

STATE OF ARKANSAS BUREAU OF LEGISLATIVE RESEARCH

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Claims Review/Litigation Reports Oversight Subcommittee of the Arkansas Legislative Council Claims Subcommittee of the Joint Budget Committee Statement of Redaction of Confidential Information

Style of Case: Edward White v. Arkansas Division of Correction

Docket Number: Claim No. 230811

Type of Matter (please circle one):

Claims Review

Litigation Reports Oversight

As indicated by my signature below:

- I acknowledge that documents submitted to the Subcommittee may be published or disseminated by the Subcommittee for purposes of its consideration and those documents that are published or disseminated by the Subcommittee will be considered subject to disclosure under the Freedom of Information Act of 1967, Arkansas Code § 25-19-101 et seq.
- I further acknowledge that it is my responsibility to review each document submitted to the Subcommittee and make any necessary redactions.
- I certify that I have reviewed each document submitted herein and have redacted all confidential information excluded from public access by Arkansas Supreme Court Administrative Order No. 19, § VII, and the Freedom of Information Act of 1967, Arkansas Code § 25-19-101 et seq., including without limitation an individual's home address, personal email address, personal phone number, date of birth, social security number, information identifying a minor child, medical records, and financial account numbers.
- If a redacted document has been submitted, I have also included a non-redacted copy of the same document that may be considered exempt from disclosure under Arkansas Code § 25-19-105.

1 21-

Mika Tucker

Name

Arkansas State Claims Commiss	sion, Attorney Specialist
Title and Agency	
July 19, 2024	

Date

One Capitol Mall, 5th Floor, Little Rock, AR 72201

Phone: (501) 682-1937

revised 08/23

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-188 Inmate Property Control		Page 11 of 15	
ARKANS	NTO EOMIS UPON COM AS DEPARTMENT OF CO	RRECTION	F-841-3
P	ROPERTY ADDITION FO	RM	
Date: $7 - 19 - 19$	Unit:		
Date: 7-19-19 Inmate's Name Edward	Whit's	ADC #	
Issuing Department: ('a m m;)	Printed	7-19-19	
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Please indicate below the appropriate its detailed description of any item(s) that	em to be added to an inmate's pe are added, i.e., number of items	ersonal property file. It is imp s, brand, color, size, etc.	ortant to subm
Radio	Watch	Ring	
Earbuds	Combination Lock	Sweat Shirt	
V Shoes	Religious Medallion	Sweat Pants	
MP3 Player			
Other:			
Detail description of item:	ok Vylon.	5:2 e (8.5)	
Name & Signature of issuing staff.	hillouland	AASIS#:	
Signature of Inmate: Edwards	1 White	Date: 1-19-19 ADC#:	
This form is to be completed in the eve	nt of an addition to an inmate's	personal property.	

Revised

ADCF-32

all www.scicatalog.com

On the date of 7-26-22, I was placed in isolation at the 1 My property was packed up by Sgt. Bryant Hyshaw whom transported my property to the isolation Unit and placed it at the Front entrance of the isolation Unit where it would be left unattended for the next 10 hes. On 7-27-22 I spoke with Sqt. Terrence King Isolation Supervisor) about my property, He advised me that my property had been placed IN STORAGE. He stated that it was in a I was the my NAME ON it. ON 9-14-22. I was the second by Sgt. Glover that I was being TRANSferred. I was Told by Sgt. Glover to give her all of my belongings that I had on person in my cell which consisted of mostly state issued items that's allowed while on punitive. I informed Sqt. Glover that I had more personal property in storage She stated that she would Try TO locate my property and send it with me. Sat. Glover processed and inventoried only the property that I gave TO her out of my cell, She never attempted to locate my other personal property which Sgt. King Stated was stored away in a blue tote

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and placed in STORAGE. Soft. Glover, Sqt. King and Lt. Felts all was made aware of my missing property but Failed TO locate my property.

While being escorted From my isolation Cell to the TRANSportation NAN I informed Transport Officers Cpl. Jordan, and Cpl Sterling about my missing property in Front of Sqt. King and Lt. Felts whom helped with escorting me from my isolation cell to the VAN. Please see Cpl. Jordan, and Cpl. STORLING STAtements. Sqt. King and Lt. Felts both STAted that all of my property was on the VAN with me Upon arrival at the Unit I noticed that none of my personal property was TRANSported with me. I quickly Nothfiel] Unit Luandry Sgt. MR. Marimmon about my missing property. I was Told to complete a missing property tokm and also to write a grievance. Both was completed. Set Mecrimmon inventoried the items that was transported trom with mr. I also noticed that Set Glover had deliberately and

Ridal at horas 6 maiture I and instally private all of 1100 Easterful to prove the second officer which had be transformed proposed interestion and the first advert in a second that the lines LAD att at Harris Labori jam mart an Theorem Cash Friday which Birth Birth Marker Statistican bust bounds and shot its bus init 42 Africo here with the raker phase and in the Tits Yre I ALDA OF ALLAS alt to be the boy 11 I'm to any tost beauties I that Last batters will bere preserver lower May Constant of the interview place we I will Alphies C. Manufacture of A 202 provide in Fibel 1 Ret LUM END TO MERCHANT MARINA LON complete is a to a sing of the most and any - state and and montesta tat lasterizado aver das and the tool and and solt setter budget Screep what word while beard social the built

intentionally Forged my Signature on the property sheet when she inventoried my property prior TO my TRANSFER on 9-14-22. Sgt Glover actions TO Forge my signature on apoper that I did not sign was an attempt to cover up the Fact that my property was missing. I filed numerous grievanices about my property all was found to not have meritiby Warden merit, by De'angelo EART. IN one of Warden EARLS responses he stated that he spoke to Sqt. Glover who Advised him that she invertoried my property on 9-14-22 and I never advised her of Any missing property a claim that is false please see Cpl. Jordan, and Cpl. Sterling STATEMENTS. I hereby bring this claim before the commission due to the Following 1. The name defendants acted careless and upprofessional in the hundling of my property which resulted in the

loss of belongings,

montranging per happiers, philling the is none ison's philosoft with KAD or source patrogong proclassications muchi) fire sistering to protocology from he mathematic im apact of anoitan 2000 mars the till to tough appart & Anoth know it it gos some and an to star has 1, 2 4 168 1178 BR. 1 - 1 1 1961 - 1 11 FLED RUMPING BUILDING SIR T my people all and tour tours in and the moburned Smoth of wereparted peterholia adona is no int Jamit il anopa bus bar over a whole for as integer or some the promission of the south milling and to Burt, the it han si thep trad to attend to get young pulse and water to tono postaria in 100 mostar activity of Marnismire milaste 19" att make more dirt prival politert I and a set and and miles internet The beautiful databased of the second of T. in practice and soft was transformed that in the haft on itema attacks any re-

