

Please print in ink or type

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

RECEIVED

- Mr. Mrs. Ms. Miss

Ronald Charles, #600119 Claimant

vs.

State of Arkansas, Respondent Dept. of Correction

Do Not Write in These Spaces Claim No. 15-0928-CC Date Filed June 11, 2015 Amount of Claim \$ 1500.00 Fund DOC

COMPLAINT Loss of Property, Negligence

Ronald Charles, #600119 the above named Claimant, of P.O. Box 400, Grady, AR 71644

Arkansas County of Lincoln represented by None

of (Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.)

State agency involved: ADC & Sgt. Sorrell Amount sought: \$1500.00

Month, day, year and place of incident or service: Feb 2, 2015 ADC Sgt. Sorrell purposely

Explanation: Destroyed my legal work. I'd clearly state he & ADC is responsible for my paperwork & he violated the 401AD which states I am to be given a confiscation form if contraband or property is taken from me that police were not following of the AR 2-06 states that traffic & trading is cause for immediate termination. I with this claim commissions support in a clear precise & legal manner will send both AR & AD that were violated but I need a court order to get them. I'd thank this commission & I'd pray I could get justice as these ADC officers treat us horrible and act as if they don't have to play by the rules, even though the ADC staff refuse to provide policy relevant to claim. I will get them to YAH. Thanks Ronald Charles 600119

As parts of this complaint, the claimant makes the statements, and answers the following questions, as indicated: (1) Has claim been presented to any state department or officer thereof?

NO when? (Month) (Day) (Year) to whom? (Department)

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

and that the nature thereof is as follows: N/A 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.

Ronald Deann Charles (Print Claimant/Representative Name) Ronald Deann Charles (Signature of Claimant/Representative)

SWORN TO and subscribed before me at Grady AR



on this 28 day of May 2015

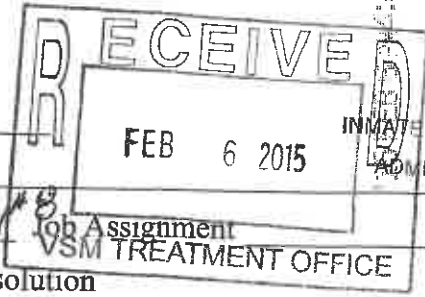
Felicia Piggee (Notary Public)

My Commission Expires: 01 31 2021 (Month) (Day) (Year)

Security

RECEIVED

Sgt. Sorrells / B. Shiff
UNIT LEVEL GRIEVANCE FORM



APR 07 2015

Attachment I

Unit/Center VSM

Name Ronald Charles

ADC# 600119

Brks # 104-cell

Job Assignment VSM

TREATMENT OFFICE

FOR OFFICE USE ONLY	
GRIEVANCE SUPERVISOR	<u>NSM15-00637</u>
ADMINISTRATIVE	
Date Received:	<u>2-18-15</u>
GRV. Code #:	<u>800</u>

2/4/15 (Date) STEP ONE: Informal Resolution

2/13/15 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

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

ISSUE NOT anywhere close to resolved please Investigate
(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, and place, name of personnel involved and how you were affected. (Please Print):

Review Camera on 2/2/15 night time "blowout" when Sgt Sorrell left #14 cell with all my "legals work" \$1983 complaint with all my medical grievances from May - Nov 2014 of lawsuit I'm filing. Sgt Sorrell stated he lost my medical grievances and \$1983 complaint. Inmate staff gave him to bring to me cause he drew it up for me giving me legal assistance I need and exhibited to by my 1st Counselor. I asked Sgt Sorrell to replace all my legal material with cases he's lost for I need to be reimbursed \$1,500.00.
Ronald Charles 2/4/15

Inmate Signature

Date

If you are harmed/threaten because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

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

PRINT STAFF NAME (PROBLEM SOLVER) Peggy

ID Number 39936

Staff Signature Peggy

Date Received 02/05/15

Describe action taken to resolve complaint, including dates:

Sgt Sorrells advised he informed you that you could get a copy of your medical grievances from the grievance office. He placed the papers in 104 control booth & when he returned for them they were not there.

Print and Sign Staff Name & Date Returned Peggy 02/13/15

Inmate Signature & Date Received

This form was received on 2-13-15 (date), pursuant to **Step Two** Is it an Emergency? N (Yes or No).

Staff Who Received Step Two Grievance:

Date: 02/13/15

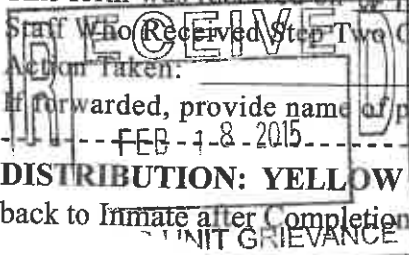
Action Taken:

(Forwarded to Grievance Office/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.



