



## STATE OF ARKANSAS BUREAU OF LEGISLATIVE RESEARCH

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**TO:** CLAIMS REVIEW SUBCOMMITTEE

**FROM:** Legal Division Staff

**SUBJECT:** Summary of *Marcus Fields v. Arkansas Department of Correction*,  
Claim No. 181012 – Denied and dismissed claim/Appealed by Claimant

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Date of Occurrence: October 21–25, 2017

Date of Claim Filed: June 2, 2018

Amount Claimed: \$1,800.00

Amount Awarded: N/A

Claimant's Representative: N/A

Respondent's Representative: Thomas Burns, General Counsel, ADC

Allegations of Claimant: The inmate received disciplinary action for sending a razor blade in the mail to a circuit court judge. The inmate sought \$1,800.00 for being placed on behavior control and loss of mail.

Agency Response: The agency moved to dismiss, arguing that the inmate failed to state a claim upon which relief may be granted. Specifically, the agency asserted that the inmate failed to plead any basis for the award of damages beyond mere speculation. The agency contended that the inmate was appealing a disciplinary action, and his mail loss claim stemmed from his own action (endangering officials) and his refusal to reenter his cell.

Opinion of the Claims Commission: The Commission granted the agency's motion to dismiss, reasoning that it is beyond the scope and purpose of the Commission to consider disciplinary issues or insert itself into the agency's disciplinary process. A motion for reconsideration was also denied.