2. Destendant Sqt. Terrence King Unblated AD policy when he failed to inventory my property on 7-27-22 asuell as provide me with a copy of my inventored property before safely storing my property. As policy STAtes. 3. Defendant Sqt. T. King Acted in a irresposible manner in the handling of property when he failed to have my property in a Safe and secure location. 4. Defendant, Sgt. Glover Violated AR225 When she deliberately and intentionally forged my NAME ON the F-841-1 ins AN ATTEMPT TO COVER up important FACES. Defendant Knowingly FAIsified documentation. 5. Defendant Warden, D. Earl failed in his duties as Warden To Properly Train Sat. T. King for the Job position of Isolation Supervisor as well as assure that all of AR, and AD policies are adhered TO by all of staff and employees. Defendant was aware of policy and proceedures undation but failed to act or correct the problem. I being TO you Evidence such as

2. Schenlort Set Tarens " no welated at way is writer and writer pulling after en have to sat on planger free Lambridge per to prove a their and sticket in principal de l'endre sales a server a day de la deserver The dealer is the first and the first point of the first and the second and the second of the second Lip petropoliting a poort of the port inde and secure love the 15. 5 and break will a product of a trailing of P a decountrastical lane of the said of and added int little it will had sended por happend. Init tacking on you among at tyming wa mound to bricket the strends and hardwest I 5 Edicatoria Linderto, Devel - 1114 14 14 - Anna Arnel

grievances, F-841-3, and F-841-1 Forms, witness STAtements and STURE reciepts To verify that my claim does have merit and TO show that defendants failed to properly secure my belongs which resulted in my property being lost or stolen. 10. Defendant Chief deputy Dale Reed States in his response that on 9-14-22 my property was inventoried upon arriving at the a unit and that property sheet shows that all of my procenty was accounted for that is untrue I're Submitted a cupy of that property sheet osurell as other property sheets which will clearly show that Everything that was inventoried on 9-14-22 was only state issued clothing Articles NONE of the Articles contained Any of my personal property or belongings.

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*	UNIT LEVEL GRIEVANCE FORM (Attachment I) Unit/Center	FOR OFFICE USE ONLY
	Name Edward White	Date Received: glasla
	ADC# Brks # 3-10 Job Assignment	GRV. Code #: 505
	G-15-22(Date) STEP ONE: Informal Resolution	
	<u>4-23 22</u> (Date) STEP TWO: Formal Grievance (All complaints/concerns she If the issue was not resolved during Step One, state why: <u>MAD</u> , (Date) EMERGENCY GRIEVANCE (An emergency situation is one a substantial risk of physical harm: emergency grievances are not for ordinary p nature). If you marked yes, give this completed form to the designated problem- attached emergency receipt. In an Emergency, state why:	1 Property Decs- in which you may be subject to problems that are not of serious
	BRIEFLY state your one complaint/concern and be specific as to the complaint, involved and how you were affected. (Please Print): There TRANS	22. after Arivin 22. after Arivin ed that I my property up of Avia Stud weat pants And 5- My Property
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	INMATE C	RIEVANCES SUPERVISOR
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DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE - Grievance Officer; ORIGINAL - Given back to Inmate after Completion of Step One and Step Two.

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	Page 1 of 2							
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IGTT410 3GS	Attachment III							
INMATE NAME: White, Edward J. ADC #:	GRIEVANCE #: <u>22-00287</u>							
WARDEN/CENTER SUPERVISOR	S DECISION							
Compliant	· · · · · · · · · · · · · · · · · · ·							
"I was transferred from Constant and Several Isolation on 9-14-2 immediately noticed that I was missing several items from reeboks, 1 pair Avia shoes size 7, two (2) seat shirts and 2 s of food items. My property form had also been forged as we tampered with."	ny property such as 1 pair of leather sweat pants, And over 30 dollars worth							
Response								
According to Sgt. Glover, she did the inventory of your prop and at no time during and/or immediately after the inventor item.	erty when you were being transferred, y did you advise her of any missing							
I find no evidence to support your allegation. Therefore, I find	nd your grievance without merit.							
A Eul n	laiden 10-6-22							
Signature of Warden/Supervisor or Designee	Date RECEIVED							
INMATE'S APPEAL	OCT 2 5 2022							
If you are not satisfied with this response, you may appeal this decision within fige working satures VISOR 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?	- disagree with the respon							
of Warden EARL. Bgt Glover	stated that she did my							
inventory and I did Not	+ mentione Anything							
To her about my missing	Items Everything Theor							
Sat Glares INVENTORed	WAS ONLY POSTATE							
Iscued Things / Items. I	intermed Sqf. Unit							
11 Falts and Sit, Kinh ab	out my massing part 1							
in Arout of	Transportation officer							

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Cpl. STERLing and Cpl. JuedAN Who STAtes 2012 they would write STATEMENTS if Necessary IN Suppo of my AllegAtions STATING that I informed STAFF of my missing property. My property sheet Was Forged with my signaturates: ana

Inmate Signature

If appealing, please submit both the Unit Level Grievance Form (Attachment I) and the Warden's Decision (Attachment III)

RECEIVED

OCT 2.5 2522

INMATE GRIEVANCES SUPERVISOR ADMINISTRATION BUILDING

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IGTT430 3GD		Attachment VI						
INMATE NAME: White, Edward J.	ADC #	GRIEVANCE#:\ -22-00287						
CHIEF DEPUTY/DEPUTY/ASSISTAN	T DIRECTOR'S DE	CISION						
In your grievance dated 9/15/22, you si 9-14-22 after arriving at Extended I in property such as 1 pair of leather reebo pants, And over 30 dollars worth of food Therefore my property has been tamped	nmediately noticed oks, 1 pair Avia sho d items. My propert	that I was missing several items from my es size 7, two (2) seat shirts and 2 sweat						
On 10/6/22 the Warden responded, "According to Sgt. Glover, she did the inventory of your property when you were being transferred, and at no time during and/or immediately after the inventory did you advise her of any missing item. I find no evidence to support your allegation. Therefore, I find your grievance without merit."								
Your appeal was received on 10/25/22. I have reviewed your appeal and the Warden response. Records reflect that you signed a personal property inventory form on 9/14/22 at the Delta Unit. You signature indicates that all your property was present and accounted for, therefore, I find no merit in your appeal.								
Appeal denied.								
\bigcirc								
$0 \rightarrow -$								
m	11-28	22						

Director

 \mathcal{C} Date

Please be advised that if you appeal this decision to the U.S. District Court, a copy of this Chief Deputy/Deputy/Assistant Director's Decision must be attached to any petition or complaint or the Court may dismiss your case without notice. You may also be subject to paying filing fees pursuant to the Prison Litigation Act of 1995.

