

Arkansas State Claims Commission

OCT 08 2015

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Please print in ink or type

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

- Mr. Mrs. Ms. Miss

Huey White #089919 Claimant

vs.

State of Arkansas, Respondent Dept. of Corrections

Do Not Write in These Spaces Claim No. 16-0298-CC Date Filed October 8, 2015 Amount of Claim \$ 9000.00 Fund DOC

COMPLAINT Negligence, Failure to Follow Procedure, Pain & Suffering

Huey White #089919 the above named Claimant, of 2501 State Farm Rd. Tucker, AR 72168

(Name) (Street or R.F.D. & No.) (City) County of Jefferson represented by NO (State) (Zip Code) (Daytime Phone No.) (Legal Counsel, if any, for Claim) (Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.)

State agency involved: Arkansas Department of Correction Amount sought: \$9000.00 / \$1000.00 A Day

Month, day, year and place of incident or service: July 2, 2015 - July 30, 2015 / Maximum Security Unit - Punitive Isolation

Explanation: On July 2, 2015 I was taken before the Arkansas Department of Corrections - Disciplinary Hearing Officer, who sentenced me to (10) ten days punitive isolation in violation of Rule violation 12-1. Whereas according to the order on "ISSR 101" The start of my punitive status began at 9:50 A.M on 7/2/2015 and should have ended on 7/12/2015 at 9:50 A.M. Now on 7/11/2015 I advised staff of my expired days but staff disregarded and I was held in punitive isolation Hot Heat Index for additional (9) nine days, depriving me of the access to normal functions i.e. "Regular shower, T.V, Telephone, Radio, Commissary, Library, my personal property, and deprived of my mattress on a daily basis. Therefore created deliberate indifference by violating state and maximum security unit established policy and procedures. On 7/10/2015, I again advised staff with grievances and I filed this grievance after being released from punitive MX 15-1524. It is not my fault staff disregarded State and Agency Policies. I am seeking compensation for the (9) nine days in the amount of \$1000.00 a day. As I have exhausted my grievances and Worker Bul find I have merit, the Director consent with the Warden's decision. I cannot get the nine (9) days I had to suffer in punitive isolation Hot Heat Index back to my life! Plus step one with the problem solver (Set Cator) states that response was given that it was negligence on staff placing my punitive status at 25 days instead of (10) days. It must be remember I had advised staff on 7/11/2015 and again on 7/10/15 or staff would have let me suffer the whole 25 days. Prison officials did participate in violating State and Federal Laws and Agency Policies. "by letting me suffer in the Hot Heat Index in punitive isolation (9) extra days and the distress I had to keep advising staff who refused to correct the expired punitive

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 \$ was paid thereon: (2) Has any third person or corporation an interest in this claim? if so, state name and address

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

: 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 verily believes that they are true.

Huey C. White (Print Claimant/Representative Name) Huey C. White #089919 (Signature of Claimant/Representative)

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

on this 05 day of October 2015 (Date) (Month) (Year)



Michael E. Kindall (Notary Public)

SF1-R799

My Commission Expires: 05/16/16 (Month) (Day) (Year)

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

HUEY WHITE (ADC 089919)

CLAIMANT

V.

NO. 16-0298-CC

Arkansas Claims Commission

ARKANSAS DEPARTMENT OF CORRECTION

OCT 29 2015

RESPONDENT

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

Huey White (ADC 089919)
Maximum Security Unit
2501 State Farm Road
Tucker, AR 72168

Lisa Mills Wilkins
LISA MILLS WILKINS Ark. Bar #87190

Arkansas Claims Commission
JAN 13 2016
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Before The Arkansas State Claims Commission

Huey White (ADC # 089919) Claimant

v. No. 16-0298-CC

Arkansas Department of Correction Respondent

Motion for Discovery

Comes claimant, Huey White #089919 and for his Motion for Discovery, state as follows:

1. I, Huey White, ADC # 089919 in the above case. I would like to have all the evidence the state have on the case No. 16-0298-CC.
2. According to law I am able to have the evidence to better prepare myself for a defense, they have all the evidence I have, so it's only fair I be given the same opportunity.
3. So I'm asking the committee to ask the Arkansas Department of Correction to please send me all the information they have on the above case No. 16-0298-CC.

Your help and time will be highly appreciated.

