

Please print in ink or type

BEFORE THE STATE CLAIMS COMMISSION  
Of the State of Arkansas

RECEIVED

- Mr.
- Mrs.
- Ms.
- Miss

George Hall, #108164, Claimant

vs.

State of Arkansas, Respondent  
Dept. of Correction

| Do Not Write in These Spaces |  |
|------------------------------|--|
| Claim No.                    | 14-0725-CC                             |
| Date Filed                   | March 21, 2014<br>(Month) (Day) (Year) |
| Amount of Claim \$           | 6500.00                                |
| Fund                         | DOC                                    |

COMPLAINT Failure to Follow Procedure  
Mental Anguish

George Hall, #108164 (Name), the above named Claimant, of 2501 State Farm Rd, Tucker, AR 72168 (Street or R.F.D. & No.) (City)

(State) (Zip Code) (Daytime Phone No.) County of Jefferson represented by Per se George Hall (Legal Counsel, if any, for Claim)

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

State agency involved: Tucker Max Security Unit Amount sought: \$6,500

Month, day, year and place of incident or service: 2-1-14 (here after MSU)

Explanation: 2-1-14 I was illegally taken and placed in punitive confinement by Sgt. Penister, Co. Clark & Kendrick's after I plea with Sgt. Penister over 15 mins as to why she was trying to take me to the hole, bc I hadnt done anything and that she needed to check the E-omis system to confirm that I was right, she said she wasnt doing nothing. Co. Kendrick's advised me to write a short note and briefly explain it to Capt. Frazier in hopes he'd correct the situation. Kendrick's stated Frazier didnt want to hear what he had to say and refused to check the E-omis as we Sgt. Penister said she was given me a direct order to pack my property to be taken to punitive confinement. I told her for what that I didnt do nothing. She asked me was I refusing and that she was gone give me one last direct order to cuff up to be moved if she was gone pepper spray me I was still gone be moved and get more hole time with another disciplinary. I got upset after the threats. Which Guilt Sgt. Penister told me to get out my feelings. I cuffed up and was escorted to west punitive by Penister, Clark and Kendrick's. I was searched and all my personal property was taken and my privilage was taken. I did not consent to this illegal punitive confinement and it was not privileged. Officials had ample opportunity to correct this issue from the beginning they refused and failed to do so. I done 7 days illegally in the hole for something that would have been avoided. This claim is for "wrongful excessive confinement" by Sgt. Penister who Capt. Frazier told her to put me in the hole at "Mental anguish" and "failure to follow procedure." helict sought \$6,500 for punitive damages

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? yes; when? 2/19/14 & 3/3/14; to whom? Warden Strauch & Assist Director M. Evans; and that the following action was taken thereon: none through the grievance process

and that \$ 0 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: None; and was acquired on none 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 believe that they are true.

George Hall (Print Claimant/Representative Name) George Hall (Signature of Claimant/Representative)

SWORN TO and subscribed before me at Tucker (City) AR (State)

(SEAL) on this 13 day of March, 2015 (Date) (Month) (Year)



Stanley B. Robinson (Notary Public)  
My Commission Expires: 12 (Month) 30 (Day) 2015 (Year)

SF1-R7/99

**UNIT LEVEL GRIEVANCE FORM (Attachment I)**

Unit/Center Tucker MSU

EXHIBIT  
A-1

|                     |                   |
|---------------------|-------------------|
| FOR OFFICE USE ONLY |                   |
| GRV. #              | <u>MX-14-0298</u> |
| Date Received:      | <u>2-10-14</u>    |
| GRV. Code #:        | <u>201</u>        |

Name George L. Hall

ADC# 108164 Brks # West 6 130 Job Assignment \_\_\_\_\_

FEB 7<sup>th</sup> 2014 (Date) STEP ONE: Informal Resolution

FEB 7<sup>th</sup> 2014 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)  
If the issue was not resolved during Step One, state why: NOT RESOLVED

\_\_\_\_ (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):

