. GRANT HARRIS, CHIEF DEPT. -
DIRECTOR RESPONSE OF 5-29-14 TOWARD -
GRIEVANCE # V. S. M-014-00552 AND DUE TO -
THAT THE ARKANSAS STATE CLAIMS COMMISSION

COMMITTEE MEMBER'S OPINION OF JUNE, 12, 2015
SHALL BE VACATED SEE ARKANSAS DEPT'S OF
HUMAN SERVICE V. KESTLER, 898 S.W.2D 32 (1995)
REGIONAL HEALTH CARE FACILITIES INC. V.
BOSE CABE INC, 912 S.W.2D 409 (1995)
CARNET V. PRATHER, 737 S.W.2D 159 (1987) GTRB
SERVICE V. DULLES, 354 U.S. 363 (1957)

WHEREFORE, THE CLAIMANT PRAYS THAT THIS
ARKANSAS STATE CLAIMS COMMISSION VACATE
THE ARKANSAS STATE CLAIMS COMMISSION
COMMITTEE MEMBER'S OPINION OF JUNE, 12,
2015 AND RESCHEDULE A HEARING OF THE
SAND CLAIM # 15-2484-CC

CERTIFICATE OF SERVICE

I, JERRY ELLIS #78658 PR2, SE, CERTIFY
THAT (5) COPIES OF THE CLAIMANT MOTION HAS
BEEN MAILED TO MRS. BRENDA WADE, DIRECTOR
OF THE ARKANSAS STATE CLAIMS COMMISSION
ON THIS 10TH DAY OF JULY, 2015

SIM
Respectfully Submitted
JERRY ELLIS #78658
V. S.M
P. O. Box 400
GARDN, AR 71644 21

STATE CLAIMS COMMISSION DOCKET
OPINION

Amount of Claim \$ 10,000.00

Claim No. 15-0484-CC

Jerry Ellis, #078658 Claimant Pro se Claimant
vs.
Department of Corrections Respondent Lisa Wilkins, Attorney Respondent
State of Arkansas
Date Filed December 23, 2014 Type of Claim 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 would change the prior decision of the Claims Commission. Therefore, the Commission's June 10, 2015, 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 would change the prior decision of the Claims Commission. Therefore, the Commission's June 10, 2015, order remains in effect.

Date of Hearing August 13, 2015

Date of Disposition August 13, 2015

Richard D. May Chairman
John E. Smith Commissioner
Bill J. Jansen Commissioner

BEFORE THE ARKANSAS STATE GENERAL
ASSEMBLY

JERRY ELLIS #78658 APPELLANT
V. CLAIM # 215-2484-CC
ARKANSAS DEPARTMENT OF CORRECTION

Arkansas Claims Commission

SEP 09 2015

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APPELLEES

AN APPEAL FROM THE ARKANSAS STATE
CLAIMS COMMISSION

COMES NOW THE APPELLANT JERRY ELLIS #78658 PRO SE, SUBMIT HIS APPEAL PURSUANT TO ACT (33) OF 1997 BEFORE THE ARKANSAS STATE GENERAL ASSEMBLY OF THE ARKANSAS STATE CLAIMS COMMISSION COMMITTEE MEMBERS OPINIONS OF JUNE 10, 2015 AND AUGUST 13, 2015,

1. THE APPELLANT STATES THAT THE ARKANSAS STATE CLAIMS COMMISSION COMMITTEE MEMBERS OPINIONS OF JUNE 10, 2015 AND AUGUST 13, 2015 HAS PREJUDGED HIS DEFENSE TOWARD HIS CLAIM # 215-2484-CC ACCORDING TO THE FOLLOWING LISTED LEGAL CASES SEE CONLEY V. GIBSON, 355 U.S. 46-1957) BIG A WHEAT STRUBBINS V. BYE AUTO SUPPLY INC, 716 S.W.2d 719 1986) NEAL V. WILSON, 873 S.W.2d 552 1992) CORNETT V. PRATHER, 737 S.W.2d 159 1987) SERVICE V. DULLES, 354 U.S. 363 1957) STUART V.

ARKANSAS STATE POLICE COMMISSION 946
S.W.2d 377 (1997) REGIONAL HEALTH CARE,
INC V. BOSE CARE, INC 912 S.W.2d 842
(1995) ALSO SEE WRIGHT V. ARKANSAS STATE
PLANT BOARD, 842 S.W. 2d 42 (1992) AND ONE
→ THAT THE ARKANSAS STATE CLAIMS
COMMISSION COMMITTEE MEMBERS' OPINIONS OF
JUNE 10, 2015 AND AUGUST 13, 2015 SHALL
BE REVERSED.

