

MAR 30 2015

Please print in ink or type

Claim 1 exhibits: 1-19
Claim 2 exhibits: 20-59

E2.

RECEIVED

BEFORE THE STATE CLAIMS COMMISSION
Of the State of Arkansas

1 of 5

☒ Mr.
☐ Mrs.
☐ Ms.
☐ Miss

Deverick Scott #131042 Claimant

vs.

State of Arkansas, Respondent
Dept. of Correction

COMPLAINT

Deverick Scott #131042

the above named Claimant, of P.O. Box 600, Grady, AR 71644

N/A

(State) (Zip Code) (Daytime Phone No.)

County of Lincoln

represented by Rose

(Legal Counsel, if any, for Claim)

of N/A

(Street and No.)

(City)

(State)

(Zip Code)

(Phone No.)

(Fax No.)

says:

State agency involved:

Arkansas Department of Correction

Amount sought: Claim 1: \$3,000.00 Claim 2: \$3,000.00

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

March 2012 - April 2012

Explanation:

Claim 1: On April 25, 2012, the conduct of Lt. Lane to retaliate on claimant Scott for past infractions... he work on him to act maliciously, sadistically... he called a dispositive for AOC policy and procedures, and negligence to "intentionally" put two negative reports in computer to cause incident and AOC rule violation to cause plaintiff suffer "2" positive suspensions punishment of (30 days suspension) for same offense. The first disciplinary he type in computer, he stated incident happen at 3:05 pm charged by Sgt. Michael Douglas on 4/25/12 he typed in computer at 4:55 pm for 12-1, 2-5 AOC violation for 4/25/12 3:05pm incident. Then he intentionally 5 mins later put some disciplinary on computer again but state time 5:00 pm violation date and added 12-1 rule violation to 2-5, 1-2 to make it look like its two different disciplinary for two different incidents. But in body of disciplinary he state its 4/25/12 3:05pm incident thus Lt. Lane requires violation AOC 08-87 under Disciplinary manual which states: A inmate can only be charged one violation for a given behavior. Claimant told disciplinary judge other minor at disciplinary court who stated she dont know disciplinary but asked if he require of minor, minor to have knowledge and find plaintiff to serve 10 day positive violation in disciplinary hearing 5 mins apart for same rule violation incident by same officer violated AOC 08-87

Next Page

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?

N/A; when? N/A

; to whom? N/A

(Yes or No)

(Month)

(Day)

(Year)

(Department)

: and that the following action was taken thereon:

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:

(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 they are true.

Deverick Scott #131042
(Print Claimant/Representative Name)

Deverick Scott #131042
(Signature of Claimant/Representative)

SWORN TO and subscribed before me at

Tulsa

Ar

(City)

(State)

(SEAL)

on this 3 day of

March

2015

(Date)

(Month)

(Year)

(Notary Public)

My Commission Expires:

12

(Month)

26

(Day)

2015

(Year)



SF1- R7/99

inmate Disciplinary manual, AD#11-51 inmate Disciplinary manual. Under Burl also denied appeal.

Claimant appeal Disciplinary decision to Raymond Naylor, Ray Hobbs who both denied plaintiff appeal.

Note: plaintiff file §1983 on violation of 8th, 14th Amendment due process rights ^{violation} by Sgt. Lockhart, Lt. Lane, Burl, Payne, Naylor, minor, Hobbs. It took §1983 complaint for Defendants to correct mistake and overturn ^{one} claimant Yashiz Disciplinary by Sgt. Lockhart once he admitted he didn't write both of them. (see exhibit: 16 interrogatory question 15, and answer) But claimant had already serve the double jeopardy to 30 day sentence of punitive isolation. (see exhibit: 11) Defendant Payne acknowledging Sgt. Lockhart told him he only wrote claimant Scott one disciplinary.

(see exhibit: 12 shows respondent minor admit to being bias and impartial decision maker violating AD#08-82, AD#11-51 inmate Disciplinary manual. respondent minor admit all she's need is F-I report sign by officer where he affirms that the report is true.

(see exhibit: 13 where respondent minor admits she doesn't investigate all disciplinaries before she finds a inmate guilty or not guilty. Interrogatory question and answer #4.

(see exhibit: 4: respondent Lane typed second false disciplinary in computer at 5:00 pm by Sgt. Lockhart.

(see exhibit: 7: respondent typed first disciplinary in at 4:55 pm.

Thus making ADC liable for Key officers respondents Lt. Lane, Sgt. Lockhart, Mrs. Minor, Darryl Burl, Under, Payne, Raymond Naylor, Ray Hobbs negligence, and violation of Ark. state law policy and procedure AD#08-87 or 82 inmate disciplinary manual, AD#11-51 inmate Discip. 2

Manual, AD#12-24 punitive segregation, AD#1 inmate grievance procedures, Art#225 Employee Conduct Standards And Ark. Const. Art. 2 § 3 malice or reckless indifference to Fed. Law. pursuant to rule 1(a) Ark. R. Civ. P. For claimant pain & suffering of spending 30 days in isolation punitive for a falsified disciplinary written by an officer who later admitted he didn't write it. This claim is not on due process violations. It is on violation of ADs, ARs which cause claimant to suffer 30 days of isolation punitive. Thus ARC is liable for Bur, Mac negligence when claimant exhausted his remedies in grievance procedure & disciplinary appeal to investigate in they supervisor duties & take correction action. relief sought \$3000 \$100 a day he spent in punitive segregation

sworn to and subscribe to before me at city state
on this 18th day of March month year

Barbara C. Montgomery
notary public

my commission expires 9/17/2017

Derech Ltd #131042
sole attorney at Law
~~proceeds~~ 2501 State Fair Rd
Tucker AL 37168

1

STATE OF ARKANSAS

800-4

COUNTY OF _____

)
) §
)

AFFIDAVIT

I, Devinick Scott #131042

, after first being duly sworn, do hereby swear, depose

and state that: That I was found guilty on 4/25/12 by Sgt Lockhart
on two disciplinarys by same person for same indirect
rule infractions but time differently violating AR#
08-87 inmate disciplinary manual stating that it's against
ARC policy to be found guilty for same rule violation
within 30 mos

I further swear that the statements, matters and things contained herein are true and accurate to
the best of my knowledge, information and belief.