This complaint is on Sgt. Penister and Capt. Frazier. I would appreciate that this complaint be taken directly to Deputy Warden S. Outlaw. On 1-31-14 after 10pm Sgt. Penister stated to me, "puck your shirt". I said for what? She stated you going to West 6 punitive. I advised Penister to go check the E-cmis system but she had me mistaken and mixed up with someone else. Co. Kendrick and Clark witnessed Sgt. Penister refused to confirm this mistake by saying she wasn't claim nothing! I explained to Penister, Kendrick and Clark that on 12-31-13 I received 30 day punitive for 12-1, 4-13 on R-disciplinary by Capt. Sorie on 12-24-13 in which is the "only" disciplinary I've had at MSU period! Penister then left, Kendrick stated he believed me and told me write that down on a piece of paper and he would personally hand it to Capt. Frazier and advise him of the situation. And he did! 2-1-14 5 mins after midnight Penister, Kendrick, and Clark came to 5 BXS 21 cell, "Review Camera", I plead with Penister over 10-15 mins as to why she was trying to take me to punitive confinement, I hadnt done nothing! I asked Kendrick what did Capt. Frazier say when he talked to him? Kendrick shook his head in disappointment and said Capt. Frazier wasn't trying to hear what he told him! didnt attempt to check the E-cmis, Penister asked me was I Refused to cuff up and that was my last direct order and one way or the other I was coming out the cell even if I have to be pepper sprayed and extracted from the cell. I get very upset after the threat of force was stated, submitted to cuffs, I was escorted to West 130 shower, striped searched by Kendrick who was ordered by Penister, who confiscated all my personal property with Clark. I was then placed in West 6 cell on punitive confinement for no giving reason. I completed my 30 days punitive on 1-30-14. These actions by Sgt. Penister are illegal and is a direct violation of policy and procedure. A inmate can not be placed on punitive confinement status, all personal property and privileges taken unless he is found guilty by a disciplinary hearing officer and sanctioned to punitive days, and then only 30 days are the allowable sanctions for any "one" disciplinary. I have no disciplinary, none on behavior control status. Sgt Penister knowingly, deliberately intended to punish me with this illegal imprisonment and stringent confinement conditions to intentionally inflict emotional stress. I have not violated any rules and today makes days I've been punished for.

George L. Hall #108164  
Inmate Signature \_\_\_\_\_ Date FEB 7<sup>th</sup> 2014 Nothing!

**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 \_\_\_\_\_

L A Hall 5187 [Signature] \_\_\_\_\_  
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: you have been moved to 9-38

[Signature] George L. Hall  
Staff Signature & Date Returned Inmate Signature & Date Received

This form was received on 2/7/14 (date), pursuant to **Step Two**. Is it an Emergency? N (Yes/No).  
Staff Who Received Step Two Grievance: BRINKER Date: 2-7-14  
Action Taken: FORWARDED (Forwarded to Grievance Office/Warden/Other) Date: 2-7-14  
If forwarded, provide name of person receiving this form: ETAW Date: 2-7-14

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

IGTT410  
3GS

Attachment III

INMATE NAME: Hall, George L.

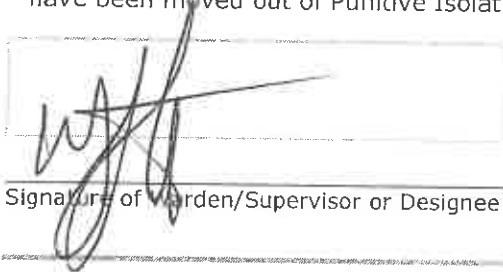
ADC #: 108164B

GRIEVANCE #: MX-14-00278

WARDEN/CENTER SUPERVISOR'S DECISION

I have reviewed your grievance dated 02/07/2014. In your grievance, you state you were told by Sgt. Penister to pack your property and move to West Isolation to complete punitive time. You state you told Sgt. Penister to check eOMIS because you had already completed all of your punitive time for your most recent disciplinary dated 12/31/2013. You state Sgt. Penister refused and you were given several direct orders to be restrained and moved to West Isolation after being threatened with the use of force. You state these actions are a violation of policy and procedure.

Unit records reflect you received a 60 day punitive sentence in error. This has since been corrected, and you have been moved out of Punitive Isolation to 5-47. Therefore, I find this grievance to be with merit.



Signature of Warden/Supervisor or Designee

Warden

Title

2-19-14

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? *Big* Col Kendrick and Col Clark will confirm that Sgt Penister refused to correct and confirm the situation also Col Kendrick will confirm the note he took the Capt. Frazier advising him that I was not supposed to be in the hole on Punitive and to confirm it by the E-OMIS Capt Frazier refused. All this could have simply been avoided but Sgt. Penister got a kick out of me being taken to hole and wanted me to refuse so she could have sprayed me.