2. THE APPELLANT STATES THAT THE ARKANSAS-
STATE CLAIMS COMMISSION CHAIRMAN MR. H. I.
MOORE, COMMISSIONERS MR. JIMMY SIMPSON AND
COMMISSIONERS MR. BILL LANCASTER PREJUDICED
HIS DEFENSE OF HIS SCHEDULED CLAIM-
HEARING OF JUNE 10, 2015 DUE TO THE —
APPELLANT WAS NOT ALLOWED HIS REQUESTED
WITNESSES TO TESTIFY AND THAT DENYING THE
APPELLANT A FAIR AND IMPARTIAL HEARING AND
DUE TO THAT THE ARKANSAS STATE CLAIMS
COMMISSION COMMITTEE MEMBERS' OPINIONS OF JUNE
10, 2015 AND AUGUST 13, 2015 SHALL BE VACATED
SEE THE FOLLOWING LEGAL CASES AS OF
HUNTER V. MCDANIEL CONSTRUCTION CO. 623 S.W.2d -
196 (1991) PENNINGTON V. HARVEST FOOD INC, 921 -
S.W.2d 485 (1996), BONE V. BONE, 671 S.W.2d -
215 (1984), ARKANSAS DEPT OF HUMAN SERVICE
V. KISTLER, 898 S.W.2d 32 (1995) REGIONAL HEALTH - 24

CABLE FIGHTING INC. V. BOSE CABLE INC,
912 S.W.2d 409 (1995), CORNETT V. PRATHER, 737 -
S.W.2d 159 (1987) AL SO SEE SERVICE V.
DULLES, 354 U.S. 363 (1957)

3. THE APPELLANT STATES THAT DEPUTY ASSIST.
WARDEN ANDREWS TESTIMONY BEFORE THE
ARKANSAS STATE CLAIMS COMMISSION
COMMITTEE MEMBERS OF JUNE 12, 2015 -
PREJUDGING HIS DEFENSE DUE TO THAT -
DEPUTY ASSIST WARDEN ANDREWS ALLEGED -
THAT FROM JANUARY 2015 THRU MARCH 1ST
2015 THAT THE APPELLANT HAD MADE
(26) PERSONAL TELEPHONE CALLS. BUT
THAT WAS INCORRECT DUE TO THAT THE
APPELLANT PERSONAL TELEPHONE NUMBER
HAD BEEN DISABLED. DUE TO THAT THE
APPELLANT WAS SERVING CONSECUTIVE
PUNITIVE SENTENCES IN A SOLITARY #4
WHICH DUE TO THE ABOVE THE ARKANSAS
STATE CLAIMS COMMISSION COMMITTEE
MEMBERS' OPINIONS OF JUNE 12, 2015 AND AUGUST
13, 2015 SHALL BE VACATED SEE THE
FOLLOWING CITING LEGAL CASES AS OF
CONLEY V. GIBSON, 355 U.S. 46 (1957), BIGA WISE -
DISTROS INC V. BIE AUTO SUPPLY INC, 716 -
S.W.2d 719 (1986), NEAL V. WILSON, 873 S.W.2d
552 (1992), CORNETT V. PRATHER, 737 S.W.2d 159 ²⁵

ALSO SEE SERVICE V. DULLES, 354 U.S. 363 (1957)

4. THE APPELLANT STATES THAT DUE TO THE ARKANSAS STATE CLAIMS COMMISSION COMMITTEE MEMBER CHAIRMAN MR. H. I. MOORE BELIEVED SOLELY ON WARDEN WARDEN WATSON GRIEVANCE'S RESPONSE OF 4-11-24 THAT PREJUDGING THE APPELLANT DEFENSES OF PROVING HIS CLAIM, WHICH DUE TO THAT MR. GRANT HARRIS CHIEF DEPUTY DIRECTOR RESPONSE OF 5-29-24 OF GRIEVANCE V. S. M. - 24-20552 HAVE DISPUTED WARDEN WARDEN WATSON RESPONSE OF 4-11-24 THE ARKANSAS STATE CLAIMS COMMISSION

COMMITTEE MEMBER'S OPINION OF JUNE 13, 2015 AND AUGUST 13, 2015 SHALL BE VACATED - SEE THE FOLLOWING CITING LEGAL CASES AS OF STUART V. ARKANSAS STATE POLICE COMMISSION, 945 S.W.2d 377 (1997), ARKANSAS - DATES OF HUMAN SERVICE V. KESTLER, 898 S.W.2d 32 (1995), REGIONAL HEALTH CARE FACILITIES INC. V. BOSE CARE INC., 912 S.W.2d 429 (1995), CORNETT V. PRATHER, 737 S.W.2d 159 (1987) ALSO SEE SERVICE V. DULLES, 354 U.S. 363 (1957)