APR 07 2015

CB4117

IGTT410
3GS

INMATE GRIEVANCE SUPERVISOR
ADMINISTRATION BUILDING

Attachment III

INMATE NAME: Charles, Ronald

ADC #: 600119C

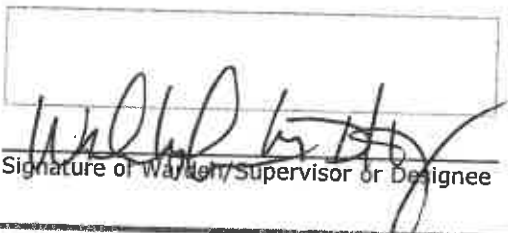
GRIEVANCE #: VSM15-00637

WARDEN/CENTER SUPERVISOR'S DECISION

In response to your grievance, you state, Review camera on 2/5/15 night time "shower call" when Sgt. Sorrell left #14 cell with all my legal work 1983 complaint with all my medical grievances from May- Nov. 2014 of lawsuit I'm filing. Sgt. Sorrell stated he lost my medical grievances and 1983 complaint Inmate Scott gave him to bring to me cause he drew it up for me giving me legal assistance I need and entitled to by my 1st amendment. I asked Sgt. Sorrell to replace all my legal mail material with cases he lost or I need to be reimbursed \$1500.00

LT. Sorrell states, I was given a stack of papers by Inmate Scott, that he claimed was legal work for Inmate Charles. I placed these papers in Isolation control booth to examine after shower call was complete. When I returned to retrieve the papers, they were gone. I did not see inmate Charles name on the papers, or have a chance to examine them so I cannot confirm the content. However, According to AD 13-09 Section E subsection 1. Any property found in the possession of an inmate, which is not listed on either Form 841-1 or 841-3 or approved for purchase from the commissary will be deemed contraband.

Therefore, I find this issue without merit.


Signature of Warden/Supervisor or Designee


Title

3-26-15
Date

INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE? I confess I do not know ADC Policy as well as I should however I am pretty sure Sgt. Sorrells should not be excepting anything from Inmate Scott what soever by him traff & trading he purposely threw away my legal work & it was not contraband as I should have been wrote a disciplinary & received a Confiscation Form on my property

Ronald Dean Charles
Inmate Signature

600119
ADC#

32615
Date

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INMATE NAME: Charles, Ronald

ADC #: 600119

GRIEVANCE#:VSM15-00637

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

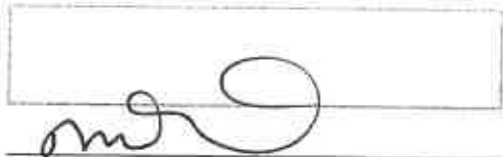
February 4, 2015, you grieved that, "Review camera on 2/5/15 night time "shower call" when Sgt. Sorrell left #14 cell with all my legal work 1983 complaint with all my medical grievances from May- Nov. 2014 of lawsuit I'm filing. Sgt. Sorrell stated he lost my medical grievances and 1983 complaint Inmate Scott gave him to bring to me cause he drew it up for me giving me legal assistance I need and entitled to by my 1st amendment. I asked Sgt. Sorrell to replace all my legal mail material with cases he lost or I need to be reimbursed \$1500.00."

The Warden responded, "LT. Sorrell states, I was given a stack of papers by Inmate Scott, that he claimed was legal work for Inmate Charles. I placed these papers in Isolation control booth to examine after shower call was complete. When I returned to retrieve the papers, they were gone. I did not see inmate Charles name on the papers, or have a chance to examine them so I cannot confirm the content. However, According to AD 13-09 Section E subsection 1. Any property found in the possession of an inmate, which is not listed on either Form 841-1 or 841-3 or approved for purchase from the commissary will be deemed contraband.

Therefore, I find this issue without merit."

It is noted, that staff was made aware of your complaint and corrective action was taken. Therefore, I find no merit to your complaint.

Appeal denied



Director

5-21-15

Date

STATE OF ARKANSAS

800-4

COUNTY OF Lincoln)
) §

AFFIDAVIT

I, Dennick Scott, after first being duly sworn, do hereby swear, depose and state that:

On 7/2/15 when I came back from shoverc 11 I gave Sgt. Sorrell my legal material. a copy of every motion I filed and response from ADC file on my case I got to trial on April 6 2015. I also gave him \$1983 complaint I drew up for Lonnie Ronald Charles on denial of medical attention with all his exhibits from medical grievances from May 2014 - Nov 2014

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

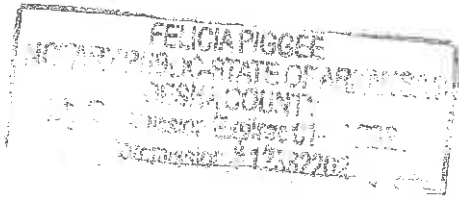
2/4/15
DATE

Dennick Scott
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this 05 day of February, 2015.