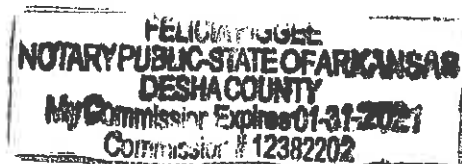
8/20/15
DATE

Devinick Scott #131042
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this 19 day of
February, 2015.

Felicia Pagan
NOTARY PUBLIC

My Commission Expires: 01-31-2021



I request Internal Affairs Investigation 0-14 polygraph test

(2)

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center E.A.R.U.

Name Derek Scott

GRIEVANCE/RECEIVED

FOR OFFICE USE ONLY
GRV. # EAM 12 02123
Date Received: 5/7/2012
GRV. Code #: 400

ADC# 131042 Brks # 184-4 cen Job Assignment MAY 07 2012

5/6/12 (Date) STEP ONE: Informal Resolution

EAST AR REGIONAL UNIT

5/7/12 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: a officer went in computer wrote me a disciplinary in another officer name.

(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 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? 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):

The conduct of Warden Payne, Sgt. Lockheart, Lt. Lane violates AD#00-10 Employee Conduct Standards section 2. b. section 13.A, 13.b, 13.C, 18.b. On Monday 4/30/12 I receive a disciplinary from officer Lockheart date & time 5:00pm with 3 charges on it. On Wed. 5/2/12 I receive another disciplinary from Sgt. Lockheart date & time 3:05pm with 2 charges on it. On Fri. when I was going to disciplinary court on 5/4/12 Sgt. Lockheart said he only wrote one. The one dated 5:00pm. Both disciplinary signed by in body of disciplinary by Lt. Stephen Lane. I honestly check my response I receive from ADC phone call supervisor Barbara Williams on 4/27/12 on paper it says falsifying a disciplinary on 4/27/12 at approx 8:15 they find out he falsified document so they just threw it out and not punish him by violating AD#00-10 18.b falsification of any verbal or written statement purvising to discharge. I tried to tell Warden Payne he heard what I was saying and told them to take me to my cell and say I receive disciplinary court to cover up for his officers. I request investigation

Derek Scott
Inmate Signature

5/6/12
Date

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 5-7-12 (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:

Sgt Daniel 7408 Sgt Daniel
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature

5-7-12
Date Received

Describe action taken to resolve complaint, including dates:

WV answer

Sgt Daniel
Staff Signature & Date Returned

Sgt Daniel 5/7/12
Inmate Signature & Date Received

This form was received on 5-7-12 (date), pursuant to Step Two. Is it an Emergency? (Yes or No).

Staff Who Received Step Two Grievance: Sgt Daniel Date: 5-7-12

Action Taken: (Forwarded to Grievance Officer/Warden/Other) Date: 5-7-12

If forwarded, provide name of person receiving this form: ms colv Date: 5-7-12

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

5

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center 842.4Name Danesh LottADCS 171072Brks # 17-25 cell

Job Assignment _____

FOR OFFICE USE ONLY

GRV. # _____

Date Received: _____

GRV. Code #: _____

4/30/12 (Date) STEP ONE: Informal Resolution5/7/12 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)If the issue was not resolved during Step One, state why: Pine Bluff is violatingour due process right to due process disciplinary hearing.

(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 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? _____ 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): The last 2 chapters I receiveI told the notification officer there to put camera down for a
witness and he said Internal Affairs called him and told him we can't
put camera down. Now if they did that they violating our 14th Amendment
due process right to a due process hearing where we can get
witness to prove our innocence. But if they didn't tell him that
he falsified a verbal statement and shows him does the occupied
ADCS officer is trying to cover up those officers' assault on me,
and poss falsified his statement. This abuse of authority is punish by
discharge if Internal Affairs didn't call him and say that for all the
months beside me he told that to.I request 079 polygraph testDanesh Lott

Inmate Signature

4/30/12

Date

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 5-2-12 (date), and determined to be **Step One** and/or an Emergency Grievance (Yes) (Yes or No). This form was forwarded to medical or mental health? (No) (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____SGT Foreman7256Sgt Foreman5-2-12

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number

Staff Signature

Date Received

Describe action taken to resolve complaint, including dates: Inmate Scott on 5-3-12 I spoke with
officer Thura and put your complaint he states that he explained this to you. This came
down from Pine Bluff and it states that you will not be allowed to put down the
camera as a witnessSgt Foreman5-7-12Danesh Lott 5/7/12

Staff Signature & Date Returned

Inmate 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: _____

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

Date: _____

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

Name: Scott, Derrick
ISSN: 0015

ADC # 1310420 ISO # 015240
Tuesday, 04/25/2012 09:27:35 AM

Disciplinary Violation

Violation Date*: 04/25/2012
Version*: 4 (08/01/2008)
Facility*: East Aft Regional Max Det 1 (02)
Location within Facility*: Living Area
Charged by Staff*: Lockhart, Douglas D
Received Date*: 05/02/2012
Received by Staff*: Lane, Stephen S
Injuries to Staff*: 0
Inmates*: 0
Visitors*: 0
Weapon Involved:
Incident Report #: 2012-041214

Violation Type*: Major
Time*: 05:00:26 PM

STG Involved:

Code

- 02-15
- 01-2
- 12-1

3 by Lane

Code Violation

- Tampering W/O Blockade Lock
- Taking Over Part Physical Rest
- Failure To Obey Order Of Staff