UNIT LEVEL GRIEVANCE FORM	tach	FOR OFFICE USE ONLY
Unit/Center		BRV. 1 -12-00293
Name Folward White	OCT 03 2022	Gard Accord
ADC# Brks # 3-12	Job Assignment	GRV. Code #:
0 29 27 (Data) STEP ONE: Informal Res		

1-21-22 (Date) STEP ONE: Informal Resolution

<u>G-30-27</u> (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.) If the issue was not resolved during Step One, state why: My property is STI Missing and it has not been located problem not solved NO_, (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to

a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In an Emergency, state why: _____

Is this Grievance concerning Medical or Mental Health Services? 100 If yes, circle one: medical or mental	
BRIEFLY state your one complaint/concern and be specific as to the complaint, <u>date</u> , place, name of personnel involved and how you were affected (Please Print): On 1-20-22 I was placed in	
involved and how you were affected (Please Print): UN 1-24-22 I way placed IN	
ISOLATION AT the	
Hyprom who did my pre well-up and Not do a inventory	
of my personal property NOR did Isolation sargent Ti King	
who retrieved my property from the isolation prontentrance	
door way where it had sat for over 10 hrs. My property was	
just Thrown into a Tote and supposely stored. On 9-14-22 I	- a
Was released from isolation and TRANSFERTED TO the	
curit. If for to lain prince or the last the	
That Note of the levels larger the file of City I have	
me I notified introvet of Delta Regions Mynit officers	
my missing property intront of Delta Regionar Punit officers	1
Devide my property which welleded tennis shes T-shiets Swear	t
Shiets, Sweet parts, Persunial Hygicanes, ind Commission, Col. Jurdin	2
AND CAL STERLING CAN ACKNOWLEDGE MY CLAIMTO This AllegATION	T
Idward white 9-29-22	`
Inmate Signature Date	
If you are harmed, threatened because of your use of the grievance process, report it immediately to the Warden or designe	е.
THIS SECTION TO BE FILLED OUT BY STAFF ONLY	
This form was received on <u>9-30-22</u> (date), and determined to be Step One and/or an Emergency Grievance	3
(Yes or No). This form was forwarded to medical or mental health? MO (Yes or No). If yes, name	1
of the person in that department received in firm: Date	
PRINT STAFE NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received	-
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received Describe action taken to resolve complaint, increased the matter 13 Lein looked	
Describe action taken to resolve complaint, menergeness	
OCT 2 5 2022	
	_
Set & Thomas 9-30- THRATE GRIEVANCES SUPERVISOR CUbito 9-30-22	_
Inmate Signature & Date Received	-
Staff Signature & Date Returned ADMINISTRATION BUILDING Signature & Date Received This form was received on (date), pursuant to Step Two. Is it an Emergency? (Yes or No).	
Staff Who Received Step Two Grievance: Date:	-
Action Taken: Forwarded to Grievance Officer/Warden/Other) Date: 10-3-3-	-
If forwarded, provide name of person receiving this form:	-
	-
DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE - Grievance Officer; ORIGINAL - Given back	K
to Inmate after Completion of Step One and Step Two.	com
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E.1 RECEIVED OCT 2 5 2022 INMATE GRIEVANCES SUPERVISOR ADMINISTRATION BUILDING Ruck na DURIVIDIA entra! 8 Central office Grevance TRuck MANT

Page 1 of 2

Attachment II

ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE ADC #: TO: Inmate White, Edward J. FROM: Shoyode, Adesina J TITLE: ADC Inmate Grievance Coord DATE: <u>10/03/2022</u> GRIEVANCE #: -22-00293 Please be advised, I have received your Grievance dated 09/30/2022 on 10/03/2022 . Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious.

OCT 2:5 2022

INMATE GRIEVANCES SUPERVISOR ADMINISTRATION BUILDING

Signature of ADC Inmate Prievance 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 C subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.

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rievance was REJECTED because it was either non-grievable (), untimely, was a duplicate 22-00287, 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. If you do not receive communication regarding your grievance by the date listed above, you may move to the next level of the process. To do so, indicate in the Inmate's Appeal Section below that you did not receive a response and mail it to the appropriate Chief Deputy/Deputy/Assistant Director within five working days. 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. disagree with this decision my peoperty was misplaced and none of defendants wants TO acknowledge it or ADC#:

https://eomiscluster.state.ar.us:7002/eomis/interface/interface 2 0 clearPage.jsp?skipBod... 10/3/2022 Inmate Signature

If appealing a rejection, please include both the Unit Level Grievance Form (Attachment I) and the Rejection (Attachment II)

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Attachment VI

INMATE NAME: White, Edward J.

GRIEVANCE#: -22-00293

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

In your grievance dated 9/29/22, you stated, "On 7/26/22, I was placed in Isolation at the granned unit. The initial officer Sgt. B. HYshaw who did my pre-lock did not do a inventory of my personal property nor did Isolation Sergeant T. King who retrieved my property from the Isolation front entrance door way where it had sat for over 10 hrs. MY property was just thrown into a tute and supposedly stored. On 9/14/22, I was released from Isolation and transferred to the Regional Unit. Prior to being placed on the bus for transfer I noticed that none of my personal property was being transferred with me. I notified With With Mit Lt. Felts, and Sgt. T. King of my missing property in front of Delta Regional Unit Officers Cpl. Jordan and Cpl. Sterling. Wrightsville staff refuse to provide my property which included Tennis shoes, t-shirt, sweat shirt, sweat pants, personal hygiene and commissary. Cpl. Jordan and Cpl. Sterling can acknowledge my claim to this allegation."

On 10/3/22 your grievance was rejected at the unit level due to being a duplicate of grievance #10-22-00287.

Your appeal was received on 10/25/22. I have reviewed your appeal and I find this matter was address in grievance #22-000287, therefore, I will not address the merit of this appeal.

11-28-22 Director

Please be advised that if you appeal this decision to the U.S. District Court, a copy of this Chief Deputy/Deputy/Assistant Director's Decision must be attached to any petition or complaint or the Court may dismiss your case without notice. You may also be subject to paying filing fees pursuant to the Prison Litigation Act of 1995.

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619 FAX (501) 682-2823



KATHRYN IRBY DIRECTOR

101 EAST CAPITOL AVENUE SUITE 410 LITTLE ROCK, ARKANSAS 72201-3823

July 6, 2023

Edward White (ADC

RE: Claim No. 230811 – deficient filing

Dear Mr. White,

Your claim has been filed but has <u>not</u> been transmitted to the Arkansas Department of Correction because the claim exceeds the page limitations set out in Ark. Code Ann. § 19-10-208(f). The text of this subsection is set out on the following page for your review.

Pursuant to Ark. Code Ann. § 19-10-208(f)(3)(A)(ii), you have forty-five days from the date of this letter to resubmit your complaint in compliance with the statute or to file a motion for leave to exceed the page limitations. Failure to do so will result in the dismissal of your claim without prejudice. Ark Code Ann. § 19-10-208(f)(3)(C).

