

Please Read Instructions on Reverse Side of Yellow copy

Please print in ink or type

DEC 18 2007

BEFORE THE STATE CLAIMS COMMISSION  
Of the State of Arkansas

Arkansas State  
Claims Commission

- Mr.
- Mrs.
- Ms.
- Miss

Stacie D. Mayfield Claimant

Do Not Write in These Spaces			
Claim No.	08-0469-CC		
Date Filed	December 18,	2007	
	(Month)	(Day)	(Year)
Amount of Claim \$	100,052.00		
Fund	DOC		

State of Arkansas, Respondent  
Dept. of Correction

Negligence, Pain & Suffering &  
Mental Anguish

COMPLAINT

Stacie D. Mayfield the above named Claimant, of P.O. Box 600 Grady  
(Name) (Street or R.F.D. & No.) (City)

AR 71644 County of Lincoln represented by \_\_\_\_\_  
(State) (Zip Code) (Daytime Phone No.) (Legal Counsel, if any, for Claim)

\_\_\_\_\_ of \_\_\_\_\_ says:  
(Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.)

State agency involved: Arkansas Dept. of Correction (Vazara) Amount sought: \$ 100,052 ONE HUNDRED THOUSAND & FIFTY-TWO DOLLARS

Month, day, year and place of incident or service: August 21-07 At Vazara visit main dining hall

Explanation: On 8-21-07, I Stacie D. Mayfield ADOC # 132010 After entering the main dining hall at Vazara visit & taking my seat I notice Holly #122092 approached me from the back & reportedly stated me of metal object wrapped in tape made into a snake due to lack of security, inmate Holly #122092 made it pass the retained metal detector, main dining hall undetected by Correctional officers (ADOC policy requires that officers monitor metal detector units inmate enter dining hall) Vazara visit & all stations, due to lack of security, any Correctional Officer at Vazara visit & all stations was aware of the facts & nature of their policies & the effects of these policies, they also knew the said policy alone & in combination created a substantial risk of danger & serious harm to inmates entering the main dining hall at the hands of these fellow inmates. This excessive risk of harm from fellow inmates combined w/ ADOC Vazara visit failure to timely respond to that risk caused the conditions that ADOC Vazara visit recklessly disregarded my right to be free from excessive risk of physical attack (physical) they were in an inherently dangerous to my constitutional right under the 14th Amendment. After the first encounter w/ Holly I yelled for help from Sgt Murray, Sgt Murray, the visiting officer, also the only officer in dining hall w/ a full competency. Didn't even attempt to do his job or stop inmate

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

NO when? \_\_\_\_\_ to whom? \_\_\_\_\_  
(Yes or No) (Month) (Day) (Year) (Department)

and that the following action was taken thereon: \_\_\_\_\_

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

\_\_\_\_\_ and that the nature thereof is as follows: \_\_\_\_\_  
(Name) (Street or R.F.D. & No.) (City) (State) (Zip Code)

\_\_\_\_\_ and was acquired on \_\_\_\_\_, in the following manner: \_\_\_\_\_

THE UNDERSIGNED states on oath that he or she is familiar with the matters and things set forth in the above complaint, and that he or she verify believes that they are true.

\_\_\_\_\_ (Print Claimant/Representative Name) \_\_\_\_\_ (Signature of Claimant/Representative)

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

(SEAL) on this 5 day of December, 2007  
(Date) (Month) (Year)

\_\_\_\_\_ (Notary Public)

My Commission Expires: 1 - 31 - 2015  
(Month) (Day) (Year)