Notice of Charge

On April 25, 2012, at approximately 3:05 pm, I Sgt. D. Lockhart isolation supervisor was attempting to place inmate D. Scott ADC#131042 back into Iso-29 cell zone1, after the cell was shok down. After taking the restraints off the inmate legs, I began to remove the cuffs. When I opened one cuff, inmate Scott grabbed the other cuff, that was still on his wrist. I gave inmate a direct order to release the cuff so that it could be removed. Inmate Scott did not comply stating "yo are going to have to get somebody down here cause I ain't giving up this cuff. I then radioed for the shift supervisor, Lt. S. Lane. When Lt. Lane arrived, he gave inmate Scott a direct order to release the cuff so that it could be removed. Inmate Scott did comply without further incident. Inmate Scott has been placed on behavior control. The actions of inmate Scott are a direct violation of ADC and unit policy. Therefore, I am charging inmate Scott #131042 with rule violation 12-1, 2-15 and 1-2 pending disciplinary court review. End of statement.
TimeStamp: 25 April 2012 17:03:08 --- User: Stephen Lane (LANSTU1)

CSO Staff*: Kerley, Clarence C

Review Date*: 04/27/2012

Action*: Refer to Hearing Officer/Comm.

Entered with the wrong date

None

Inmate Notified by Staff*: Thorne, Ricky D Jr

Inmate Notified Date*: 05/02/2012

Time*: 02:00:00 PM

Extension Granted as of Date

Time:

Hearing Date: 01/15/2013
 Start Time: 01:15:00 PM
 End Time: 01:15:00 PM
 Hearing Room: Main
 Judge: Judge
 Meter From: Meter
 2nd Table: 5th
 Meter From: Meter
 Facility: East AP Region Unit (100)
 Hearing Officer: Minor, Justice M
 Disposition: Guilty
 Counsel Substitute Name:

Attendance Waived

Code Violation	Plea	Verdict
Tampering With Blocking Lock	Not Guilty	Not Guilty
Taking Over Part Physical Plant	Not Guilty	Not Guilty
Failure To Obey Order Of Staff	Not Guilty	Guilty

Punishment Sanctions

Reprimand		Date:	Time:
Impose Suspended Sanctions for Disciplinary Rule Violation on:			
Restriction Days to Serve:			
Commissary:	0	Days	0
		Suspended:	0
Mail:	0	Days	0
		Suspended:	0
Phone:	0	Days	0
		Suspended:	0
Visitation:	0	Days	0
		Suspended:	0
Recreation:	0	Days	0
		Suspended:	0
Punitive Isolation Days to Serve:	30	Days	0
		Suspended:	0
How Served:	Consecutive		
Extra Duty Hours Assigned:	0	Hours	0
		Suspended:	0
GT Class Reduced to:	Class IV	Class	
		Suspended:	
GT Days Forfeited:	0	Days	0
		Suspended:	0
Restitution Award:	0.00	Dollars	0.00
		Suspended:	0.00
Suspended Sanctions Duration (in Days):	0	Days	
Days available to be Taken on MR:		on PF/TF	



The inmate is being held in the custody of the State of Texas.

On 05/04/2012, staff supporting the inmate, [Name], were notified that the inmate was being held in the custody of the State of Texas.

The inmate is being held in the custody of the State of Texas.

Staff report is accepted.

The inmate is being held in the custody of the State of Texas.

Inmate must learn to obey all orders given by staff.

DR Status: Finalized As of Date: 05/04/2012 Status History

Appealed to Warden Date:	Outcome: N/A	Date:
Appealed to H/O Admin. Date:	Outcome: N/A	Date:
Appealed to Director Date:	Outcome: N/A	Date:

Return To Prior Status

Prepare To Fix Non-Sanctions Data

Print this Screen

Prior Page

Show Last Unsaved Information

Name: Scott, Devenick D

ADC #: 1310426 PID #: 0152426

ISS#0018

Disciplinary Violation

Tuesday May 15, 2012 04:55:00 PM

Violation Date: 04/25/2012
 Version: 1 1948 Incident
 Facility: East AR Regional Max Unit 021
 Location within Facility: Living Area
 Charged by Staff: Lockhart, Douglas S
 Received Date: 04/25/2012
 Received By Staff: Security, Security
 # Injuries to: Staff: 0
 Inmates: 0
 Visitors: 0
 Weapon Involved:
 Incident Report #:

Time: 04:55:00 PM

Violation Type: Major
 Time: 04:55:00 PM

Code

12-1

02-15

2 by Lockhart

Failure To Obey Order Of Staff
 Tampering With Restraints

Code Violation

Notice of Charge

On April 25, 2012, at approximately 3:05 pm, I Sgt. D Lockhart (isolation supervisor) was attempting to place inmate D. Scott ADC#131042 back into 180-29 cell zone 1, after the cell was shock down. After taking the restraints off the inmate legs, I began to remove the cuffs. When I opened one cuff, inmate Scott grabbed the other cuff, that was still on his wrist. I gave inmate a direct order to release the cuff so that it could be removed. Inmate Scott did not comply stating "yo are going to have to get somebody down here cause I ain't giving up this cuff. I then radioed for the shift supervisor, Lt. S. Lane. When Lt. Lane arrived, he gave inmate Scott a direct order to release the cuff so that it could be removed. Inmate Scott did comply without further incident. Inmate Scott has been placed on behavior control. The actions of inmate Scott are a direct violation of ADC and unit policy. Therefore, I am charging inmate Scott #131042 with rule violation 12-1, 2-15 and 2-2 pending disciplinary court review. End of statement.
 TimeStamp: 25 April 2012 17:03:08 --- User: Stephen Lane (FANSID1)

CSO Staff: Kelley, Clarence O

Review Date: 04/27/2012

Action: Refer to Hearing Officer/Comm

Witness Staff:

None

Col. Graham
 Cpl. Birdwell
 Cpl. Jones
 Lt. Lane

Inmate Notified by Staff: Fleming, Ricky D

Inmate Notified Date: 05/02/2012

Time: 07:00:00 AM

Extension Granted as of Date:

Time:

USDOJ - Disciplinary

Page 2 of 2

Hearing Date: 03/04/2013
 Start Time: 01:00 PM
 End Time: 01:00 PM
 Recorder: Maria, Justice M
 Case #:
 Meter From:
 2nd Type #:
 Meter From:
 Facility: East AR Regional Unit (LO1)
 Hearing Officer: Maria, Justice M
 Disposition: Guilty
 Counsel Substitute Name:

Printed: 03/04/2013

Attendance Waived

Case Description:

Inmate was waived due to he refuse to obey staff orders out side in the hall were he was being held waiting for court

Code Violation	Plea	Verdict
Failure To Obey Order Of Staff	Not Guilty	Guilty
Tampering W/Or Blocking Lock	Not Guilty	Guilty

Punishment Sanctions

Reprimand		Date:	Time:
Impose Suspended Sanctions for Disciplinary Rule Violation on:			
Restriction Days to Serve:			
Commissary:	0	Days Suspended:	0
Mail:	0	Days Suspended:	0
Phone:	0	Days Suspended:	0
Visitation:	0	Days Suspended:	0
Recreation:	0	Days Suspended:	0
Positive Isolation Days to Serve:	15	Days Suspended:	0
How Served: Consecutive			
Extra Duty Hours Assigned:	0	Hours Suspended:	0
GT Class Reduced to:	Class IV	Class Suspended:	



Internal

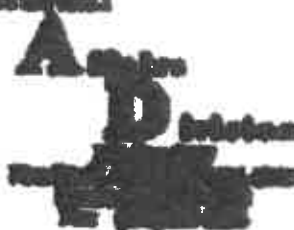


Exhibit 1000

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MEMORANDUM

TO: James D. Scott, ADC (00000), Exec. Arkansas England Unit
FROM: [Signature] Regional Prison, Disciplinary Hearing Administrator
RE: Major Disciplinary Appeal
DATE: January 04, 2013

Please be advised I am reversing the decision of the major disciplinary hearing officer on a disciplinary punishment on 00000000 at 1:00 PM by Mr. B. Lockhart.

RE:

cc: [Signature] Vice President
[Signature] Vice President
[Signature] Vice President

Case 2:12-cv-00190-SWW-BD Document 21-1 Filed 01/04/13 Page 5 of 11

RESPONSE TO INTERROGATORY NO. 5: This depends on the inmate's behavior. It takes a minimum of 60 days from the date of an inmate's last Major Disciplinary action to obtain class.

INTERROGATORY NO. 6: What does the inmate go through for punishment exactly if they found 30 days guilty of isolation punitive?

RESPONSE TO INTERROGATORY NO. 6: On punitive, an inmate is not allowed visitation, commissary, or phone privileges.

INTERROGATORY NO. 7: Did Sgt. Lockhart tell you he only wrote Plaintiff Scott one disciplinary. ✓

RESPONSE TO INTERROGATORY NO. 7: No, not until recently. ✓

INTERROGATORY NO. 8: On June 11, 2012, you wrote inmate Scott a letter about a letter he sent to Director Larry Moe could you explain the contents inmate Scott letter was about?

RESPONSE TO INTERROGATORY NO. 8: I do not have the letter.

INTERROGATORY NO. 9: If a inmate writes you & the Director Larry Moe a letter personally, write grievance, file disciplinary appeal to correct the wrong done to him & he still no corrected what other step do the inmate have to get his allegations investigated and correct?

RESPONSE TO INTERROGATORY NO. 9: The inmate can contact Warden Reed.

INTERROGATORY NO. 10: On 5/4/12 when you had inmate Scott returned back to his cell and told Lt. Lane, Sgt. Lockhart, Sgt. Hughes to _____ his disciplinary count was inmate Scott telling you then & during you both disciplinary's he receive from Sgt. Lockhart, to get you to correct it before he went in disciplinary hearing?)

RESPONSE TO INTERROGATORY NO. 10: No. Inmate Scott was yelling cursing, and disrupting the operations of the unit with his behavior.

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(12)

INTERROGATORY NO. 17: Did you question Officer Birdell what actually happen on 4/25/12 between inmate Scott & Defendant Lane and why his 005 report wasn't turned in?

RESPONSE TO INTERROGATORY NO. 17: No.

INTERROGATORY NO. 18: Identify and attach a copy of AR #225 Employee Conduct Standards?

RESPONSE TO INTERROGATORY NO. 18: This is not a proper interrogatory. Further, Defendant objects to this request, as inmates are not allowed to have a copy of Administrative Regulation 225, Employee Conduct Standards for security reasons. Inmates are not involved in disciplinary matters regarding staff, therefore there is no need for an inmate to possess this policy.

DEFENDANT MEMOR

INTERROGATORY NO. 1: What is an impartial decision maker?

RESPONSE TO INTERROGATORY NO. 1: One that had no direct involvement or interest and not favoring one more than the other.

INTERROGATORY NO. 2: What is being a bias disciplinary judge?

RESPONSE TO INTERROGATORY NO. 2: Unbiasedness of something.

INTERROGATORY NO. 3: If all you have at a disciplinary hearing to judge a inmate is a disciplinary and a 005 form from the charging officer what is the evidence you use to find an inmate guilty or not guilty if you not asking officer what he's doing?

RESPONSE TO INTERROGATORY NO. 3: The F-1 report from the charging officer is enough being that the F-1 report once signed by the charging officer is a legal report where he affirms that the report is true.

should state and bias

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INTERROGATORY NO. 4:

Do you investigate all discipline before you find an inmate guilty or not guilty?

RESPONSE TO INTERROGATORY NO. 4: No.

INTERROGATORY NO. 5:

Do you find if an officer in order of state acted maliciously or intentionally to violate an inmate constitution right they should be punished?

RESPONSE TO INTERROGATORY NO. 5:

Objection. This interrogatory calls for a legal conclusion. Without waiving said objection, if this is found to be true, some form of disciplinary action should be taken.

INTERROGATORY NO. 6:

On 5/4/12 at 1:13 p.m. you found inmate Scott guilty on a disciplinary written on 4/25/12 at 5:00 p.m., could you describe the evidence you investigated to find inmate Scott guilty?