Sincerely,

Kathryn Irby

ES: cmcdaniel

Enclosures

Ark. Code Ann. § 19-10-208(f)

- (1) A claimant who is an inmate in the Department of Correction or the Department of Community Correction at the time the claim or action is filed is limited to no more than:
 - (A) Five (5) pages of written factual allegations and legal argument in his or her complaint; and
 - (B) Five (5) additional pages of exhibits to accompany his or her complaint.
- (2) (A) An inmate filing a claim or action may file a motion to allow him or her to file additional pages of factual allegations, argument, or exhibits in excess of the limitations under subdivision (f)(1) of this section.
 - (B) A motion filed under this subdivision (f)(2) may be granted only if the commissioners of the Arkansas State Claims Commission find that the inmate needs the additional pages to fully explain his or her claim or action or if the claim or action is sufficiently complex to warrant additional pages.
- (3) (A) If an inmate files a claim or action that exceeds the page limitations under this subsection, the commission shall:
 - (i) Assign the inmate's claim a docket number; and
 - (ii) Consider the inmate's claim filed, but mail the inmate's complaint and any attached exhibits back to him or her and give the inmate forty-five (45) days to:
 - (a) Resubmit his or her complaint and any attached exhibits in compliance with this subsection; or
 - (b) File a motion requesting permission to file a complaint and accompanying exhibits that exceed the page limitations under this subsection.
 - (B) The forty-five-day time period under this subsection is excludable time in calculating the statute of limitations for the inmate's claim or action.
 - (C) The commission may dismiss an inmate's complaint without prejudice if the inmate fails to:
 - (i) Resubmit a complaint and attached exhibits that meet the page limitation requirements of this subsection; or
 - (ii) File a motion requesting permission to file a complaint and attached exhibits that exceed the page limitation requirements of this subsection.
 - (D) (i) If the commission grants a motion for a complaint and accompanying exhibits that exceed the page limitation requirements of this subsection, the commission shall set out in the order granting the motion the revised timeline for the inmate to file his or her complaint and accompanying exhibits.
 - (ii) The commission may set a revised limit on the number of pages an inmate's complaint and accompanying exhibits may be.

Acts of 1949, Act 462, § 3; Acts of 1983, Act 470, § 3; Acts of 2019, Act 785, § 2, eff. July 24, 2019.

To: Aekansas claims commission

Arkansas State Claims Commission

JUL 1 3 2023

RECEIVED

From: Edward White ADC #

DATE: July 10th 2023

REE CLAIM NO. 230811) MOTION TO exceed the page limitations.

Motion To exceed page limitation. Comes now, the above Defendant, Edward white # PRO SE, by & through this motion and for just cause. I hereby states the Following

1. I'm Requested that I be allowed To submit the STATEd additional Pages. Page & of my complaint aswell as page bt \$ of my exhibit.

I request that these three(3) additional pages be added TO my claim To help me fully explain my claim or action.

I come To you requesting that the Above stated motion be granted a that

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	Added Attached documents be Added
	TO my claim under ARK. Code Ann 19-10-208(F)
-	Respectfully Submitted Edward J. White
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Page 🗑	Complaint	
	grievances, F-841-3, and F-841-1 Forms, Witness STAtements and Store recipt To verify that my claim does have merit and TO Show that defendant failed TO properly Secure my belongs which resulted in my property being lost or Stolen.	\$
	Defendant Chief deputy Dale keed state in his response that on 9-14-22 my property was intensioned upon arriving at the fine unit and that property sheet shows that all of my project was accounted for that is untrue I'v submitted a copy of that is untrue I'v submitted a copy of that property sheet usual as other property sheets ushich will clearly show that Everything that was inventoried on 9-14-22 was only state issued clothing Articles None of the Articles contained Any of my personal property or belorgings.	1 -7 e

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IGTT430 3GD		Attachment V
INMATE NAME: White, Edward J.	ADC #:	GRIEVANCE#: -22-00287
CHIEF DEPUTY/DEPUTY/ASSISTANT		
In your grievance dated 9/15/22, you sta 9-14-22 after arriving at I I Import I Impo	mediately noticed to s, 1 pair Avia shoes items. My property	hat I was missing several items from my
On 10/6/22 the Warden responded, "According property when you were being transferred inventory did you advise her of any missi Therefore, I find your grievance without r	d, and at no time d ng item. I find no e	uring and/or immediately after the
increase, I find your grievance without r	nerit."	evidence to support your allegation.
Your appeal was received on 10/25/22. I Records reflect that you signed a persona You signature indicates that all your prop merit in your appeal.	have reviewed you	evidence to support your allegation. In appeal and the Warden response.

11-28-22 Date Director

Please be advised that if you appeal this decision to the U.S. District Court, a copy of this Chief Deputy/Deputy/Assistant Director's Decision must be attached to any petition or complaint or the Court may dismiss your case without notice. You may also be subject to paying filing fees pursuant to the Prison Litigation Act of 1995.

Inmate's Name, White, E State
 Envelopes (10)
 I Shaving Cream (2)

 Other (All Hygicate items limited to 2 items of each type or one pack if sold in a pack. Possession is limited to maximum in a pack)
Magazines (3 cg) ADC INMATE PERSONAL PROPERTY INVENTORY RECORD (Code: S-STORAGE K-KEEP IN POSSESSION I-ISSUED F-FEMALE M-MALE) F-441-1 Printed Name / Sign Name Badge # of Official Returning Property Printed Name / Sign Name / Badge # of Canvas Shoes (M, 1) ADC Hand Book Beauty Aid products Denture adheaiye (2) Deodorant (2) Toothbrash (1) Jacket/Coat (1) Earplugs Bras/Panties (F-I 3 ea + ADA Compliance Item Cap/Hat (1) Pants (3 pr) medical shoes Cym Shoes (1) Gloves (1) All Books (10) Brogans-shoes (4pr) **Issued** Items Batteries (4) egal Mail/Transcript fair Brush (T) Depilatory preparation (1) Dentures (1) up Bowls TEM (# allowed) ar buds/earphone(1) Comb (M. I I) aundry Bag (1 1+1) mar yeglasses/Contacts (1) athrobe (F, 2) Edward #REC/SEN CODE S is listed here and aposition of all property listed on this ingentiony is correct. Also I do not have the of Ornicial Receiving Property Date Location fored minute's Signature & Al N 48 off 2 5 S ADO #RETD redigious rolders DESCRIPTION Sending Institution: Date Medical Location Stored ssion is limited to mentmem in a pack) Watch-Wrist (1) Sweat Shirts (1) Toothbrush holder Shoes wk rel (1) Shower Shoes (1) Flex Pens Undershirts Undershorts (M,I-2 Ring (1) Bath Towel as needed Toothpaste (2) Soap Shirts (3) Razor-Safety (2) Shampoo (2) Soap Dish Religious Medal (1) **Religious Material** Nail Clippers (1) ITEM Thermals (2 sets) + 3) Stockings Socks (1 3 + 2) Photos (5) Personal Mail Washcloth (1) Hair Dressing (2) Food items Sweat Pants (1) Radio (1) Court Inmate's Signature & ADC# / Witness, if refuses Receiving Institution #REC/SENT > Other CODE v 3 Š 5 #RETD gal materials belonging to any other immate. fuses Date Bib Date DESCRIPTION D