JM

- From assaulting me w/ deadly weapon, failing to provide security & failing to provide & ensure safety of person, Thus, neglecting requirements of federal law. (While a state is not required to insure that its prisoner face absolutely no danger from assault, it must take reasonable measures to guarantee the safety of inmates, Wilson v Seifer, 501 US 294, 303, 115 L. Ed. 2d 271, 115 Ct 232, 1991)

prison official have a duty to protect prisoners from violence at the hands of other inmates. There was inadequate supervision of Varner unit inmates in dining hall to ensure that my safety was protected, not only were there too few correctional officers to supervise Varner unit inmates in dining hall & hall ways, but officers on duty were not stationed in sufficient proximity to inmates to be able to prevent & intercede in inmate on inmate violence. Security was seriously compromised by prison understaffing, ADC-Varner unit should have known they were not operating the hallways (metal detector) & providing sufficient security inside crowded chow hall in compliance w/ Finley (vs Mahery supra 546 F Supp) & their failure to do so exposed me to an unreasonable & excessive risk of physical assault. They should have known by virtue of federal court decisions & ADC own work w/ The Arthur Young Company & The Dept of Justice experts, that minimum security procedures for protection of inmates from physical assault from fellow inmates would require that officer be physically stationed (patrolling metal detector) in the hallways. This also amounts to deliberate indifference on ADC Varner unit part to the constitutional right of myself & other inmates. It is axiomatic that if state wishes to incarcerate persons convicted of violation of its criminal laws, it must do so under conditions that meet basic constitutional standard (877 F Supreme 1299) The record developed in this case clearly demonstrates that ADC-Varner unit were fully on notice (evident by placing metal detector in hallway before entrance of main dining hall) of the dangers faced by inmates entering the dining hall undetected & yet they fail & have continue to fail to take many of the steps that are obviously required to alleviate those dangers.

After inmate stop assaulting me w/ deadly weapon, I was escorted to infirmary for emergency treatment, due to severe punctures to my lower left jaw. I suffered excruciating trauma, thus, evidencing pain & suffering,

DM

also enabling me to eat. I also suffered pain & suffering from other stab wounds.

After I was informed that I would be housed in Isolation 1022 w/ other inmates, I explained to security/warden Lockett & Sgt Brown that I don't feel safe being housed w/ other inmates that's threat to security because of what I just experienced & there being no officer performing their duty of protecting & ensuring safety. I requested protected custody in cell isolated from other inmates. I've also stated this in my Unit Read Grievance dated 8-22-07 at to no avail. Since 8-21-07 to 10-1-07, I've suffered from paranoia & fear that my cell mate would attack me while I was asleep, causing me to lose an extreme amount of sleep, resulting in mental anguish & ~~injury~~ ~~violation of my 8th Amendment (cruel & unusual punishment clause)~~ I've also addressed this to mental health, Mr Compton, Mrs Pissy & Mr Hampton

Property that was ~~damaged~~ destroyed were two 2x tee shirt & one pair of Nylon Reebok, All damaged by punctures & an excess amount of rod.

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Arkansas State  
Claims Commission

I am seeking the Amount of \$100,052

- \$ 10,000 for lack of security
- \$ 10,000 for failure to provide security & ensure safety
- \$ 10,000 for pain & suffering
- \$ 72,000 for mental anguish, \$1,000 per day, Isolated in cell w/ inmate That's Threat to security
- ~~\$ 10,000 for violation of my 8th Amendment (cruel & unusual punishment)~~
- \$ 2,052 for Destroyed property.

DM

Witnesses

Sgt Mingo, Sgt Lane, COIT Compton Varner Unit  
Infirmery, Varner Unit Surveillance Cameras. COI Baker  
Classification Committee, Mental health, Mrs Pissy  
Mr. Compton + Mr Hampton

COI Baker worked master control + call for security <sup>after</sup> ~~in~~ <sup>incident</sup>  
Explanation. Sgt Mingo was officer in dining hall when incident took  
place. Sgt Lane + COIT were officers who escorted me to infirmary + inventoried  
my property. Varner Unit cameras should have captured all that is in  
case w/ the exception of inventory of property + complaint to mental  
health workers. Classification Committee members on first request of 8-28  
protected custody + of me informing them of my fear + paranoia of  
being in cell w/ other inmates that's threat to security are Kim Lockett,  
Renova Walker, Abise Kelly, Jissie Davis, + Mrs Hampton, on second request  
<sup>131-011</sup> D. Giddens, R. Walker, A Kelly, ~~Sgt~~ J. Davis, Mrs Hampton, + Mr Withamston  
~~with~~ These complaints are also in my institutional file + in there  
file.