George L. Hall

Inmate Signature

108164

ADC#

2-20-14

Date

RECEIVED

FEB 23 2014

INMATE GRIEVANCE SUPERVISOR  
ADMINISTRATION BUILDING

3

INMATE NAME: Hall, George L.

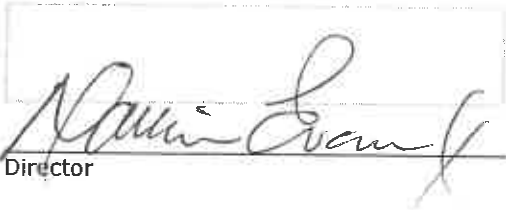
ADC #: 108164

GRIEVANCE#:MX-14-00278

**CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION**

Your appeal dated 2/7/14 was received on 2/26/14. After review of your appeal and supporting documentation, I find that I concur with the Warden's response. Your appeal is without merit.

Appeal denied.

  
Director

3/3/14  
Date

standards, the Chief of Security, or designee, will be notified immediately and will take necessary steps to correct the problem.

“Special Note:” For those inmates assigned to punitive segregation and under “Treatment Precaution,” i.e., Restriction Status or Restraint Status, the punitive area supervisor will ensure staff initial in the Treatment Precaution Log indicating that the inmate and his/her cell have been checked and the inmate is in a satisfactory condition and the cell is in compliance with the Department’s cleanliness and sanitation standards.

6. No administrative segregation inmates are housed in the same cells as punitive inmates. Administrative segregation inmates can be housed on the punitive wing with the written approval of the Chief of Security, but cannot be housed in the same cells as punitive inmates. In the absence of the Chief of Security, the shift supervisor may authorize such housing provided that written approval is obtained from the Chief of Security as soon as possible.

★ C. Periods of Confinement

1. Inmates may be confined to punitive segregation for a period up to 30 days.

Inmates serving consecutive punitive isolation sentences will receive 48-hour relief at the end of each 30-day sentence. Inmate privileges as previously outlined in this policy will be restored during the 48-hour relief period and will be restricted again at the beginning of the next punitive sentence. An inmate’s telephone privilege will not be restored during 48-hour relief if the privilege was suspended due to a conviction of disciplinary rule violation 02-5, 09-13 or 17-3.

Commissary purchases may be made by an inmate only if the inmate’s 48-hour relief falls on their regularly scheduled commissary day, and will be limited to a quantity that can reasonably be consumed in 48 hours. Inmate personal property privileges as previously outlined in paragraph A (9) of this policy will remain in effect.

2. Inmates may be released from punitive segregation prior to the completion of sentence only with the authorization of the Warden or designee. This will not relieve the inmate from punitive restrictions unless specifically ordered by the Warden or designee.

D. Punitive Restriction

1. When an inmate is found guilty of a major infraction of institutional rules and punitive segregation time is imposed, the inmate may be

class corresponding to the additional rule(s) violated. However, sanctions defined in terms of days (i.e., good time, punitive segregation, loss of privileges, and extra duty) may not be applied more than once per disciplinary action.

2. Any or all sanctions may be suspended for up to six (6) months.
3. Disciplinary Officers may not amend an inmate's level in the VSM program, but those actions can be considered by the classification committee when reviewing that inmate.

G. Range of Allowable Sanctions

1. Penalty Class "A"
  - a. Punitive Segregation 1-30 days. Inmates serving a punitive disciplinary sentence shall not earn meritorious good time.
  - b. Loss of earned good time up to 365 days (loss of all earned good time is allowable for offenses listed that include the statement "may result in loss of all good time").
  - c. If the use of the Inmate Telephone System is involved, it shall result in the loss of telephone privileges for one (1) year.
  - d. Loss of designated privileges, 1-60 days.
  - e. Restitution based on replacement cost or the value of lost, intentionally misplaced or destroyed property.
  - f. Reduce up to three (3) steps in class.
  - g. Recommend to Classification Committee for change of assignment/unit.
  - h. Extra duty up to two (2) hours per day for up to thirty (30) days.
  - i. Possession/introduction/use of a cell phone will result in the loss of Inmate Telephone System privileges for one (1) year.
2. Penalty Class "B"

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

GEORGE HALL (ADC 108164)

CLAIMANT

V.