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Additional Page Exhibit -

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are's Signature & ADC# / V	Washcloth (1) TWO K	Bath Towel as needed Thyee K	vals (2 sets) 77.	Soap during days	Razor-Safety (2) Que K	Jarren - 100-10	- and - K	e pack if sold in s pack. Possession is junited to maximum in a pack)			Hair Dressing (2)	Find items Figure 1	Batteries (4) DVC V V E	Watch-Wrist (1) UU.U. I.K.	Three k	holder Q		Sweat Pants (1)	_{	Socks (1 3 + 2) Samu V	loes (1)	Shoes wk rel (1)		Religious Medal (1)	Religious Material Heven K	WH US Radio (1) Red K	Photos (5)	Personal Mail	ON N	Sending Institution: Court Other	K-KEP IN POSSESSION		
resion any level materials belonging to any other inmate.		Anot is bail			Hock.									Hack Dava								Madrical		(max	5 and Bible	Mpt (out) and tune			#RETD DESCRIPTION	5	ALE (M=MALE) F-841-1		

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ADC INMATE PERSONAL PROPERTY INVENTORY RECORD (Code: S=STORAGE K=KEEP IN POSIESSION I=ISSUED **Non-Expendable Items** Inmate's Name: Imnsfer Erhibits # 2 I hereby certify that all my property is listed herein and disposition of all property listed on this myching in the second seco Section 11 Acres 1 Inited to 2 tiens of each by Source 1 Strengther 1 Printed Name Soon Name Badge I of Official Returning Property Cup ~ Bras/Pantics (F-I 3 ca + Bowls Ear bude/ arphone(1) Dentures (1) All Books (10) ADA Compliance Item TEM (# allowed) Gloves (1) Depilatory preparation (1 athrobe (F, 2) Gym Shibes (1) Eycglasses/Contacts (1) Envelopes (10) omb (M, I 1) Brogana shoes (1pr) Pants (3 pr) egal Mail/Transcript aundry Bag (1 1+1) lair Brush (1) arpiugs Canvas Shoes (MJ) codorant (2) Jacket/Coat (1) eauty Aid products benture adhesive (2) oothbrush (1) ap/Hat (1) 1 ued litems in Ville #REC/SEN CODE #RETD 55 48 off U S ND S 52 tr type or one page ADO 2 STE DION HOCK 5 Sveen/uhat sold in a pack. Pape PERION 35 all hels DESCRIPTION Date anding Institution: P STX F Medical Shaving Cream (2)-Vien Location Sored Soap Thermals (2 sets) Sweat Shirts A) Toothbrusk ty -ler Ring (1) Shower Shoes (1) Hair Dresside (2) Shampoo (2) and is correct. Also, held not have in my appression any legal materials belonging to any other inmate Undershorts (M,I-2 Religious Medal (1) **Religious Materiat** Radio (1) Stockings Socks (1 3 + 2 Soap Dish Personal Mail TIEM Shirts (3) Kazor-Saf + 3) Sweat Papts () Photos (5) Ioothpaste (2) Bath Towel as need food items Undershirts Vail Clippers (1) Washcloth (1) Court A.Receiving Institution unmate : A I Mite ADC#/Witness, it refuses 6 Signature & ADC# / Withess, if refuses #RECSENT Other Diana L 3 p J. F= FEMALE DK4 CODE #RETD X R X F 7 M=MALE) HEPO1 5 S' ler cres Trupk Holy & blc MOCK Date Crawning Shir nermu Shirk DESCRIPTION F-841-1 KU34IV ŧ . ۲.

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Exhibits #3

-188 Inmate Property Control		Page 11 of 15	
ARKANS	INTO EOMIS UPON CON AS DEPARTMENT OF CO	ORRECTION	F-841-3
F	PROPERTY ADDITION FO	ORM	
Date: <u>7-19-19</u> Inmate's Name <u>Edward</u>	Unit:		
Inmate's Name <u>COULAFA</u>	Printed	ADC #	-
Issuing Department: ("0 m m;)	Jar Y Date Issued:	7-19-19	
	2		
detailed description of any item(s) thatRadio	are added, i.e., number of item: Watch	s, brand, color, size, etc. Ring	
Earbuds	Combination Lock	Sweat Shirt	
V Shoes	Religious Medallion	Sweat Pants	
MP3 Player			
Other:			
Detail description of item:	ok Nylon.	5.2 e (8.5)	
Name & Signature of issuing staff.	hilland	AASIS#:	
	(atter 1	Date: 7-19-19 ADC#:	
Signature of Inmate: <u>Edware</u>	1 listate 1	Date: <u>7-19-19</u> ADC#: _	

Original - Institutional file Pink Copy - Inmate Scanned Copy - UPCO

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Revised

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Page 1 of 1 EKhibits #4 IGTT430 3GD Attachment VI INMATE NAME: White, Edward J. ADC #: GRIEVANCE#: 22-00293

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

In your grievance dated 9/29/22, you stated, "On 7/26/22, I was placed in Isolation at the The initial officer Sgt. B. HYshaw who did my pre-lock did not do a inventory of my personal property nor did Isolation Sergeant T. King who retrieved my property from the Isolation front entrance door way where it had sat for over 10 hrs. MY property was just thrown into a tute and supposedly stored. On 9/14/22, I was released from Isolation and transferred to the Prior to being placed on the bus for transfer I noticed that none of my personal property was being transferred with me. I notified for the U.L. Felts, and Sgt. T. King of my Officers Cpl. Jordan and Cpl. Sterling. Wrightsville staff refuse to provide my property which included Tennis shoes, t-shirt, sweat shirt, sweat pants, personal hygiene and commissary. Cpl. Jordan and Cpl. Sterling can acknowledge my claim to this allegation."

On 10/3/22 your grievance was rejected at the unit level due to being a duplicate of grievance

Your appeal was received on 10/25/22. I have reviewed your appeal and I find this matter was address in grievance # 22-000287, therefore, I will not address the merit of this appeal.

11-28-22 Director

Please be advised that if you appeal this decision to the U.S. District Court, a copy of this Chief Deputy/Deputy/Assistant Director's Decision must be attached to any petition or complaint or the Court may dismiss your case without notice. You may also be subject to paying filing fees pursuant to the Prison Litigation Act of 1995.