Maria Pappas
NOTARY PUBLIC

My Commission Expires: 03/31/2021



Ronald Charles

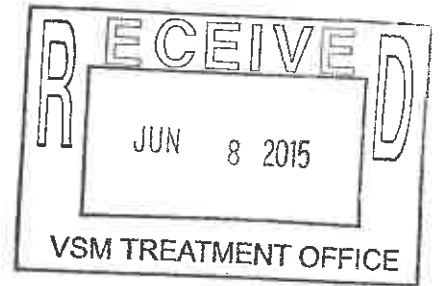
600119 CB117

Trafficking & Trading AD
401 Confiscation Form AD

Law Librarian
Rec. 06-05-15
Compl. 06-08-15

I need copies of both For Small
Claims Court. Need Court Order
to get copies.

Indigent Legal Supplies Request
Blank Envelopes
Legal Envelopes
Blank PAPER



V Sm Document Form
I need the max Allowed of All
Forms

PLEASE NOTE:
I was informed
by Mrs. Piggy I could
not even view
these AD Policies Above
that I Requested

x. Ronald Charles 6.8.15
Inmate Signature and Date

Ronald Charles
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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

RONALD CHARLES (ADC 600119)

Arkansas Claims Commission

CLAIMANT

V.

NO. 15-0928-CC

JUN 24 2015

ARKANSAS DEPARTMENT OF CORRECTION

RECEIVED RESPONDENT

ANSWER

COMES NOW the Respondent, Arkansas Department of Correction, and for its Answer, states and alleges as follows:

1. Respondent denies liability in this claim and asserts it will hold the Claimant to strict proof on each allegation unless admitted by Respondent. Respondent reserves the right to plead further upon completion of the investigation by internal affairs and requests the matter be held in abeyance until the investigation is complete.
2. The applicable account information required by the Commission is:
 - a. Agency number: 0480
 - b. Cost Center: HCA 0100
 - c. Internal Order: 340301
 - d. Fund Center: 509

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

Respectfully submitted,
Department of Correction Office of Counsel



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

CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been served this 23 day of June, 2014, on the Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

Ronald Charles (ADC 600119)
Varner Super Max
PO Box 400
Grady, AR 71644-0400



LISA MILLS WILKINS Ark. Bar #87190

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

RONALD CHARLES (ADC #600119)

CLAIMANT

V.

NO. 15-0928-CC

Arkansas Claims Commission

ARKANSAS DEPARTMENT OF CORRECTION

JAN 05 2015 RESPONDENT

RESPONDENT'S MOTION TO DISMISS

RECEIVED

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

1. This is the companion case to 15-0938-CC. Claimant alleges negligence and loss of property and seeks \$1,500.00 in damages. Claimant can show no facts upon which he is entitled to relief under ARCP 12(B)(6) and this claim should be dismissed.
2. Claimant states he is to be given a confiscation form and he was not when his property was taken. Nothing was confiscated from this inmate. His property was confiscated from Inmate Scott.
3. A motion to dismiss is proper when there are no facts upon which relief can be granted. ARCP 12(B)(6). Claimant can show no facts upon which he is entitled to relief and this claim should be dismissed.

WHEREFORE, for the reasons stated above and the evidence submitted, the Claim must be dismissed

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 4 day of January, 2016, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

DEVERICK SCOTT (ADC #131042)
VARNER UNIT
P. O. BOX 400
GRADY, AR 71644-0400

Lisa Mills Wilkins
LISA MILLS WILKINS Ark. Bar #87190

Before the Arkansas State Claims Comm.

Ronald Dean Charles (ADC#600119)

v.

Arkansas Dept. of Correction

Arkansas
State Claims Commission
JAN 11 2016 9 28 - CC
NO. - 15-0928-CC
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Claimants Response to
Respondents motion to Dismiss
Comes Now the ~~the~~ claimant Ronald Dean
Charles & Response States As Follows:

(1) I Am objecting to the motion to dismiss
because I am not & have never Filed my
claim 15-0928-cc as a companion case
this is a seperate case due to Facts I
presented this was my personal LEGAL work
that was lost due to sgt sorrells not following
ADC policy. I have no knowledge of Any
other claim Filed concerning this ISSUE.

Devenick (ADC 131042)

(2) Inmate Scott was acting As my "Jail
house Lawyer" there fore my legal work
was never considered his property Due
to him Acting on my behalf. so when
the legal work was "supposudly"
confiscated From Inmate Scott as
stated In Respondents motion to dismiss
It would have then been obvious to All 9
Adc Staff that IT WAS IN FACT +

Ronald Dean Charles # 600119 legal
work & therefore I should have
In Fact Received a confiscation Form
& my legal work should have been
returned to its Rightful owner.