enclosed are receipts for damaged property. The Tee-shirt  
were replaced through my funds, but shoes haven't

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DEC 18 2007

Stacie Deshawn Mayfield

Arkansas State  
Claims Commission

132018

Deputy Ass. Director

Sir, in Brief I was involved in a situation that could of been avoided if ADC policy were followed. Inmate Holly made it inside chow hall & tried not was not an officer standing or monitoring the metal detector, thus allowing inmate to enter chow hall w/ shank. Chow hall was nearly full to capacity w/ only one officer as security. After or during incident, there was a failure to protect on security behalf. I observed that only after exiting the chow hall did Officer Mingo ordered Ms Booker, Col, to call for assistent which camera will also reveal. Will you please review this grievance & make ammends

Stacie Deshawn Mayfield

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Claims Commission

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OCT 18 2007

INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION BUILDING



**Arkansas Department of Correction**

Director's Office  
P.O. Box 8707  
Pine Bluff, Arkansas 71611-8707  
Phone: (870) 267-6200  
Fax: (870) 267-6244  
www.arkansas.gov/doc

02 January 2008

Mr. Norman L. Hodges, Jr. Director  
Arkansas State Claims Commission  
101 E. Capitol Av., Ste. 410  
Little Rock, AR 72201-3823

Re: Stacie Mayfield #132618  
Claim # 08-0469-CC  
vs.  
Arkansas Department of Correction

Dear Mr. Hodges,

The Department of Correction denies liability in this claim.

Sincerely,

Jan Scussel  
ADC Attorney

JS/mr

CC: File  
Stacie Mayfield # 132618  
(Varner) P.O. Box 600  
Grady, AR. 71644

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JAN 04 2008

Arkansas State  
Claims Commission



**Arkansas Department of Correction**

Director's Office  
P.O. Box 8707  
Pine Bluff, Arkansas 71611-8707  
Phone: (870) 267-6200  
Fax: (870) 267-6244  
www.arkansas.gov/doc

April 18, 2008

Claims Commission  
Attn: Norman Hodges, Jr.  
101 East Capitol Avenue, Suite 410  
Little Rock, AR 72201-3823

RE: Stacie D. Mayfield #132618, Claim No. 08-0469-CC

Dear Mr. Hodges:

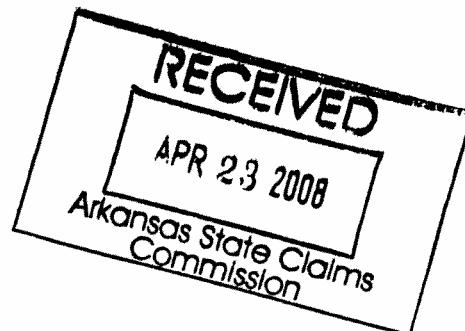
Enclosed please find the original and 4 copies of Respondent's Response to Claimant's Motion for Discovery. Please file the original and return a file-stamped copy to me in the enclosed self-addressed, stamped envelope. I am providing the claimant with a copy of this letter along with our response.

If you have any questions or concerns, please do not hesitate to contact me at 870.267.6844.

Sincerely,

Jan Dewoody Scussel  
Attorney Supervisor

xc with encl to: Stacie Mayfield  
Varner Supermax  
PO Box 600  
Grady, AR 71644



BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

STACIE D. MAYFIELD #132618

V.