F 1

Thereby certify that all my property is listed herein and disposition of all property listed on this inventory is correct. Also, I do not have	Jacket/Coat (1)		Toothbrach (1)	ADC Hand Bool.	Canvas Shoes (M 1)	Can/Hat (1)	Pants (3 pr)	Brogans-shoes (1pr)	State Issued Items	R. Hay	Sheets	Je of your park if you in a pack. Possession is limited to maximum in a pack)	Other (All Hygiene items limited t	Envelopes (10)	Deodorant (2)	Denture adhesive (2)	Beauty Aid products	Batteries (4)	Expendable Items (All Hygiene it	Magazines (3 ea)	Legal Mail/Transcript	Launuly Dag (1 1+1)		Gym Shoes (1)	Gloves (1)	Eyeglasses/Contacts (1)	Earplugs	Ear buds/earphone(1)	Depilatory preparation (1)	Dentures (1)	Cup	Comb (M, I I)	5)	Bras/Panties (F-I 3 ea +	Bowls	Bathrobe (F, 2)	All Books (10)	ADA Compliance Item	Inmate's Name: Non-Expendable Items ITEM (# allowed)
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Ple	ase print in ink or type	State	Claims Commission
BEFORE THE S	STATE CLAIMS COM	MIGGION	DEC 21 2022
C	of the State of Arkansas	INII55IUN	RECEIVED
✓Mr. ⊐ Mrs.		Do Not Writ	e in These Spaces
\Box Ms.		Claim No.	the Claims Commission
Edward White (ADC		Date Filed	1111 1 9 2022
VS.	, Claimant	(Month)	(Day) (Year)
		Amount of Claim \$	RECEIVED
State of Arkansas, Respondent		Fund	
	COMPLAINT		
Edward White (ADC	amed Claimant, of		
(Name)		(Street or R.F.D. & No.)	(City)
(State) (Zip Code) (Daytime Phone No.)	f represe	nted by(Legal Counsel, if	
f		(Legal Coursel, ii	any, for Claim)
(Street and No.) (City) tate agency involved: ARK Division of C	(State) (Zip Code)	(Phone No.)	(Fax No.) , 5493:
ate agency involved: 1-1RK DIVISION of Contract of the service: ON 7-20-	orrections Amo	unt sought \$900. C	0
pet I was being TRANSFerred, operaty that I had in my ce intormed Set Glover that, source unit that has my no care it and inventory it w t Glover any processed and et of my cell she never attemp ansferred than the Wrightsvil t. T. King and Ut Felts regar Successful. I also informed by Cople Steeling who confirmed parts of this complaint, the claimant makes the statements, and answers the parts of this complaint, the claimant makes the statements, and answers the	in the front en in the front en intervention of the was advised by I was ruld to I so it could I have more into property St inventored the inventored	He advised trance of iso und over a be inventore property Lor red gotteni fr ted gotteni fr property the property the p	Il of my personal d AT This point Cated in the cit She'd Try To on my Cell. or To being leas To Set Glove NO AVAI WAS S Cpl. Jacdaw, bout my property
out STATEs that I have A	so other prof	serty.	WITT CATINGER
that \$ was paid thereon: (2) Has any thin	d person or corporation an interest in	this claim? NJ	; if so, state name and address
(Name) (Street or F that the nature thereof is as follows:	R.F.D. & No.) (City)	(State)	(Zip Code)
	s acquired on		, in the following manner:
THE UNDERSIGNED states on oath that he or she is familiar t they are true. Edward white (Print Claimant/Representative Name)	& dwar	th in the above complaint, a Signature of Claimant/R	epresentative)
SWORN TO and subs	cribed before me at Dee	mott	NR.
		(City)	(State)
EAL) STEVEN A MITCHELL SR. NOTARY PUBLIC-STATE OF ARKANSAS DREW COUNTY My Commission Expires 04-05-2029	(Date)	(Month), <u>2022</u> 1) (Year)
Commission # 12705937	- C. Chil	(Notary F	rublic)
F1- R7/99 My Commission	Expires:		8008
	(Mon	th) (D	ay) (Year)

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	STEVENAMITCHELL SR. MOTERY FARLO-STATE OF ARKANISAS	
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	Coministian 1 (271)6037	

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Complaint	
was packed up by Sgt. Bryant Hyshaw who transported my property to the isolation Unit and placed it at the Front entrance	m
(Isolation Supervisor) about my property, He advised me that my property had been plu in storage. He stated that it was in a blue tote with my name on it. On 9-14 I was the stated by Sgt. Glover that I was being TRANSFERRED. I was told by Sgt. Glover to give her all of my belongings that I had on person in my cell which consisted of mostly state	aced 1-22.
punitive. I intormed Sqt. Glover that I had more personal property in storage She stated that she would Try TO locate my property and Send it with me. Seft. Glover processed and inventorized only the property that I gave TO her out of my cell, She never attempted TO locate my other personal property which Sqt. Ke	e 1 1 ite
	On the date of 7-26-22, I was placed in isolation at the My proper was packed up by Sqt. Bryont Highaw when transported my property to the isolation! Unit and placed it at the Front entrance of the isolation Unit where it would be left unattended for the next 10 bes. On 7-27-22 I spoke with Sqt. Terrence Kin (Isolation Supervisce) about my property, He advised me that my property had been plu in storage. He stuted that it was in a blue tote with my name on it. ON 9-14 I was being TRANSERED, I was told by Sqt. Glover to give her all of my belongings that I had on person in my cell which consisted of mostly state issued items thats allowed while on punitive. I informed Sqt. Glover that I had more personal property in storage She stated that she would Try to locate my property and Send it with me. Sqt. Glover processed and inventoried only

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Page e 3	Complaint	
	and placed in STORAGE. Soft. Glover, Sgt. Ki and Lt. Felts all was made aware of m missing property but Failed TO locate My property.	ng M
	While being escorted From my isolation Cell to the TRANSportation NAN I inform Unit Transport Officers	as ned
	Cpl. Jordan, and Cpl Sterling about mi missing property in Front of Sgt. Kin and Lt. Felts whom helped with esc	orting
	me from my isolation cell to the VAN Please see Cpl. Jordan, and Cpl. STERLING STA Sgt. King and Lit. Felts both STAted that all of my property was on the VAN W	tements.
	me Upon arrival at the Unit I noticed that none of my	
	Personal property was TRANSported with me. I quickly notified Unit Luandry Sgt. MR. Mcrimmon ak	flice
	my missing property. I was told to complete a missing property form and also to write a grievance. Both was completed. Soft Mecrimmon	
	There with me items that was that the with me. I also with that Sith Glover had deliberately and	sported

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Some polarendelle burt small for the the

Puge D Complaint 4 intentionally Forged my Signature on the property sheet when she inventorized my property prior TO my TRANSFER on 9-14-22. Sgt Glover actions TO Forge my signature on apaper that I did Not sign was an attempt to cover up the Fact that my property was missing. I filed numerous grievances about my property all was found to not have merit, by Wrightsuille Unit Warden Déangelo EARY. IN one of Warden EARLS responses he stated that he spoke to Sqt. Glover who Advised on 9-14-22 and I never advised here of Any missing property a claim that is false please see Cpl. Jordan, and Cpl. Sterling STATEMENTS. I hereby bring this claim before the commission due to the Following 1. The name defendants acted careless and unprofessional in the hundling of my peoperty which resulted in the loss of belongings.

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Page \$5	Complaint
	Defendant Soft Terrence King violated AD policy when he failed to inventory my property on 7-27-22 asuell as provide me with a copy of my inventored property before safely storing my property. As policy states.
3.	Defendant Sqt. T. King Acted in a irresposible manner in the handling of property when he failed to have my property in a Safe and secure location.
Ч.	Defendant, Sgt. Glover Violated AR 225 When she deliberately and intentionally forged my NAME ON the F-841-1 in AN ATTEMPT TO COVER up important FACTS. Defendant Knowingly FAIsified documentation.
	Defendant Warden D. Earl failed in his duties as Warden TO properly Train Softi T. Kiniq for the Job positions of Isolation Supervisor aswell as assure that all of AR, and AD policies are adhered To by all of staff and employees. Defendant was aware of policy and proceedures Wolation but failed TO act or correct the problem. I bring TO you Evidence Such as

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

EDWARD WHITE (ADC

V.