5. THE APPELLANT STATES THAT DUE TO THAT DEPUTY ASST WARDEN ANDREWS TESTIMONY BEFORE THE ARKANSAS STATE CLAIMS - 26

COMMISSION COMMITTEE MEMBERS WAS IN
CONFLICT TOWARD MR. GRANT HABIBS, CHIEF
DEPUTY DIRECTOR GRIEVANCE RESPONSE OF 5-2-
04 TOWARD GRIEVANCE # V. S. M-04-0552-
AND DUE TO THAT THE ARKANSAS STATE-
CLAIMS COMMISSION COMMITTEE MEMBERS
MEETING OF JUNE 10, 2015 AND AUGUST 13,
2015 SHALL BE VACATED SEE THE -
FOLLOWING LISTING LEGAL CASES AS OF
STUART V. ARKANSAS STATE POLICE COMMISSION
945 S.W.2d 377 (1997), ARKANSAS DEPT'S OF -
HUMAN SERVICE V. KESTLER, 898 S.W.2d 32
(1995), REGIONAL HEALTH CARE FACILITIES -
INC V. BOSE CARE INC, 912 S.W.2d 429 -
(1995), CANNETT V. PRATHER, 737 S.W.2d 159 -
(1987) ALSO SEE SERVICE V. DILLER, 345
U.S. 363 (1957)

6. THE APPELLANT STATES THAT THE APPELLEE'S
ATTORNEY MRS. LISA MILLS WILKINS PREJUDICED
HIS DEFENSE DUE TO THAT SHE REFUSED TO
PRODUCE THE APPELLANT WITH HIS REQUESTED
PRODUCTION OF DOCUMENTS TOWARD HIS SUBMITTED
MOTION FOR PRODUCTION OF DOCUMENTS SUBMITTED
TO HER ON MAY 18, 2015 OF THE APPELLANT
PROVING HIS CLAIM PER TO HIS SCHEDULED
HEARING OF JUNE 10, 2015 AND DUE TO THAT
THE ARKANSAS STATE CLAIMS COMMISSION 27

COMMITTEE MEMBERS' OPINIONS OF JUNE 12, 2015
AND AUGUST 13, 2015 SHALL BE VACATED.
SEE THE FOLLOWING CITING LEGAL CASES
AS OF CONLEY V. GIBSON, 355 U.S. 46 (1957),
BIG A WAREHOUSE DISTRIBUTING INC. V. BIE AUTO SUPPLY
INC, 716 S.W.2d 719 (1986), NEAL V. WILSON,
873 S.W.2d 552 (1992), CORNETT V. PRATHER,
737 S.W.2d 159 (1987), SERVICE V. DILLER,
354 U.S. 363 (1957), STUART V. ARKANSAS
STATE POLICE COMMISSION, 945 S.W.2d 377
(1997), ARKANSAS DEPT'S OF HUMAN SERVICE V.
KISTLER, 898 S.W.2d 32 (1995), ALSO SEE
REGIONAL HEALTH CARE FACILITIES INC. V.
BASE CARE INC, 912 S.W.2d 429 (1995).

THEREFORE THE APPELLANT PRAYS THAT -
THE ARKANSAS STATE GENERAL ASSEMBLY
REVERSE THE ARKANSAS STATE CLAIMS
COMMISSION COMMITTEE MEMBERS' OPINIONS
OF JUNE 12, 2015 AND AUGUST 13, 2015

CERTIFICATE OF SERVICE
I, JERRY ELLIS #78658 PRAISE,
CERTIFY THAT (5) COPIES OF THE
APPELLANT APPEAL HAS BEEN MAILED TO
MRS. BRENDA WADE, DIRECTOR OF THE
ARKANSAS STATE CLAIMS COMMISSION
TOWARD THE ARKANSAS STATE GENERAL
ASSEMBLY AND ONE COPY OF THE SAME
HAS BEEN MAILED TO THE APPELLEE'S
ATTORNEY MRS. LISA MILLS WILKINS AT
P.O. BOX 8707 PINE BLUFF, AR
71601-8707 ON THIS 4TH DAY OF
SEPTEMBER 2015,

S I L M
RESPECTFULLY SUBMITTED
JERRY ELLIS #78658
V. S. M
P.O. BOX 400
GRADY, AR 71644