RESPONSE TO INTERROGATORY NO. 6: I do not recall a disciplinary for said

time.

INTERROGATORY NO. 7:

The disciplinary on 4/25/12 at 5:00 p.m. in body of disciplinary say it happened at 3:45 p.m. So how could he be found guilty?

RESPONSE TO INTERROGATORY NO. 7: I do not recall said disciplinary time.

INTERROGATORY NO. 8:

Do you know that AD 66-67 inmate disciplinary manual states you only be charged one violation for a given behavior?

RESPONSE TO INTERROGATORY 8: Yes.

INTERROGATORY NO. 9:

If an inmate found guilty on two disciplinary for something at same time would you consider that double jeopardy?

RESPONSE TO INTERROGATORY 9: It depends on the evidence I have.

14

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
HELENA DIVISION

DEVERICK SCOTT, ADC #131042

PLAINTIFF

v.

NO. 2:12CV190 SWW/BD

RAY HOBBS, ET AL.

DEFENDANTS

**DEFENDANT DOUGLAS LOCKHART'S ANSWERS TO
PLAINTIFF'S FIRST INTERROGATORIES**

Comes now Defendant Douglas Lockhart, by and through his attorneys, Attorney General Dustin McDaniel and Assistant Attorney General Christine A. Cryer, and for his Responses to Plaintiff's Request for Admissions to Defendants, states as follows:

INTERROGATORY NO. 1: On 4/25/12 at approx. 2:30 pm could you explain why you, Defendant Birdswell, Jones, and Graham shook plaintiff down?

ANSWER NO. 1: Inmate Scott claimed that he had some property missing and I was told by Lt. Lane to have Inmate Scott's property searched to make sure that what he said was true.

INTERROGATORY NO. 2: During the shakedown plaintiff asked you, why you'll was shaking him down, could you explain your answer?

ANSWER NO. 2: I cannot respond to this Interrogatory as it is directed to Cpl. C. Jones.

INTERROGATORY NO. 3: During the shakedown, can you recall Defendant Jones stating "this what happens when you write grievances now you no what to expect?"

ANSWER NO. 3: I do not recall Cpl. Jones making that statement.

CONFIDENTIAL

17

15

INTERROGATORY NO. 4: Did Lt. Etherly tell Defendant Jones take everything out plaintiff Scott cell and they inventory it in his office?

ANSWER NO. 4: Yes.

INTERROGATORY NO. 5: Was all this before Defendant show up?

ANSWER NO. 5: No. It was while Inmate Scott's property was being searched in his cell.

INTERROGATORY NO. 6: When you radioed for Defendant Lane, was plaintiff Scott acting hostile and violent, or just wanted you to call somebody to tell the officers they got to shake his property in front of him, and regardless[sic] they can't take his legal mails and hygiene?

ANSWER NO. 6: Inmate Scott became hostile after he was placed back in the cell and refused to have the restraints removed from his wrist by covering up the key hole over the restraints.

INTERROGATORY NO. 7: During the incident plaintiff Scott pull his arm back in gate holding cuffs was you and him wrestling over cuffs before Defendant Lane show up?

ANSWER NO. 7: Yes. Inmate Scott refused to have the restraints removed and was pulling the restraints into the cell.

INTERROGATORY NO. 8: When Defendant Lane show up did he have knowledge that one of plaintiff Scott wrist was in cuffs?

ANSWER NO. 8: Yes, Lt. Lane was advised that Inmate Scott was refusing to have the restraints removed and was trying to pull them into the cell.

INTERROGATORY NO. 9: Did Defendant Lane and Plaintiff Scott get to wrestling over handcuffs?

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ANSWER NO. 9: I do not recall Lt. Lane wrestling with Inmate Scott over the cuffs.

INTERROGATORY NO. 10: Did search and seizure team arrived and Defendant Lane handed them handcuffs, and pull out his mace?

ANSWER NO. 10: I do not recall Lt. Lane giving handcuffs to anyone or pulling out his mace.

INTERROGATORY NO. 11: Did you tell Defendant Birdwell don't worry about writing a 005 form of incident?

ANSWER NO. 11: No.

INTERROGATORY NO. 12: What did you write on 005 form of incident?

ANSWER NO. 12: See Response to Request for Production No. 1 of Defendants' Responses to Requests for Production of Documents submitted to Plaintiff on December 28, 2012, with disciplinary violation documentation attached concerning the incident of 4/25/12.

INTERROGATORY NO. 13: During Interrogatories Defendant Lane stated plaintiff Scott was put on behavior control for holding his cuffs, is that correct?

ANSWER NO. 13: Yes.

INTERROGATORY NO. 14: What is the behavior control process?

ANSWER NO. 14: This information is contained in AD 08-82 which is available to the Plaintiff for his review in the unit's law library.

INTERROGATORY NO. 15: Did you write both disciplinaries plaintiff receive in your name?

ANSWER NO. 15: No, I only wrote one.

INTERROGATORY NO. 16: When you'll took plaintiff Scott to disciplinary court on 5/4/12 did plaintiff Scott ask you did you write both disciplinaries?

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ANSWER NO. 16: Yes.

INTERROGATORY NO. 17: Did Warden Payne tell you and Defendant Lane to waive plaintiff Scott disciplinary hearing?

ANSWER NO. 17: No.

INTERROGATORY NO. 18: Did plaintiff Scott have both disciplinaries in his hand then trying to explain to Warden Payne?

ANSWER NO. 18: I was not present when Inmate Scott was talking to Warden Payne.

INTERROGATORY NO. 19: Did you see officer Sgt. Brown Brooks present during this incident?

ANSWER NO. 19: No.

INTERROGATORY NO. 20: Did you and Defendant Lane take plaintiff Scott to his cell or disciplinary court?

ANSWER NO. 20: No.

INTERROGATORY NO. 21: Did you type plaintiff Scott disciplinaries in computer?

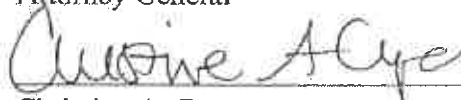
ANSWER NO. 21: No.