(3) I disagree & object with this
because the Factual basis of my
complaint IS that my property
which Mrs. Lisa Mills Wilkins Acknowledged
In paragraph (2) In the Form of my legal
work was lost, misplaced, or confiscated
when "supposedly" confiscated by Sgt.
Sorrells An ADC employee. This IS a Factual
Action that Mrs. Lisa Mills Wilkins has
Acknowledged It was confiscated there for
Admitting to a Factual action that
was committed by ADC staff that
affected me & that Relief can
be sought & I pray granted...

In Conclusion I object
to the motion by Respondent
to dismiss for All Reasons
I have outlined.

Respectfully
Submitted 1, 6, 2016

STATE CLAIMS COMMISSION DOCKET
OPINION

Amount of Claim \$ 1,500.00

Claim No. 15-0928-CC

Ronald Charles, #600119 Claimant vs. Pro se Claimant
Attorneys

AR Dept. of Correction Respondent vs. Lisa Wilkins, Attorney Respondent
State of Arkansas

Date Filed June 11, 2015 Type of Claim Negligence, Loss of Property

FINDING OF FACTS

The Claims Commission hereby unanimously grants the Respondent's "Motion to Dismiss" for reasons set forth in paragraphs 2&3 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&3 contained in the motion. Therefore, this claim is hereby unanimously denied and dismissed.

Date of Hearing January 14, 2016

Date of Disposition January 14, 2016

[Signature] Chairman
[Signature] Commissioner
[Signature] 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.

Jan 25th 2016

Ronald Dean Charles # (600119)
vs.

claim
15-0928-C

Arkansas Dept. Corrections

Arkansas Claims Commission

JAN 26 2016

RECEIVED

Notice of APPEAL

notice is hereby given That Ronald Dean Charles claimant in the above-entitled matter; Appeal to the Arkansas General Assembly From the Final Judgment entered in Favor of motion to Dismiss which was granted in Favor of Respondent Jan 14th 2016...

I have complete Faith that upon Review of the Evidence I presented that Justice shall prevail & that Relief will be granted.

Jan 23rd 20

JAN 26 2016

RECEIVED

MS. Brenda Wade,

I wanted to thank you
 For All you hard work. I received the "rules"
 you sent that clearly state do not write on
 BACK of motion so I did as I should have
 And re-did the motion & I Apologize For the
 Inconvenience. please Find my notice For
 Appeal as well as the Response the the
 Respondents motion. As you stated All the
 Case will be Forwarded to the Review
 Subcommittee of the General Assembly
 I am still unwavered In my belief I have
 presented clear consice undeniable evidence
 & that I will ~~and~~ ^{EASILY} ~~win~~ ^{WIN} in my Appeal.

RE: R.D. Charles ⁶⁰⁰¹¹⁹ Claim 15-0928cc Best wishes
 Claims Commission Ms. Wade &
 Attn: Brenda WADE Thank you &
 101 East Capitol Avenue, Ste 410
 LR, AR. 72201-3823

Before the Arkansas state Claims Commission

Ronald Dean Charles (000119)

Arkansas Claims Commission

JAN 26 2015

RECEIVED

v.
Arkansas Department of corrections

Claimants Response to the Respondents motion to dismiss Comes now the claimant Ronald Dean Charles & Response states As Follows:

- (1) I am objecting to the motion to dismiss because I am not & have never Filed my claim 15-0928-cc as a companion case. This is Aseperate case due to Facts I presented ~~that~~ this was my personal legal work that was lost due to Sgt. Sorrells not following ADC policy I have no knowledge of any other claim Filed concerning this ISSUE.
- (2) Inmate Deverick Scott (ADC#131042) was acting As my Jail house lawyer therefore my legal work was never considered his property Due to him Acting on my behalf so when the legal work WAS "supposedly" confiscated From inmate scott as stated in Respondents motion to dismiss It would have been obvious to All ADC staff that it was In Fact Ronald Dean Charles (ADC#000119) legal work & therefore I should have received a 14 Confiscation form & my legal work should

have been returned to its Rightful owner.

(3) I disagree & object with this because the factual basis of my complaint IS that my property which Mrs. Lisa Mills Wilkins Acknowledged in Paragraph (2) in the form of my legal work which was lost, misplaced or confiscated when "supposedly" confiscated by Sgt. Sorrells An ADC Employee This is a Factual Action that Mrs. Lisa Mills Wilkins has Acknowledged it was confiscated therefore Admitting to a Factual action that was committed by ADC staff that affected me & that Relief can be sought & I pray granted

In Conclusion I object
To the motion by Respondent
To dismiss For All Reasons I have
outlined.

Ronald Dean Charles #600119
Vanner Supermax Unit
P.O. Box 400
Grady, ARKANSAS

7644-0400
15