CASE NO. 08-0469-CC

ARKANSAS DEPARTMENT OF CORRECTION

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RESPONSE TO CLAIMANT'S MOTION FOR DISCOVERY

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Comes now the Respondent, Arkansas Department of Correction and in response to Claimant's "Motion for Discovery" states as follows:

Request for Production No. 1: Please produce a full and complete copy of of the claimant's "Inmate Movement/Status" sheets from August to December of 2007.

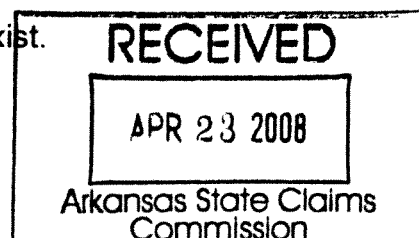
Answer: See attached.

Request for Production No. 2: Please provide all disciplinary, "005" witness statements regarding claimant's incidents of August 26, 2007 video footage, carmia of 7 & 8 hallways & chowhall 10:45 a.m. to 12:00, medical documents & blood samples taken to verify weapon used in incident.

Answer: See Attached. There are no videotapes available.

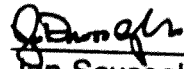
Request for Production No. 3: Please provide to claimant the names, addresses and background synopsis of any and all witnesses who the respondent plans to call, gave information or who were involved within the prosecution or defense of this matter. Compelling interest exist.

Answer: This will be provided 30 days before trial.





Respectfully submitted,



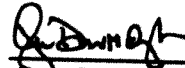
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Jan Scussel  
Arkansas Department of Correction  
PO Box 8707  
Pine Bluff, AR 71611  
870.267.6844  
870.267.6373 (fax)

CERTIFICATE OF SERVICE

I, Jan Scussel, do hereby certify that a true and correct copy of the foregoing Motion to Dismiss has been served on the Claimant by mailing a copy of same to him on this 18<sup>th</sup> day of April, 2008 at the following address:

**Stacie Mayfield, #132618  
Varner Supermax  
PO Box 600  
Grady, AR 71644**

  
\_\_\_\_\_  
Jan Scussel

STATE CLAIMS COMMISSION DOCKET  
OPINION

Amount of Claim \$ 100,052.00

Claim No. 08-0469-CC

Stacie Mayfield #132618 Claimant

Attorneys  
Pro se Claimant

vs.

AR Department of Corrections Respondent

Jeanne Richards, Attorney Respondent

State of Arkansas

Date Filed June 10, 2009

Type of Claim Failure to follow procedure

FINDING OF FACTS

This claim was filed for failure to follow procedure in the amount of \$100,052.00 against Arkansas Department of Corrections.

Present at a hearing October 16, 2009 was the Claimant, pro se, and the Respondent, represented by Jeanne Richards, Attorney.

The Claims Commission hereby unanimously denies and dismisses this claim for Claimant's failure to prove by a preponderance of the evidence any liability on the part of the Respondent. Therefore, this claim is hereby unanimously denied and dismissed.

IT IS SO ORDERED.


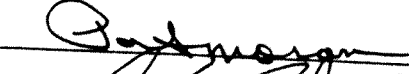

(See Back of Opinion Form)

CONCLUSION

Upon consideration of all the facts, as stated above, the Claims Commission hereby unanimously denied and dismissed this claim for Claimant's failure to prove any liability on the part of the Respondent.

Date of Hearing October 16, 2009

Date of Disposition October 16, 2009

  
Chairman  
  
Commissioner  
  
Commissioner

MR Norman L Hodges JR

11-23-09

RE Stacie Mayfield <sup>132618</sup>  
Claim # 08-0469CC  
VS  
Dept of Corrections

I would like to Appeal the  
Decisions of the Claims Commission  
in Reference of the ~~ASAP~~ style  
claim. please send stamped filed  
copy  
Thank you in advance

Stacie Mayfield <sup>132618</sup>  
P.O. Box 600  
Gandy AR 71644

ARKANSAS STATE  
CLAIMS COMMISSION  
NOV 25 2009  
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