Respectfully submitted,

DUSTIN MCDANIEL

Attorney General

By:



Christine A. Cryer

Arkansas Bar No. 2001082

Assistant Attorney General

Attorney for ADC Defendants

323 Center Street, Suite 200

Little Rock, Arkansas 72201

Phone: (501) 683-0958

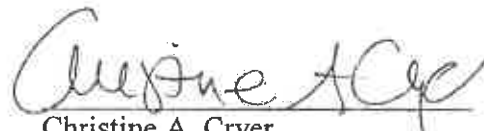
18

Fax: (501) 682-2591
christine.cryer@arkansasag.gov

CERTIFICATE OF SERVICE

I, Christine A. Cryer, hereby certify that on this 14th day of June, 2013, I mailed the document by U.S. Postal Service to the following non CM/ECF participant:

Mr. Deverick Scott, ADC # 131042
Varner Unit
P.O. Box 600
Grady, AR. 71644-0600


Christine A. Cryer



Arkansas Department of Correction

East Arkansas Regional Unit
P.O. Box 180
Batesville, Arkansas 72008
Phone: (870) 286-0700
FAX: (870) 286-0048

To: Inmate Dewrick Scott #153012
From: Deputy Warden Dexter Payne
Date: June 11, 2012
Re: Correspondence

James Harrison, CHS-0121

Inmate Scott: I have been forwarded a copy of your letter written to Chief Deputy Director Larry May. In the letter you make several allegations concerning several disciplinary reports that you have received while at the East Arkansas Regional Unit. You also ask that several things be done to remedy your complaint including: returning dues, placing money on your account, and sending you to a JED program. These requests are denied at this time. Inmate Scott: If you disagree with a disciplinary hearing you are to utilize the disciplinary appeal process per AD 11-01 (Disciplinary Manual). You cannot utilize the grievance procedure to appeal a disciplinary action. Most of these issues occurred several months ago and you have attempted to address them through the grievance procedure as you have stated in your letter. You have also asked for a transfer to the Vanner Unit. You are currently housed at the Vanner Supermax Facility. That should help you resolve that part of your complaint.

Dexter L. Payne
Deputy Warden
East Arkansas Regional Unit-MAX
Arkansas Department of Correction

APR 10 2015

RECEIVED
CLAIMANT

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

DEVERICK SCOTT (ADC 131042)

V.

NO. 15-0671-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

by: *J. S. DePist* 80038

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 9 day of April, 2014, on the Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

Deverick Scott (ADC 131042)

Maximum Security Unit

2501 State Farm Road

Tucker, AR 72168

by: *J. S. DePist*

LISA MILLS WILKINS Ark. Bar #87190

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

DEVERICK SCOTT (ADC#131042)

CLAIMANT

V.

NO. 15-0671-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

RESPONDENT'S MOTION TO DISMISS

COMES NOW the Respondent, Arkansas Department of Correction, and for its MOTION TO DISMISS, states and responds as follows:

1. In case number 13-0360-CC, Claim #7 of that Complaint, Claimant filed a complaint with the Arkansas State Claims Commission regarding this same matter. A copy of the pertinent portions of that Motion to Dismiss are attached hereto as Exhibit "A". Claimant sued for to follow procedure. The case was dismissed. Claimant has refiled the same case herein as claims 1 and 2 and seeks \$5,000.00 in damages.

2. Claimant's claims are barred by the doctrines of *res judicata* and collateral estoppels. Claimant has previously filed suit in this commission in which he raised all of the current allegations. Because the commission dismissed Claimant's case, in its entirety, Claimant cannot re-litigate his Complaint here again. For these reasons, Claimant's Complaint should be dismissed in its entirety.

3. It is well recognized that when an administrative board or commission acts judicially or quasi-judicially, its decision may be *res judicata* in a second proceeding involving the same question. *Hamilton v. Arkansas Pollution Control & Ecology Comm'n*, 333 Ark. 370, 969 S. W. 2d 653 (1998).

4. Respondent prays that this claim be dismissed on the basis of *res judicata* and collateral estoppel and failure to state a claim for relief.

WHEREFORE, for the reasons stated above and the evidence submitted, the claim should be dismissed.

Arkansas
State Claims Commission

MAY 14 2015

RECEIVED

Respectfully submitted,
Department of Correction
Office of Counsel

Lisa Mills Wilkins

LISA MILLS WILKINS Ark. Bar #87190
Attorney Supervisor
Post Office Box 8707
Pine Bluff, AR 71611
(870)267-6844 Office
(870)267-6373 Facsimile

CERTIFICATE OF SERVICE

I certify that a copy of the MOTION TO DISMISS has been served this 12 day of May, 2015, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

DEVERICK SCOTT (ADC#131042)
MSU
2501 STATE FARM ROAD
TUCKER, AR 72168

Lisa Mills Wilkins
LISA MILLS WILKINS Ark. Bar #87190

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

DEVERICK SCOTT (ADC #131042)

CLAIMANT

V.

NO. 13-0360-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

MOTION TO DISMISS

COMES NOW the Respondent, Arkansas Department of Correction, and for its Motion to Dismiss, states as follows:

CLAIM #1

1. Claimant seeks \$300.00 for failure to follow policy for allegedly leaving him on behavior control from August 17, 2011 until August 23, 2011 which was three (3) days longer than policy permitted.

2. Claimant was housed in punitive isolation during this time and was never placed on behavior control according to the Control Actions section of the eOmis electronic institutional jacket of the Claimant:

07/28/2011	02:10 PM	Punitive Isolation	15	08/13/2011	15
08/13/2011	02:10 PM	Punitive Isolation	15	08/28/2011	15
08/28/2011	02:10 PM	Punitive Isolation	30	09/28/2011	30

3. During this time, his property was taken from him and stored until August 23, 2011. The property form does note at the top 'behavior control' as the reason for confiscation of the property. See Exhibit "A".