CLAIM NO. 230811

ARKANSAS DIVISION OF CORRECTION

RESPONDENT

CLAIMANT

ORDER

Now before the Arkansas State Claims Commission (the "Commission") is a motion of Edward White (the "Claimant") for leave to exceed the page limitations set in Ark. Code Ann. § 19-10-208(f)(1). Upon review of the complaint and supporting documentation, the Commission hereby GRANTS Claimant's motion for leave and will accept the complaint and supporting documentation previously received. However, this order does not constitute any determination as to the validity of Claimant's claim.

IT IS SO ORDERED.

Dog Band

ARKANSAS STATE CLAIMS COMMISSION Courtney Baird

Servy C. Kinslow

ARKANSAS STATE CLAIMS COMMISSION Henry Kinslow

ARKANSAS STATE CLAIMS COMMISSION Paul Morris, Chair

DATE: August 11, 2023

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). <u>Note</u>: 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).

From:	ASCC New Claims
То:	Thomas Burns (DOC)
Cc:	Kathryn Irby; Mika Tucker; Bilenda Harris-Ritter
Subject:	CLAIM: Edward White v. ADC, Claim No. 230811
Date:	Wednesday, August 16, 2023 10:18:00 AM
Attachments:	Edward White A careful and the pdf
	Edward In colum.pdf
	Edward made bef pdf
	230811 Ora remittepar

Please see attached. Contact Kathryn Irby with any questions.

Thank you, Caitlin

Caitlin McDaniel

Administrative Specialist II Arkansas State Claims Commission 101 East Capitol Avenue, Suite 410 Little Rock, Arkansas 72201 (501) 682-1619

ARKANSAS STATE CLAIMS COMMISSION

(501)682-1619 FAX (501)682-2823



KATHRYN IRBY DIRECTOR

101 EAST CAPITOL AVENUE SUITE 410 LITTLE ROCK, AR 72201-3823

August 16, 2023

Mr. Thomas Burns Arkansas Division of Correction 6814 Princeton Pike Pine Bluff, Arkansas 71602 (via email)

RE: *Edward White v. Arkansas Division of Correction* Claim No. 230811

Dear Mr. Burns,

Enclosed please find a copy of the above-styled claim filed against the Arkansas Division of Correction. Pursuant to the Arkansas Rules of Civil Procedure, as well as Claims Commission Rule 2.2, you have **thirty days from the date of service** in which to file a responsive pleading.

Your responsive pleading should include your agency number, fund code, appropriation code, and activity/section/unit/element that this claim should be charged against, if liability is admitted, or if the Claims Commission approves this claim for payment. This information is necessary even if your agency denies liability.

Sincerely,

Mika Tucker

ES: cmcdaniel

cc: Edward White (ADC), *Claimant* (w/ encl.) Bilenda Harris-Ritter, *counsel for Ark. Dept. of Corrections* (w/encl.) (via email)

<u>Note to Claimant or Claimant's counsel</u>: The Claims Commission copied you on this correspondence to provide you with confirmation that your claim has been processed and served upon the respondent agency.

From:	Thomas Burns (DOC)
То:	ASCC Pleadings
Subject:	Edward White v ADC 230811
Date:	Friday, August 18, 2023 9:36:19 AM
Attachments:	0500 J.pdf
	image

Answer

Thank you, -TB

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Confidentiality Notice: This e-mail message and any attachments is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is for the intended recipient only. If an addressing or transmission error has misdirected this e-mail, please notify the author by replying to it. If you are not the intended recipient you may not use, disclose, distribute, copy, print or rely on this email.

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

NO. 230811

EDWARD WHITE (1

v.

ARKANSAS DEPARTMENT OF CORRECTIONS DIVISION OF CORRECTION

RESPONDENT

CLAIMANT

ANSWER TO COMPLAINT

COMES NOW the Respondent, Arkansas Department of Corrections, 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,

Thomas Burns (02006) Legal Support Unit Division of Correction 6814 Princeton Pike Pine Bluff, AR 71602-9411 (870) 267-6845 Office (870) 267-6373 Facsimile thomas.burns@arkansas.gov

CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been served this 18th day of August 2023 on the Claimant by placing a copy of the same in the U. S. Mail, regular postage, to:

Edward White (

Thomas Burns 1

From:	Misty Scott on behalf of ASCC Pleadings
То:	Thomas Burns (DOC)
Cc:	ASCC Pleadings; Mika Tucker
Subject:	CORR: Edward White v. ADC, Claim No. 230811
Date:	Wednesday, September 6, 2023 2:46:00 PM
Attachments:	Edward

Thomas:

Please see attached. Contact Mika Tucker with any questions.

Thank you,

Místy

Misty Scott Arkansas State Claims Commission

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619 FAX (501) 682-2823



KATHRYN IRBY DIRECTOR

101 EAST CAPITOL AVENUE SUITE 410 LITTLE ROCK, ARKANSAS 72201-3823

September 6, 2023

Mr. Edward White (ADC

RE: *Edward White v. Arkansas Division of Correction* Claim No. 230811

Dear Mr. White,

Please be advised that the Arkansas Division of Correction (the "Respondent") in the above-styled claim filed an Answer disputing liability. When liability is contested by the Respondent, you have two options:

- 1) You may request a hearing before the Arkansas State Claims Commission (the "Claims Commission") in writing within fifteen (15) calendar days from the date of this correspondence.
- 2) You may do nothing. If this office does not receive any communication from you <u>within fifteen (15) calendar days from the date of this correspondence</u>, your claim <u>will be dismissed</u> by the Claims Commission for failure to respond.

Please note that even if you request a hearing on your claim, the filing of a dispositive motion (such as a Motion to Dismiss or a Motion for Summary Judgment) by the Respondent could result in dismissal of your claim before hearing. The failure of a party to file a <u>timely</u> response is sufficient basis for the granting of a motion by the Claims Commission.

It is your responsibility to know when responses are due to any motions or other pleadings filed in your claim. It is also your responsibility to notify both the Claims Commission and the Respondent if you have a change in mailing address.

Sincerely,

Mika Tucker

ES: msscott

cc: Thomas Burns, counsel for Respondent (via email)

From:	Misty Scott on behalf of ASCC Pleadings
То:	Thomas Burns (DOC)
Cc:	ASCC Pleadings; Mika Tucker
Subject:	ORDER: Edward White v. ADC, Claim No. 230811
Date:	Thursday, October 19, 2023 3:39:00 PM
Attachments:	Edward Thing the DC3.pdf
	Edward

Thomas:

Please see attached. Contact Mika Tucker with any questions.

Thank you,

Místy

Misty Scott Arkansas State Claims Commission

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

EDWARD WHITE (ADC

V.