NO. 14-0725-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

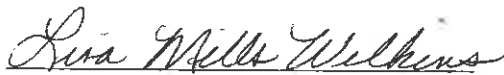
**ANSWER**

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: HCA0100
  - 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

Arkansas  
State Claims Commission

APR 01 2014

RECEIVED

**CERTIFICATE OF SERVICE**

I certify that a copy of this pleading has been served this 31 day of March, 2014, on the Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

George Hall (ADC 108164)  
Maximum Security Unit  
2501 State Farm Road  
Tucker, AR 72168

  
LISA MILLS WILKINS Ark. Bar #87190

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

GEORGE HALL (ADC #108164)

CLAIMANT

v.

NO. 14-0725-CC

Arkansas  
State Claims Commission  
APR 29 2014

RESPONDENT

Arkansas D.O.C

RECEIVED

MOTION FOR DISCOVERY

COMES NOW the Claimant, and its "Motion For Discovery" for Production of documents, electronically stored information, or tangible things. THE CLAIMANT REQUEST that the Respondent produce the documents listed within 30 DAYS. EITHER BY PROVIDING THE CLAIMANT WITH COPIES OR BY MAKING THEM AVAILABLE TO THE CLAIMANT FOR INSPECTION OR COPYING. STATES AS FOLLOWS:

- 1) ~~Statement~~ I NEED ~~that~~ STATEMENT Sgt. PENISTER <sup>made</sup> ~~made~~ AT THE END OF March OR April <sup>2014</sup> PRETRAINING INCIDENT ON JAN 31st / FEB 1st 2014
- 2) I NEED ~~that~~ STATEMENT OF Col KENDRICKS that was made at the end of March BEGINNING April PRETRAINING INCIDENT ON JAN 31st / FEB 1st 2014.
- 3) ALSO FROM Col X. CLARK SAME AS ABOVE.

Respectfully Submitted  
George L. Hall #108164  
2501 State Farm Road - MSU  
TUCKER, ARKANSAS. 72168

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the above pleading has been served this 29th day of April 2014, on the above Respondent by placing a copy of the same in the Dis. Mail, Regular 401

Lisa Mills Wilkins  
Attorney Supervisor  
P.O.B 8707  
Pine Bluff, Arkansas  
71611

George Hall  
#108164 8



Arkansas  
State Claims Commission  
MAY 07 2014

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

RECEIVED  
CLAIMANT

GEORGE HALL (ADC #108164)

V.

NO. 14-0725-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. Claimant seeks \$6,500.00 for allegedly being held in punitive isolation after his time had expired. Claimant has failed to state a claim upon which relief can be granted herein under ARCP Rule 12(b)(6) for the reasons herein.
2. On February 1, 2014, Claimant was placed in punitive isolation due to an error when his disciplinary was entered into eOMIS twice by accident. At the time of the transfer (midnight of January 31, 2014, a Friday), Claimant was told he would have to move and then check with the Count Room on Monday. He did not.
3. He also could have spoken to the Duty Warden over the weekend who could have accessed the information and determined the error occurred. Instead Claimant did not notify any person of the mistake until February 7, 2014, at which time, the records were checked and he was immediately removed and placed in the proper cell.
4. During the period of time between February 1, 2014 to February 7, 2014, in addition to the officers who were on duty, other visitors to the isolation area included Lt. Ruh eight times, Chaplain Hiser once, Captain Frazier twice, Captain Jackson twice, Warden Straghn twice, Nurse Hammond three times, Mrs. Brooks (mail) six times, Deputy Warden Outlaw twice, Lt. Spears three times, and other signatures which are indecipherable. Forty-two different persons' visits are documented and yet Claimant made no complaint about being locked up until the last day.

WHEREFORE, for the reasons stated above and the evidence submitted, the Claim filed should 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 MOTION TO DISMISS has been served this 6 day of May, 2014, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

GEORGE HALL (ADC #108164)  
MSU  
2501 STATE FARM ROAD  
TUCKER, AR 72168

Lisa Mills Wilkins  
LISA MILLS WILKINS Ark. Bar #87190

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

GEORGE HALL (ADC #108164)

CLAIMANT

V.

NO. 14-0725-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

RESPONSE TO MOTION FOR DISCOVERY

COMES NOW the Respondent, Arkansas Department of Correction, and for its Response to Motion for Discovery, responds as follows:

1. Response to No. 1: Objection. This is vague and ambiguous and Respondent does not know what statement Claimant is referring to.
2. Response to No. 2: Objection. This is vague and ambiguous and Respondent does not know what statement Claimant is referring to.
3. Response to No. 3: Objection. This is vague and ambiguous and Respondent does not know what statement Claimant is referring to.