4. However, Claimant is only allowed to have the items which were taken from him in punitive isolation 'contingent upon good security'. EARU Policy 10.02.0(1)(9).

5. Claimant's behavior was likely the result of him being denied the personal items while on punitive isolation. Of his seventy-one (71) disciplinary violations since August of 2004, only one did not include a charge of failure to obey an order of staff, indecent exposure, or assaultive or felonious behavior. His most recent charge was December 29, 2012. Just a few days prior to this incident, Claimant was sent to isolation for the following: "On August 6, 2011, Cpl. B. Holloway was assigned to E-Max D Shift Isolation 1 Control located in Zone 1. At 9:57am Cpl. Holloway was hanging keys when she observed inmate D. Scott#131042 whom is housed in Isolation 24 cell standing in the shower with his hand on his exposed penis moving his hand in a back and forward motion. Inmate D.Scott#131042 was given several direct orders to stop his actions. At that time he began threaten Cpl. B. Holloway life. Inmate D.Scott#131042 stated, "you ugly bitch I wish you would write me up I promise on everything bitch I am going to put this knife on your ass bitch, I am going to stick your ass, you want be in Isolation forever". "Since I am jacking off come stand in front of the shower and let me put this dick in your mouth, I am in here for capital murder, You need to check my shit. I don't give a damn about killing your ass. Inmate D. Scott #131042 is away making threats on staff and indecent exposure is a direct violation of adc policy. Therefore I am



Exhibit
A

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violation as a result of the sanctions that were imposed by the ADC in the proceeding. To state a case for a substantive due process violation, appellant must have shown an atypical and substantive deprivation that was a dramatic departure from the basic conditions of his confinement. *Sandin v. Conner*, 515 U.S. 472, 115 S.Ct. 2293, 132 L.Ed.2d 418 (1995). Demotion from the general population is not the sort of deprivation that qualifies as 'atypical and significant.' *Kennedy* at 642.

29. Respondent prays that this claim be dismissed for failure to state a claim upon which relief can be granted under ARCP 12(b)(6).

CLAIM #7

30. Claimant seeks \$3,000.00 for failure to follow policy for allegedly writing him two (2) disciplinary violation charges for one incident on April 25, 2012.

31. Claimant was charged at 3:05 p.m. on April 25, 2012 and additional charges were added at 5:00 p.m. based on his refusal to surrender the handcuffs upon his return to his cell and grabbing the cuffs from the officer and refusing orders to turn them over. His conduct required Lt. Lane's presence at the cell to ensure compliance with the regulations.

32. While awaiting his disciplinary hearing on the first charges, Claimant's behavior became so disruptive, that Deputy Warden Payne returned him to his cell and considered his attendance waived. Such action is permissible under AD 08-87 IV (E)(4) "...the Major Disciplinary Court shall cause the inmate to appear before it unless the inmate waive in writing or though behavior." See Exhibit "F".

33. Since Claimant waived the first hearing, he cannot appeal the decision. Since he cannot appeal, he cannot exhaust his remedies and the claim as to the first disciplinary should be dismissed for failure to exhaust under AD10-32 N. which provides that "inmates are hereby advised that they must exhaust their administrative remedies as to all defendants at all levels of the grievance procedure before filing a Section 1983 lawsuit and Claims Commission claim. If this is not done, their lawsuit or claims may be dismissed immediately."

34. With respect to the charges issued at 5:00 p.m., the charging officer was the same officer, there were additional charges which were added to the charges previously filed against. These charges were affirmed at all levels of appeal.

35. Furthermore, Claimant has no liberty interest in having the ADC official follow the procedures. *Munson v. Arkansas Department of Correction*, 294 S. W. 3d 409, 411 (2009). Claimant does not have a liberty interest in the actual procedures to be administered. *Kennedy v. Blankenship*, 100 F. 3d 640 (8th Cir. 1996). *Munson* is one of many cases in which the Supreme Court has considered an inmate's due process challenge to a disciplinary action which resulted in the inmate's loss of status class, certain privileges, punitive isolation, or other sanction. The Court has stated that an inmate does not have a liberty interest in proceedings administered by the ADC and sanctions imposed are insufficient to raise a due process claim. In Arkansas, there is no liberty interest in good time under the analysis in *Wolff v. McDonnell*, 418 U.S. 539, 94 S.Ct. 2963, 41 L.Ed.2d 935 (1974). A loss of class status and privileges, even if impacting good time, would not compromise a liberty interest. Claimant has asserted no substantive due process violation as a result of the sanctions that were imposed by the ADC in the proceeding. To state a

case for a substantive due process violation, appellant must have shown an atypical and substantive deprivation that was a dramatic departure from the basic conditions of his confinement. *Sandin v. Conner*, 515 U.S. 472, 115 S.Ct. 2293, 132 L.Ed.2d 418 (1995). Demotion from the general population is not the sort of deprivation that qualifies as 'atypical and significant.' *Kennedy* at 642.

36. Respondent prays that this claim be dismissed for failure to state a claim upon which relief can be granted under ARCP 12(b)(6).

WHEREFORE, for the reasons stated above and the evidence presented, Respondent prays that these claims be dismissed.

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 the above pleading has been served this _____ day of _____, 2013, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

DEVERICK SCOTT (ADC #131042)
Varner Supermax
P. O. Box 600
Grady, AR 71644-0600

LISA MILLS WILKINS Ark. Bar #87190

Before the Arkansas state claims commission 10P

Deverick Scott # 131042

Claimant

v. No. 15-0671-CC

Arkansas Claims Commission
MAY 21 2015
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Arkansas Department of Corrections respondent

opposition to motion to dismiss

1. You are only allowed 3 claims in one Arkansas state claim, # 7 of claim 13-0360-CC was never heard.

2. I never receive no relief for violation of my Arkansas rules policy & procedure. So explain how the Arkansas state claims commission played apart in ACC violation of Scott's procedure. Did you'll take him to court, waive evidence. "No" This is bigger than you & me all this & previous lawsuits I filed in Arkansas state claims is apart of my book. How bias and partial you are, how you don't ever respect the law enough to do your job. Just go along with Lisa Williams falsified documents. If it's disputed facts court of law say you must waive evidence in light most favorable to claimant & judge at a hearing which you'll refuse to do.