CLAIM NO. 230811

ARKANSAS DIVISION OF CORRECTION

RESPONDENT

CLAIMANT

ORDER

Now before the Arkansas State Claims Commission (the "Commission") is the claim filed by Edward White (the "Claimant") against Arkansas Division of Correction (the "Respondent").

Respondent filed an answer denying liability.

The Commission sent correspondence to Claimant on September 6, 2023, advising that Respondent recommended that the claim be denied. In that correspondence, Claimant was given fifteen (15) calendar days to request a hearing and advised that if Claimant did not do so within the specified time frame, Claimant's claim would be dismissed for failure to respond. To date, Claimant has not responded to the Commission's September 6, 2023, correspondence.

As such, the Commission hereby unanimously DENIES and DISMISSES this claim WITHOUT PREJUDICE for Claimant's failure to prosecute the claim. IT IS SO ORDERED.

Servy C. Kinslow

ARKANSAS STATE CLAIMS COMMISSION Henry Kinslow

Paul Morrin

ARKANSAS STATE CLAIMS COMMISSION Paul Morris, Chair

filte That

ARKANSAS STATE CLAIMS COMMISSION Sylvester Smith

DATE: October 19, 2023

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). <u>Note</u>: 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).

0	TO: ARKansas State Claims Com	mission
	FROM: Edward White # Claim NO # 230811	Arkansas State Claims Commission
	Claim No 12 a 30 Bh	OCT 262023
	Date: 10123123	RECEIVED
	RE: Motion for Reconsideration	S
	Dear Commission I just recieved A Letter f	from
	I just recieved A Letter ! you dated 10-19-23 regarding m in which the commission has	y claim
	dismissed my claim.	
•	I come to you requesting a reco ask that this commission please a hearing in this matter due following.	to the
	1. I was totally unaware of Ann dated 9-10-23 from the Commission that I had (15) days TO request last letter that I reviewed from clated 8-16-23. This perhaps was case of misunderstanding Therest OISK the commission to grant m and allow me TO proceed with m	just a simple or I hereby he a reconsidered
0	also ask that if this motion ask that the commission was set this matter for a hear Th	13 granted I 12 please
		iun n you.
1		

From:	Misty Scott on behalf of ASCC Pleadings
То:	Tawnie Rowell (DOC)
Cc:	ASCC Pleadings; Mika Tucker
Subject:	ORDER: Edward White v. ADC, Claim No. 230811
Date:	Friday, June 21, 2024 12:53:00 PM
Attachments:	Edward
	Edward

Ms. Rowell:

Please see attached. Contact Mika Tucker with any questions.

Thank you,

Místy

Misty Scott Arkansas State Claims Commission

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619 FAX (501) 682-2823



KATHRYN IRBY DIRECTOR

101 EAST CAPITOL AVENUE SUITE 410 LITTLE ROCK, ARKANSAS 72201-3823

June 21, 2024

Mr. Edward White (ADC

Ms. Tawnie Rowell Arkansas Division of Correction 1302 Pike Avenue, Suite C North Little Rock, Arkansas 72114 (via email)

Re: *Edward White v. Arkansas Division of Correction* Claim No. 230811

Dear Mr. White and Ms. Rowell:

Enclosed please find an Order entered on June 14, 2024, by the Arkansas State Claims Commission. If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: msscott

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

EDWARD WHITE (ADC)

CLAIMANT

V.

CLAIM NO. 230811

ARKANSAS DIVISION OF CORRECTION

RESPONDENT

ORDER ON CLAIMANT'S MOTION FOR RECONSIDERATION

Now before the Arkansas State Claims Commission (the "Commission") is a motion filed by Edward White (the "Claimant") for reconsideration of the Commission's October 19, 2023, order dismissing Claimant's claim against the Arkansas Division of Correction (the "Respondent"). Based upon a review of the motion, the arguments made therein, and the law of Arkansas, the Commission hereby finds as follows:

- 1. Claimant filed his claim on July 13, 2023.
- 2. Respondent filed an answer denying liability.

3. The Commission sent correspondence to Claimant on September 6, 2023, advising that Respondent recommended that the claim be denied and giving Claimant fifteen (15) calendar days to request a hearing. In that correspondence, the Commission also advised Claimant that, if the Commission did not receive any communication from Claimant within the specified time frame, Claimant's claim would be dismissed for failure to respond.

4. The Commission entered an order on October 19, 2023, dismissing Claimant's claim for failure to prosecute because Claimant did not respond to the correspondence.

5. Claimant then filed the instant motion for reconsideration, arguing, *inter alia*, that he did not receive the Commission's September 6, 2023, correspondence.

6. The Commission notes that its September 6, 2023, correspondence and October 19,

2023, order were mailed to Claimant at the address provided on his claim form.

7. Respondent did not respond to the motion for reconsideration.

8. Claimant's motion for reconsideration is DENIED, and the Commission's November 8, 2023, order remains in effect. Claimant may refile his claim as permitted by Arkansas law.

IT IS SO ORDERED.

Solow Gunes

ARKANSAS STATE CLAIMS COMMISSION Solomon Graves

Jenica De Halcand

ARKANSAS STATE CLAIMS COMMISSION Dee Holcomb

Gerry C. Kinslow

ARKANSAS STATE CLAIMS COMMISSION Henry Kinslow, Chair

DATE: June 14, 2024

Notice(s) which may apply to your claim

- (1) A party has forty (40) days from transmission 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 transmission 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). <u>Note</u>: 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).

To: General Assembly FROM' Edward JErome White # CLAIM NO 230811 Arkansas State Claims Commission JUN 2 7 2024 DATE: 4-24-24 RECEIVED RE: Appealing Claims Commission Decision. TO whom this may concern I'm writing you appealing the final decision of the Claims commission whom recently denied my request for reconsideration. IN A previous letter to the Claims committee I advised them that I would like them to reconsider my Claim because I did not recive the alledge correspondence requesting A hearing some how that letter never arrived here at the corrections facility that I'm haused. Due TO The disappearance of that letter I never was advised of the actions

F 1

of the Claims Commission NOR was I aware of my right TO frame of (15) days. I quickly notified the claims commission of the matter and thus Fax requested AN immediate hearing to pursue my claim but was denied despite my request TO the commission TO proseculte the matter. I feel that the commission decision TO deny my Claim was very bias ashell as unethical. After A further review of the present board members I Assigned to the board I Notice that one of the Commissions member WAS Must recently Employeed by the Division of Corrections As it's Secreti Mr. Solomon Graves who is currently Assigned to the Claims Commission should have rescued himself from Anything involving this CASE due

F 1

F 1 TO AN CONFLICT of interest due TO his personal friendship with MANY of the defendants involved in my Claim In Also Advising the Assembly that I fear that my mail is being TAmpered with by This FACILity personnel in A ATTEMPT To disquality my claim from being processed I hereby states that I'm seeking your reversal of the Claim commission decision to deny me And I ASK the you'll grant me the oppurtunity TO present my Case AT A hearing. I would TRuly Appreciate your Time and concern in this matter I wa also appreciate your prompt response TOward my request. Thank you. Respectfully Submitted dward Whi

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