Respectfully submitted,
Huey White 089919
Huey White ADC 089919
2501 State Farm Road
Tucker, AR 72168

Certificate of Service

I certify that a copy of the Motion for Discovery has been served this 12 day of January, 2016, on the below Respondent by placing a copy of the same in the U.S. Mail regular postage.

Lisa Mills-Wilkins
Attorney Supervisors
P.O. Box 8707
Pine Bluff, AR 71611

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

HUEY WHITE (ADC #089919)

Arkansas CLAIMANT
State Claims Commission
JAN 25 2016

V.

NO. 16-0298-CC

ARKANSAS DEPT. OF CORRECTION

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RESPONDENT

RESPONSE TO MOTION FOR DISCOVERY

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

1. Response: This request is overly broad and cumbersome.
2. Response: If Respondent has all the evidence that Claimant has there is no need for discovery and this matter is ready for dispositive pleadings.
3. Response: This is not a proper discovery request. This is not a criminal matter. Claimant is the moving party and has the burden of proof.

WHEREFORE, for the reasons cited herein, the Respondent, Arkansas Department of Correction prays that this request for Discovery be denied.

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 DISCOVERY RESPONSE has been served this 19th day of January, 2016, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

HUEY WHITE (ADC #089919)
MSU
2501 STATE FARM ROAD
TUCKER, AR 72168

Lisa Mills Wilkins
LISA MILLS WILKINS Ark. Bar #87190

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

HUEY WHITE (ADC #089919)

CLAIMANT

V.

NO. 16-0298-CC

ARKANSAS DEPT. OF CORRECTION

RESPONDENT

RESPONSE TO INTERROGATORIES PROPOUNDED DEC. 11 & 18 (DUPL.), 2015

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

1. Response: This discovery is directed to WARDEN D BURL who is not a party. Interrogatories are only allowed to parties.
2. Response: This discovery is directed to SGT. LYONS who is not a party. Interrogatories are only allowed to parties.
3. Response: This discovery is directed to SGT. HUGHES who is not a party. Interrogatories are only allowed to parties.
4. Response: This discovery is directed to SGT. CATOE who is not a party. Interrogatories are only allowed to parties.
5. Response: This discovery is directed to MRS. C. JENKINS who is not a party. Interrogatories are only allowed to parties.
6. Response: This discovery is directed to F. BENTLEY who is not a party. Interrogatories are only allowed to parties.
7. Response: This discovery is directed to MAJOR M. WILLIAMS who is not a party. Interrogatories are only allowed to parties.
8. Response: This discovery is directed to LT. HALL who is not a party. Interrogatories are only allowed to parties.

WHEREFORE, for the reasons cited herein, the Respondent, Arkansas Department of Correction

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 DISCOVERY RESPONSE has been served this 17th day of January, 2016, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

HUEY WHITE (ADC #089919)

MSU

2501 STATE FARM ROAD

TUCKER, AR 72168

Lisa Mills Wilkins
LISA MILLS WILKINS Ark. Bar #87190

5

Before The Arkansas State Claims Commission

Huey White #089919

V.

No. 16-0298-CC

Arkansas Department of Correction

Respondent

Arkansas Claims Commission
JAN 25 2015
Claimant RECEIVED

Motion To Amend Discovery

Comes now claimant, Huey White #089919 and for his Motion To Amend Discover, states as follows:

(1). I Huey White #089919 in the above case I would like to have the requested AR of AR 839, AD 10-20, Punitive Segregation - Restriction Policy & Procedures, Requested Witness Statements of ADC Officers, and Housing Movement Status that the ADC have on case No. 16-0298-CC.

(2). Request AR 839

Request AD 10-20, Punitive Isolation- Restriction Policy & Procedures.

(3). Request Witness Statements from; Lt. L. Hall on July 11, 2015 being advised of my expired days; and Sgt. M. Hughes on July 20, 2015 on Grievance MX-15-1879 who I advised that no staff would believe my punitive had expired.

(4). Request for inmate Huey White #089919 Housing Movement Status from May 1, 2015 until January 21, 2016.

(5). So I'm asking the committee to have the Arkansas Department of Correction to please send me the Amend Motion of Discovery to the requested information on the above case No. 16-0298-CC.

Your help and time will be highly appreciated.