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

Arkansas  
State Claims Commission

MAY 07 2014

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CERTIFICATE OF SERVICE

I certify that a copy of the DISCOVERY RESPONSE has been served this 6 day of May, 2014, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

GEORGE HALL (ADC #108164)

MSU

2501 State Farm Road

Tucker, AR 72168-0240

*Lisa Mills Wilkins*

LISA MILLS WILKINS Ark. Bar #87190

Before THE ARKANSAS STATE CLAIMS COMMISSION

George Hall #108164

v.  
ARK D.O.C

No. 14-0725-CC

Arkansas  
State Claims Commission Respondent  
MAY 14 2014  
Claimant

MOTION TO OBJECT

RECEIVED

Comes now the claimant and for its Motion to objection states as follow:

1. Response to Respondent's #2 Response. Respondent clearly admitted that the D.O.C is at fault by failing to follow Policy and Procedure, not once, but **"TWICE"** claimant was illegally sentenced to 60 days Punitive Isolational confinement. Per D.O.C Policy's AD 12-24 Punitive segregation P. 7 of 8 and AD 13-10 inmate disciplinary Manual P. 19 of 42 both state 30 days Punitive Confinement are the only range of allowable sanctions Per any one disciplinary action. Claimant was held 7 days illegally past the 30 allowable days in Punitive Isolational confinement. Respondent further states on the day of incident. **QUOTE:** "Midnight of Jan 31st P Friday) Claimant was told he would have to move and then check with the Count Room, BUT it is 15:00 MONDAY. HE DID NOT. IT IS NOT the claimant's duty to check with the Count Room, BUT it is the RESPONSIBILITY of the D.O.C to make sure D.O.C inmates are "where" there supposed to be." there supposed to be.

2. Response to Respondent's #3 Response. 10:30 P up until midnight of Jan 31st 2014, night of incident, the inmate that claimant was told by Sgt. Penister of claimant was being taken to Punitive Confinement. Claimant protested and told Sgt. Penister a mistake had to be made and that she needed to go and check the e-mails Penister stated she wasn't doing shift and refused to confirm the situation where it could be corrected. Claimant then resorted to notifying both floor officers Co. Kendrick and Clark to notify the Shift Commander Capt. Frazier but Penister the area Supervisor refused to make any effort in even checking. Co. Kendrick suggested that I the claimant just write a short note advising Capt. Frazier of the issue and have him check and confirm the mistake by e-mail's officer Kendrick personally gave Capt. Frazier the note. Yet still right by midnight Sgt. Penister was at my door telling me to pack my shift so that I could be moved to the hole. Also Co. Kendrick and Clark was present claimant asked Co. Kendrick what did Capt. Frazier say and the response by Kendrick "Capt. Frazier got the note you wrote!" Sgt. Penister stated Capt. Frazier stated if I claimant would not get shift fix there own mistake. Claimant temporarily refused to get moved to the hole after the few threats of I was going to be sprayed with mace and extracted if I did not comply. I complied and moved to add gas to a fire Sgt. Penister told me to get out my feelings but I knowed that was up! Sgt. Penister and Capt. Frazier have access to the e-mail's system both "neglect" to check and confirm the error. Furthermore the mistake was a correctable error at the Shift Commander Capt. Frazier had authorization to simply correct and resolve it and not the claimant moved to Punitive Isolational confinement. Respondent's accusation that claimant did not notify anybody of the mistake until Feb 7, 2014, is **FALSE**. See ABOVE underlined Quote that was made by Respondent in Claimant's 1st Response. This is a clear indication that D.O.C. was AWARE of the matter. Respondent stated Claimant was told to check with Count Room same day Jan 31st, 2014. Respondent had ample opportunity to correct error before claimant was moved to move into Punitive Isolational confinement.

3. Response to Respondent's #4 Response Again Claimant advised, notified and begged staff to correct and correct error by e-mail's staff deliberately refused! Same day of incident 1-31-14 Respondent also states Claimant waited till the last day of Feb 7th, which is **FALSE**, the last day of "legal" Punitive Confinement was March 3rd, 2014. Big difference. **WRONGFUL EXCESSIVE CONFINEMENT.**

4. Claimant was Punished and placed in Punitive confinement all claimants Privileges taken. T.V. missed the Super bowl, NO Radio All Personal Property taken. had to endure standing and sitting on concrete for 12 hrs per day but Punitive inmates ARE NOT allowed a mattress between the hours 7A-7P Also NO video games NO commissary. All due to A simple ERROR the D.O.C made and Refused to correct when had ample time to do so! MY Claim has merits and I have stated fact upon which relief can be granted.

