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Please print in ink or type

Arkansas State Claims Commission

JAN 06 2020

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

- Mr. Mrs. Ms. Miss

Anthony Williamson, Claimant

vs.

State of Arkansas, Respondent

RECEIVED Do Not Write in These Spaces Claim No. Date Filed Amount of Claim \$ Fund

COMPLAINT

Anthony Williamson, the above named Claimant, of ... represented by Pro Se ... says:

State agency involved: Arkansas State Police Amount sought: \$ 748.25 or all property taken

Month, day, year and place of incident or service: July 16, 2007, in Hope Arkansas

Explanation: On Tuesday July 16, 2007 at approximately 10:52 am Special agent Adam Pinner made a traffic stop on the vehicle Williamson was driving near the 36 mile marker east bound on Interstate 30. After search of the vehicle Williamson was taken into custody for parole & h.s. pending and felon in possession of firearm. A black high point model JHP 45 Cal. semi auto pistol, tool bag with several tools, Bushnell binoculars and several clothing items and a small personal water container were seized by special agent Adam Pinner. See Exhibit #1. The seized items stated above have been stored in the evidence locker of the Arkansas State Police for investigative purposes for nearly thirteen years with the exception of the firearm court order to be destroyed on January 30, 2018. See Exhibit #2. All other property stated above are legally owned by Williamson and are being wrongfully taken by the state. Gilbow v. Andrews, 267 Ark. 814, 580 S.W.2d 673 (1978). The personal property seized by state police are no longer the subject of any pending court case and no charges concerning any of the said materials are pending. Williamson has diligently pursued recovery of his personal property out of court to no prevail by employing a private investigator. See Exhibit #3 and 4. Williamson claims he has the legal right to possess all personal property stated herein with the exception of the firearm as there is no state law against such possession and no pending case requiring said items seized. Williamson seeks full recovery of his property and any or all monetary value for lost or damages of each personal item wrongfully taken as specifically described and valued below and on page 2 added to this complaint. (1) Dewalt cordless drill \$ 169.00 (2) Dark blue ski mask \$ 10.00 (3) Bushnells binoculars \$ 79.00 (4) personal plastic water container \$ 5.00

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?

No; when? ; to whom? ; and that the following action was taken thereon:

and that \$ was paid thereon: (2) Has any third person or corporation an interest in this claim? NO; if so, state name and address

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.

Anthony Williamson (Print Claimant/Representative Name)

(Signature of Claimant/Representative)

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

on this 21 day of Dec 2019 (Date) (Month) (Year)

SCOTT A TAYLOR (SBRY) PUBLIC STATE OF ARKANSAS LINCOLN COUNTY My Commission Expires 03-16-2025 Commission # 12403819

SF1-R7/99

My Commission Expires: 3 16 70 (Month) (Day) (Year)

(5) Black canvas tool bag \$ 15.00 (6) One and one half inch wood paddle drill bit \$ 2.50
(7) One half inch metal drilling bit \$ 1.50 (8) Black nylon Craftman tight fit work
gloves \$ 2.00 (9) Pair - Purple surgical gloves . 25 \$ (10) Automotive Mechanics inspection
mirror \$ 5.00 (11) Large plastic zip ties \$ 1.00 (12) Pair - White leather Nike shock Tennis
shoes, size 8 \$ 150.00 (13) Pair - Black leather Nike Air Tennis shoes size 8 \$ 69.00
(14) Pair - Black Great lakes casual dress leather shoes size 8 \$ 30.00 (15) Fitted
ball cap Oklahoma State University Logo black with orange lettering \$ 30.00 (16)
Fitted ball cap blue with Fox Logo in white lettering \$ 15.00 (17) Pair - Sean Jean
name brand blue Jean shorts \$ 59.00 (18) Pair - Sean Jean name brand blue Jean long
pants \$ 70.00 (19) Black Cotton sweater long sleeve \$ 7.00 (20) Black cargo style
long pants \$ 12.00 (21) Black Cotton short sleeve T-shirt \$ 3.00 (22) White Cotton
short sleeve T-shirt \$ 7.00 (23) 2 Pair - Nike brand white Cotton ankle socks \$ 6.00.
For a total value of \$ 748.25

Willie Wilson has provided proof he rightfully and legally owns the above said
property and its value and did not agree upon its seizure wrongfully taken by
Arkansas State police and he seeks a order from this Claims Commission
awarding him complete recovery of said property and or its value as mentioned
herein and any cost of this process be attributed to the Respondent it is so prayed.

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

ANTHONY WILLIAMSON [REDACTED]

CLAIMANT

V.