Respectfully Submitted,

Huey White #089919

Huey White #089919

2501 State Farm Rd.

Tucker, Ark. 72168

Certificate of Service

I certify that a copy of Motion To Amend Discovery has been served this 21 day of January, 2016, on the below Respondent by placing a copy of the same in the U.S. Mail regular postage.

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

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

HUEY WHITE (ADC #089919)

CLAIMANT

Arkansas Claims Commission

V.

NO. 16-0298-CC FEB 25 2016

ARKANSAS DEPARTMENT OF CORRECTION

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RESPONDENT

RESPONSE TO MOTION TO AMEND DISCOVERY

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

1. Request No. 1: Objection. Claimant has access to these in the law library. Duplication here is a waste of resources.
2. Request No. 2: Objection. Claimant has access to these in the law library. Duplication here is a waste of resources.
3. Request No. 3: None taken.
4. Request No. 4: Housing movement for 72-15 to 7-20-15 is provided as the relevant time period. Objection as to the remainder as irrelevant.

07/02/2015	Maximum Security Unit	WEST	0005	Disciplinary Confinement
07/20/2015	Maximum Security Unit	CB-4	0025	Job Assignment

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 DISCOVERY RESPONSE has been served this 23 day of February 2016, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

HUEY WHITE (ADC #089919)
MSU
2501 STATE FARM ROAD
TUCKER, AR 72168

Lisa Mills Wilkins
LISA MILLS WILKINS Ark. Bar #87190

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

HUEY WHITE (ADC #089919)

CLAIMANT

V.

NO. 16-0298-CC

Arkansas
State Claims Commission
JAN 25 2016

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

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

1. Claimant seeks \$9,000.00 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 July 2, 2015, Claimant was sentenced to 10 days in punitive isolation at MSU. His time was entered as 25 days. He states on July 11, 2015, he notified staff that his time was expired, but it wasn't. He still had one more day to serve.
3. For the next complained about his punitive time on July 20, 2015, when he filed a grievance. He was moved *immediately*. During the interim between July 2nd and July 20th, he filed two MEDICAL grievances which clearly shows that he had access to file grievances if he chose to do so. See Exhibit "A" He filed none related to his overdue time in punitive isolation until July 20th and AFTER that date.
4. Upon reviewing the grievance on July 20, 2015, the mistake was discovered and Claimant was moved that day. The error was cleared up and would have been done so nine (9) days earlier if he had brought it to the attention of staff.
5. Claimant should not be allowed to profit from an error which he perpetrated by his own comparative negligence in failing to report the problem when it existed to attempt to get it corrected.
6. During this time, claimant was indigent and would only have been allowed his necessity purchases at commissary. He made no purchases during the month of July of 2015. His last visitor was March 1, 2013.

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 19th day of January, 2016, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

HUEY WHITE (ADC #089919)
MSU
2501 STATE FARM ROAD
TUCKER AR 72168

Lisa Mills Wilkins
LISA MILLS WILKINS Ark. Bar #87190

All sections of this form have been fully signed so it can no longer be updated. If you need to delete the form, click the Prepare to Update button and you will then be given the option to Delete it.

IGTT420
3GH

Attachment IV

INMATE NAME: White, Huey C. ADC #: 089919A GRIEVANCE #: MX-15-01739

HEALTH SERVICES RESPONSE TO UNIT LEVEL GRIEVANCE

In receipt of Formal Grievance MX-15-01739 ICO Huey White, ADC #089919.

Initial, Informal Grievance stated, "On 7/6/15 APN P. Drummond called me to the Unit Infirmary. APN Drummond did relay to me, that he wanted address my being ready for field duty. Now Drummond was placing ADC concerns before my health concerns. APN Drummond is alleged to be a medical care provider and is supposed to be addressing my medical needs. "Now I did not put in for this visit, Drummond had taken all my medical restrictions on 6/22/15 at Chronic Care" Drummond has already demonstrated he is under orders from Warden Burl to discontinue medical scripts, where by ignoring my medical needs to ensure i am able to work in the field. APN Drummond, Warden Burl, Major Crook, Sgt. R. Owens, Sgt. B. Davis and Sgt. J. Burns have and are acting with deliberate indifference to my medical needs, knowing their actions could and would cause a great rick to my health and life, while working in the field. APN Drummond and Warden Burl, ADC and CCS are violating AR 833 and are violating the 8th amendment prohibition of cruel and unusual punishment. Their actions have caused me pain, suffering and mental distress: Why would APN Drummond call me to Infirmary on 7/6/15 to tell (end of allotted space)."