Wherefore, for the reasons submitted above Claimant Request that its motion to Object Be granted and Respondents, Dismiss motion Be Dis missed!

Respectfully Submitted  
George Hall #108164  
~~XXXXXXXXXXXX~~  
2501 State Farm Road-MSU  
Tucker, ARK 72168

### CERTIFICATE OF SERVICE

I certify that a copy of the above Pleading has been served this 12<sup>th</sup> day of May 2014, on the below Respondent by placing a copy of the same in the U.S. Mail Regular Postage to:

LISA WILKINS  
ATTORNEY SUPERVISOR  
P.O. B 87077  
PINE BLUFF, ARK 71611

George Hall  
#108164

STATE CLAIMS COMMISSION DOCKET  
OPINION

Amount of Claim \$ 6,500.00

Claim No. 14-0725-CC

George Hall, #108164 Claimant  
vs.

Attorneys  
Pro se Claimant

Department of Correction Respondent  
State of Arkansas

Lisa Wilkins, Attorney Respondent

Date Filed March 21, 2014

Type of Claim Failure to Follow Procedure & Mental Anguish

FINDING OF FACTS

The Claims Commission hereby unanimously denied and dismissed the Respondent's "Motion to Dismiss." Therefore, this claim will be set for hearing and all parties notified accordingly.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

The Claims Commission hereby unanimously denied and dismissed the Respondent's "Motion to Dismiss." Therefore, this claim will be set for hearing and all parties notified accordingly.

Date of Hearing June 12, 2014

Date of Disposition June 12, 2014

Richard May Chairman

Bill Lancaster Commissioner

Garmon Commissioner

\*\*Appeal of any final Claims Commission decision is only to the Arkansas General Assembly as provided by Act #33

STATE CLAIMS COMMISSION DECISION  
OPINION

Amount of Claim \$ 6,500.00

Claim No. 14-0725-CC

George Hall, #108164  
vs. Claimant

Attorneys  
Pro se Claimant

AR Department of Corrections  
State of Arkansas Respondent

Lisa Wilkins, Attorney  
Respondent

Date Filed March 21, 2014

Type of Claim Failure to follow procedure,  
Mental Anguish

FINDING OF FACTS

This claim was filed for Failure to Follow Procedure and Mental Anguish in the amount of \$6,500.00 against Arkansas Department of Corrections.

Present at a hearing December 10, 2014, was the Claimant, pro se, and the Respondent, represented by Lisa Wilkins, Attorney.

The Claims Commission unanimously found liability on the part of the Respondent and unanimously awards the Claimant \$100.00 per day for wrongfully serving punitive isolation for seven (7) days for a total amount of \$700.00.

The Claims Commission hereby unanimously awards this claim in the amount of \$700.00 and hereby directs the Claims Commission Clerk to issue a voucher in payment thereof.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

Upon consideration of all the facts, as stated above, the Claims Commission hereby unanimously awarded this claim in the amount of \$700.00 and hereby directs the Claims Commission Clerk to issue a voucher in payment thereof.

Date of Hearing December 10, 2014

Date of Disposition December 10, 2014

*Robert May*  
Chairman  
*Michelle*  
Commissioner  
*Bill James*  
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.

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Arkansas Claims Commission  
JAN 07 2015  
RECEIVED  
CLAIMANT

IN THE CLAIMS REVIEW SUBSOMMITTEE  
OF THE ARKANSAS GENERAL ASSEMBLY

GEORGE HALL (ADC #108164)

V. NO. 14-0725-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

NOTICE OF APPEAL

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

Notice is hereby given that the Respondent is appealing the granting of the decision by the Arkansas State Claims Commission rendered December 10, 2014, in the above matter to the General Assembly of the State of Arkansas in accordance with Arkansas Statute 19-10-211.

Respondent hereby designates the entire record, and all proceedings, exhibits, evidence and documents introduced in evidence to be contained in the record on appeal.

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 NOTICE OF APPEAL has been served this 6<sup>th</sup> day of January, 2015, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

GEORGE HALL (ADC #108164)  
MSU  
2501 STATE FARM ROAD  
TUCKER, AR 72168

*Lisa Mills Wilkins*  
LISA MILLS WILKINS Ark. Bar #87190