CLAIM NO. 200681

ARKANSAS STATE POLICE

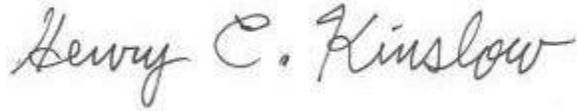
RESPONDENT

ORDER

Now before the Arkansas State Claims Commission (the “Claims Commission”) is the motion filed by the Arkansas State Police (the “Respondent”) to dismiss the claim of Anthony Williamson (the “Claimant”). Based upon a review of the motion and the law of Arkansas, the Claims Commission hereby finds as follows:

1. Claimant filed his claim on January 6, 2020, alleging that certain items were wrongfully kept by Respondent after being seized on July 16, 2007.
2. Respondent filed a motion to dismiss, arguing that Claimant’s claims are barred by the applicable three-year statute of limitation. Ark. Code Ann. § 16-56-105.
3. Claimant did not respond to the motion, but he did file discovery requests.
4. After reviewing the pleadings, the Claims Commission agrees with Respondent that Claimant’s claim is time-barred pursuant to Ark. Code Ann. § 16-56-105.
5. Respondent’s motion to dismiss is GRANTED, and Claimant’s claim is DENIED and DISMISSED.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION

Courtney Baird
Dexter Booth
Henry Kinslow, Co-Chair
Paul Morris, Co-Chair
Sylvester Smith

DATE: February 20, 2020

Notice(s) which may apply to your claim

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

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

ANTHONY WILLIAMSON [REDACTED]

CLAIMANT

V.

CLAIM NO. 200681

ARKANSAS STATE POLICE

RESPONDENT

**ORDER ON CLAIMANT'S
MOTION FOR RECONSIDERATION**

Now before the Arkansas State Claims Commission (the "Claims Commission") is a motion filed by Anthony Williamson (the "Claimant") for reconsideration of the Claims Commission's February 20, 2020, order dismissing Claimant's claim against the Arkansas State Police (the "Respondent"). Based upon a review of the pleading, the arguments made therein, and the law of Arkansas, the Claims Commission hereby unanimously finds as follows:

1. Claimant filed his claim on January 6, 2020, alleging that certain items were wrongfully kept by Respondent after being seized by Respondent on July 16, 2007.

2. Respondent filed a motion to dismiss, arguing that Claimant's claims are barred by the applicable three-year statute of limitation pursuant to Ark. Code Ann. § 16-56-105. The Claims Commission agreed and granted Respondent's motion.

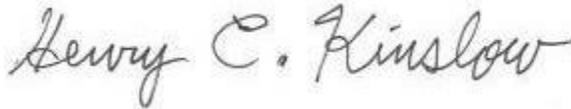
3. Claimant thereafter filed the instant motion for reconsideration, arguing that his claims are not time-barred.

4. In analyzing a motion for reconsideration, Rule 7.1 of the Claims Commission Rules and Regulations states that motions for reconsideration "will only be entertained if they set forth new or additional evidence which was not [previously] available"

5. The Claims Commission finds that the motion does not set forth new or additional evidence not previously available. Claimant's property was seized in 2007, and Claimant did not file a claim until 2020.

6. As such, Claimant's motion for reconsideration is DENIED, and the February 20, 2020, Claims Commission order remains in effect.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION

Courtney Baird
Dexter Booth
Henry Kinslow, Co-Chair
Paul Morris, Co-Chair
Sylvester Smith

DATE: February 9, 2021

Notice(s) which may apply to your claim

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

ANTHONY WILLIAMSON
[REDACTED]

CLAIMANT

Arkansas
State Claims Commission

V.

CLAIM NO. 200681

MAR 03 2021

ARKANSAS STATE POLICE

RESPONDENT

RECEIVED

NOTICE OF APPEAL, PURSUANT TO A.C.A. § 19-10-211

COMES NOW, Claimant Anthony Williamson and for his said Cause states:

1. The Claims Commission issued an order denying Williamson's motion for reconsideration on February 9, 2021.
 2. Williamson hereby give a notice of appeal, pursuant to A.C.A. § 19-10-211(a) (1)(B)(ii). And request the Commission certify the record and lodge it before the General Assembly in preparation for review of Claimant's brief in support.
- Wherefore Claimant Anthony Williamson pray the Claims Commission grant all relief sought or any other relief the Commission deems just.

Respectfully Submitted

[Signature]

Anthony Williamson [REDACTED]

STATE OF ARKANSAS)

) S)

COUNTY OF LINCOLN)

I verify under penalty of perjury that the foregoing is true and correct.
SUBSCRIBED BEFORE ME AND SIGNED by a Notary Public on this 26 day of February, 2021.

JAMES PLUMMER
NOTARY PUBLIC-STATE OF ARKANSAS
CHicot COUNTY
My Commission Expires 10-24-2024
Commission # 12380901

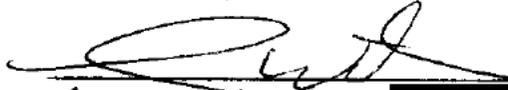
[Signature]

Notary Public

My Comm Exp: 10-24-2024

Certificate of Service

I, Anthony Williamson Certify under penalty of perjury that a true and original Notice of Appeal was placed in the prison internal mail system, postage pre-paid for service upon Ms. Mary - Claire McLaurin, Attorney for the ASP, via U.S. Mail this 27th day of February 2021 at 1 State Police Plaza Drive Little Rock AR 72208 and to provide claimant a file marked copy.


Anthony Williamson 