*Signature
Dated 7-7-15*

A review of your medical record indicates that you were seen by Mr. Drummond on 7/6/15 to evaluate your hypertension and dehydration. His clinical notes indicate a diagnosis of hypertension but no signs and/or symptoms of dehydration based on his examination results. He adjusted your medication, encouraged you to consume water, and also to submit a sick call slip if the problem persisted and/or worsened.

Mr. Drummond provided an appropriate examination and treatment plan as a result of his medical examination, not, as you claim, based on ADXC concerns; your overall health and well-being is his focus.

Based on the review, I find your claim of "cruel and unusual punishment" -- Without Merit.

Signature of Health Services
Administrator/Mental Health Supervisor or
Designee

Timothy Ryan Faloon

Title

08/11/2015

Date

INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five filling in the information requested below and mailing it to the Deputy Director for I



Exhibit

A

11

All sections of this form have been fully signed so it can no longer be updated. If you need to delete the form, click the Prepare to Update button and you will then be given the option to Delete it.

IGTT420
3GH

Attachment IV

INMATE NAME: White, Huey C. ADC #: 089919A GRIEVANCE #: MX-15-01740

HEALTH SERVICES RESPONSE TO UNIT LEVEL GRIEVANCE

In receipt of Formal Grievance MX-15-01740 ICO Huey White, ADC #089919.

Initial, Informal Grievance stated, "From June 22, 2015 Nurse Drummond has continue until today, to Deliberate indifference to my medical needs. by violating ADC, CCS and ACA 17-87-101 E.T.P. ST. SEQ: This actions is causing me mental distress and suffering."

As noted in response to your prior Formal Grievance MX-15-01739, Mr. Drummond completed an appropriate medical examination on you on 7/16/15 and also on 7/15/15 to address hypertension and also referral for medical shoe evaluation. Based on his clinical notes, you are being afforded appropriate care for the issues to which you voice. The content of the response to the Formal Grievance MX-15-01739 also applies to this same complaint - your medical condition(s) are being adequately evaluated and treated.

*signed it.
7-16-14*

I therefore find your grievance -- Without Merit.



Signature of Health Services
Administrator/Mental Health Supervisor or
Designee

Timothy Ryan Faloon

Title

08/11/2015

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 Deputy Director for Health & Correctional Programs 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 were 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 RESPONSE GIVEN ABOVE?

FEB 01 2016 BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

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Huey White (ADC# 089919)

Arkansas State Claims Commission
Arkansas Claims Commission
FEB 01 2016
RECEIVED
RECEIVED
Claimant

v.

No. 16-0298-CC

Arkansas Department of Correction

Respondent

Motion to Object

Comes now the claimant, Huey White #089919 and for his Motion to Object, states as follows:

1. Response to Respondent's #1: This incident of wrongful excessive punitive confinement is a fact of overwhelming proof, not an alleged incident. Warden Burl, the unit center supervisor, admits staff failure to follow proper policy and procedure. Also that the punitive time entered in the eOmis system by staff was incorrect, and that corrective action on staff would be taken. Furthermore that Claimants complaint was noted with merit for failure to follow procedure, wrongful excessive punitive confinement and mental anguish Claimant requests to be compensated monetarily.
2. Response to Respondent's #2: Respondent admits that Claimant was only sentenced to 10 days punitive but yet staff deliberately entered a 25 day sentence illegally. Respondent further admits Claimant notified staff verbally of the expired 10 days on July 11th, which was the last day of confinement.

