EXHIBIT F.2

Arkansas State Claims Commission

DEC 0 6 2017

Arkansas Claims Commission

JUL 31 2017

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BEFORE THE STATE CLAIMS COMMISSION
Of the State of Arkansas

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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

KEVIN LINN (ADC 119571)

CLAIMANT

V.

CLAIM NO. 180099

ARKANSAS DEPARTMENT OF COMMUNITY CORRECTION

RESPONDENT

ORDER

Now before the Arkansas State Claims Commission (the "Claims Commission") is the motion filed by Arkansas Department of Community Correction (the "Respondent") to dismiss the claim of Joshua Coleman (the "Claimant"), as well as the supplement filed by Respondent to its motion to dismiss. Based upon a review of the Respondent's motion and the supplement, Claimant's response to both pleadings, and the law of Arkansas, the Claims Commission hereby finds as follows:

- 1. Claimant filed his claim alleging that Respondent violated its own policies and procedures by denying him parole. Claimant asks the Claims Commission to uphold the "Constitutions" and to "afford [him] equal protection of the laws and of the Rules of Civil Procedure." Claimant seeks \$100,000.00 in damages.
- 2. Respondent filed a motion to dismiss, stating that Claimant has no constitutional or legal right to parole. In the supplement to the motion to dismiss, Respondent asserts that because Claimant has been released from incarceration, the instant claim is now moot.
- 3. Claimant responded to the supplement, disagreeing that his claim for damages is now moot.

- 4. The Claims Commission agrees with Claimant that his claim is not moot. His claim is based upon Respondent's denial of his parole in March 2017, which is not mooted by the fact that he was subsequently granted parole.
- 5. However, Claimant's claim is based upon alleged constitutional violations that the Claims Commission does not have jurisdiction to consider. See Ark. Code Ann. § 19-10-204(b)(2)(A). This claim could be filed in a court of general jurisdiction. See id.
- 6. As such, Claimant's claim is dismissed for lack of jurisdiction pursuant to Rule 12(b)(1) of the Arkansas Rules of Civil Procedure.
- 7. Respondent's motion to dismiss is GRANTED, and Claimant's claim is DISMISSED.

IT IS SO ORDERED.

ARKANSAS STATE CLAIMS COMMISSION

Lewy C. Kinslow

Dexter Booth Henry Kinslow, Co-Chair Bill Lancaster Sylvester Smith Mica Strother, Co-Chair

DATE: November 9, 2017

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

KEVIN LINN

CLAIMANTRECEIVED

V.

CLAIM NO. 180099

ARKANSAS DEPARTMENT OF

COMMUNITY CORRECTION

RESPONDENT

Date

NOTICE OF APPEAL

COMES NOW Kevin Linn, the Claimant, and for his notice of appeal, states as follows:

- 1. The Claimant hereby gives notice that he will appeal the final order of the Claims Commission entered on November 18, 2017 granting Respondents motion to dismiss the claim. Claimant now appeals to the Arkansas General Assembly, Claims Review Subcommittee.
- 2. The Claimant, Kevin Linn, filed claim no. 180099 against the Arkansas Department of Community Correction on August 03, 2017 (see Attachment # 1).
- 3. The Respondent then filed a motion to dismiss, which the Claimant responded to.
- 4. On November 18, 2017, the Commission entered an Order Granting the Respondents motion to dismiss, however, in the body of said Order the Commission names the wrong Claimant, naming Joshua Coleman as the Claimant rather than naming Kevin Linn who is the actual Claimant (see Attachment # 2).

WHEREFORE, due to Commission naming the wrong Claimant in the Order dismissing Claimants claim, the Commission has committed reversable error, and therefore Claimant prays for leave to appeal to the Claims Review Subcommittee for relief from the Commissions eroneous decision of dismissal.

Respectfully submitted,

12/04/2017

C

Claimant

Kevin Linn

3059 Hwy. 95 E.

Clinton, AR 72031

PROOF OF SERVICE

I, Kevin Linn, declare under penalty of perjury that I have emailed a copy of the above Notice to the Respondents attorney, Amber Schubert, on this 04th day of December, 2017.

Claimant