3. No way you'll gonna explain they overturn my disciplinary it's a 08-87 inmate disciplinary manual 28

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isolation after I did 30 days in isolation positive and
suffered. After office told you he didn't write the
second disciplinary somebody else did. So do you
look at situation & inmate suffered do to some
type of corruption. You'll don't want to admit who
did it. But regardless claimant scott deserve by
All rights to be compensated. This way on your
conscious you'll the one (SUPPOSE) to
uphold law, honor, integrity.

5/19/15

Dereide Leroy #131042
2501 state farm rd
Tucker, Ar 72168

STATE CLAIMS COMMISSION DECISION
OPINION

Amount of Claim \$ 6,000.00

Claim No. 15-0671-CC

<u>Deverick Scott, #131042</u> Claimant		<u>Attorneys</u>	
vs.		<u>Pro se</u> Claimant	
<u>AR Dept. of Correction</u> Respondent		<u>Lisa Wilkins, Attorney</u> Respondent	
<u>State of Arkansas</u>			
<u>Date Filed</u>	<u>March 30, 2015</u>	<u>Type of Claim</u>	<u>Failure to Follow Procedure,</u> <u>Negligence, Pain & Suffering</u> <u>(Claims 1 and 2)</u>

FINDING OF FACTS

The Claims Commission hereby unanimously grants the Respondent's "Motion to Dismiss" for reasons set forth in paragraphs 2-4 contained in the motion. Therefore, this claim is hereby unanimously denied and dismissed.


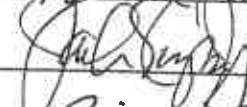
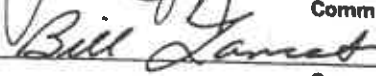
(See Back of Opinion Form)

CONCLUSION

The Claims Commission hereby unanimously grants the Respondent's "Motion to Dismiss" for reasons set forth in paragraphs 2-4 contained in the motion. Therefore, this claim is hereby unanimously denied and dismissed.

Date of Hearing June 11, 2015

Date of Disposition June 11, 2015

	Chairman
	Commissioner
	Commissioner

Devenez Scott #131082

Claim #: 15-0671-CC

Arkansas Claims Commission

JUN 23 2015

RECEIVED

vs.

Arkansas Department of Corrections
Notice of Appeal
~~Appeal~~ ~~to~~ ~~the~~ ~~Commission~~

Motion for reconsideration

7) A dismissal without prejudice specifically allows ~~Scott~~ ^{Scott} to bring claims in a subsequent action. Such a dismissal, however, does not necessarily toll the statute of limitations.

The statute of limitations period for 42 U.S.C. § 1983 action is determined by the statute of limitations period for personal injury actions in the state in which the claims occurred. In Arkansas, the statute of limitations period for personal injury actions is three years. The statute of limitations period for Scott "Ark. state claim commission claim expired in April 25, 2015 cause the events that gave rise to the claims occurred in April 25, 2012.

8) Liberty interest to Scott claim of Due process

The nature of the claim interest here is a liberty interest not being placed in disciplinary "isolation punitive", as opposed to being in general population. The Due process clause does not, in and of itself, create a liberty interest in being confined to a general

74 L.Ed.2d 675 (1983); McGee v. Hanks, 720 F.2d 863, 866 (5th Cir. 1983). A state may create a protected liberty interest, however, through promulgation of statutes, rules, regulations or policy statements. What's ludicrous is ADC policy states inmates is to be found guilty on disciplinary charges written by charging officer. Not only that, but he can only be punished once for ADC violation. And ADC lawyer Liss Wilkins wants you'll to condemn I. United States District court told plaintiff this is Ark. state law violation file in state court. (2) - Then overturn the disciplinary. (3) Claimant had to file Fed. 8/1983 lawsuit to officers admit he didn't write claimant's second disciplinary. So there's no liberty interest in a officer writing a disciplinary in another officer's name. Look at body of disciplinary they for some incident. That's done intentionally to cause claimant "unwarranted infliction of pain" anxiety, depression. (4) The sad part is all this had to be drag out in Fed. court which was brought to state first who didn't look at evidence but, being partial agreed with ADC lawyer violating Ark. laws & procedures for Ark. state claims committee. Hewitt, 459 U.S. at 472. 103 S.Ct. at 871 state created liberty interest in not being placed in administrative segregation absent substantive necessities.

Scott suffered two 30 day segregation sentences for some incident and rule violation violating AD inmate Disciplinary manual, AD #12.24 punitive segregation

6/8/15

Devenick Scott # 131082
2501 State Farm Rd
Tucker, Ar 72168

STATE CLAIMS COMMISSION DOCKET
OPINION

Amount of Claim \$ 6000.00

Claim No. 15-0671-CC

<u>Deverick Scott, #131042</u> Claimant		<u>Attorneys</u>	
vs.		<u>Pro se</u> Claimant	
<u>AR Dept. of Correction</u> Respondent		<u>Lisa Wilkins, Attorney</u> Respondent	
<u>State of Arkansas</u>			
<u>Date Filed</u>	<u>March 30, 2015</u>	<u>Type of Claim</u>	<u>Failure to Follow Procedure,</u> <u>Negligence, Pain & Suffering</u> <u>(Claims 1 and 2)</u>

FINDING OF FACTS

The Claims Commission hereby unanimously denies Claimant's "Motion for Reconsideration" for the Claimant's failure to offer evidence that was not previously available. Therefore, the Commission's June 11, 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 was not previously available. Therefore, the Commission's June 11, 2015, order remains in effect.

Date of Hearing July 9, 2015

Date of Disposition July 9, 2015

<u>[Signature]</u>	Chairman
<u>[Signature]</u>	Commissioner
<u>[Signature]</u>	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.