3. Response to Respondent's #3: Claimants medical grievances are irrelevant to this claim. Respondent's Exhibit A is irrelevant to this claim due to the fact July 6, 2015, Claimant was legally still serving a 10 day sentence.
4. Response to Respondent's #4: Claimant advised isolation area staff Sgt. Hughes, Sgt. Lyons and Sgt. Catoe the afternoon of July the 11th. Sgt. Lyons notified Lt. Hall who stated there was no cut slip for Claimant to be released from punitive isolation this day. Claimant advised area Sgt.'s verbally through out from the 11th of July to the 20th of July, 2015, until another inmate advised Claimant that staff wasn't going to do nothing until Claimant wrote an informal grievance enforcing them to take action.
5. Response to Respondent's #5: It is the sole responsibility of the Arkansas Department of Correction employee staff to move and house inmates accordingly to their status. It is the paid duty of staff to make sure inmates are suppose to be where they are suppose to be when there suppose to be this is not the Claimant's responsibility to tell staff how to do something they are paid to do. Furthermore, it is not the Claimant's fault he was excessive punished in punitive isolation.
6. Response to Respondent's #6: Claimant's financial and visitation status is irrelevant to Claimant's claim.
7. Respondent filed a Motion to Dismiss Claimant's claim January 19, 2016, 11 days after the fact of Director Brenda Wade having given notice January 8, 2016, and scheduled hearing for claim on March 9, 2016, at 9:00 am. Respondent had ample opportunity to respond to pleadings and failed to respond within a timely manner.

Wherefore, for the reasons stated above and the evidence submitted, Claimant requests that the Respondent's Motion to Dismiss be dismissed without further delay to the hearing.

Respectfully submitted,

Huey White #089919
Huey White ADC # 089919
2501 State Farm Road
Tucker, AR 72168

Certificate of Service

I certify that a copy of the Motion to Object has been served this 27 day of January, 2016, on the below Respondent by placing a copy of the same in the U.S. Mail, regular postage to:

Lisa Mills Wilkins, Ark. Bar #87190
Attorney Supervisor
P.O. Box 8707
Pine Bluff, AR 71611

STATE CLAIMS COMMISSION DECISION
OPINION

Amount of Claim \$ 9,000.00

Claim No. 16-0298-CC

		Attorneys	
<u>Huey White, #089919</u>	Claimant	<u>Pro se</u>	Claimant
vs.			
<u>AR Dept. of Correction</u>	Respondent	<u>Lisa Wilkins, Attorney</u>	Respondent
<u>State of Arkansas</u>			
Date Filed <u>October 8, 2015</u>		Type of Claim <u>Failure to Follow Procedure,</u>	
		<u>Negligence, Pain & Suffering</u>	

FINDING OF FACTS

The Claims Commission hereby unanimously denies and dismisses the Respondent's "Motion to Dismiss" and orders this claim proceed to hearing as scheduled.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

The Claims Commission hereby unanimously denies and dismisses the Respondent's "Motion to Dismiss" and orders this claim to proceed to hearing as scheduled.

Date of Hearing February 11, 2016

Date of Disposition February 11, 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.

STATE CLAIMS COMMISSION CHECKET
OPINION

Amount of Claim \$ 9,000.00 Claim No. 16-0298-CC
Huey White #089919 Claimant Attorneys Pro se Claimant
vs.
AR Department of Corrections Respondent Lisa Wilkins, Attorney Respondent
State of Arkansas
Date Filed October 8, 2015 Type of Claim Negligence, Failure to follow procedure Pain & Suffering

FINDING OF FACTS

This claim was filed for negligence, failure to follow procedure and pain & suffering in the amount of \$9,000.00 against Arkansas Department of Corrections.

Present at a hearing March 9, 2016 was the Claimant, pro se, and the Respondent, represented by Lisa Wilkins, Attorney.

The Claims Commission unanimously finds liability on the part of the Respondent in this claim and unanimously awards the Claimant the amount of \$1,800.00 and hereby orders the Respondent agency to pay the claim out current fiscal year revenue.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

Upon consideration of all the facts, as stated above, the Claims Commission hereby unanimously awards this claim in the amount of \$1,800.00 and hereby orders the Respondent agency to pay the claim out current fiscal year revenue.

Date of Hearing March 9, 2016

Date of Disposition March 9, 2016

Haworth Chairman
Mia Stofure Commissioner
Bill Janich 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.

MAR 25 2016

RECEIVED

IN THE CLAIMS REVIEW SUBSOMMITTEE
OF THE ARKANSAS GENERAL ASSEMBLY

HUEY WHITE (ADC #089919)

CLAIMANT

V.

NO. 16-0298-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 MARCH 9, 2016, 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 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 22 day of March, 2016, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

HUEY WHITE (ADC #089919)
MSU
2501 STATE FARM ROAD
TUCKER, AR 72168


LISA MILLS WILKINS Ark. Bar #87190