

MAY 14 2013

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Please Read Instructions on Reverse Side of Yellow copy

Please print in ink or type

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

- Mr. Mrs. Ms. Miss

Jerry Ellis, #078658 Claimant

vs.

State of Arkansas, Respondent Dept. of Correction

Do Not Write in These Spaces Claim No. 13-0807-CC Date Filed May 14, 2013 Amount of Claim \$ 5,000.00 Fund DOC

Failure to Follow Procedure

COMPLAINT

Jerry Ellis, #078658 the above named Claimant, of P.O. Box 400, Grady, AR 71644

N/A County of LINCOLN represented by PRO SE

N/A N/A N/A N/A

State agency involved: A.D.C / SERGEANT J. CHANEY Amount sought: 5000.00

Month, day, year and place of incident or service: 7-23-01 VARNER UNIT SUPERMAX

Explanation: ON 7-23-01 SGT. J. CHANEY DURING AND SHAKEDOWN OF CLAIMANT CELL OF CELL BLOCK #2... CONFISCATED LAW BOOKS... FEDERAL RULES OF EVIDENCE... A.D.C. POLICY AND PROCEDURES...

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

and that the following action was taken thereon:

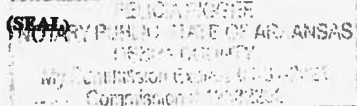
and that \$ N/A was paid thereon: (2) Has any third person or corporation an interest in this claim?

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.

JERRY ELLIS (Print Claimant/Representative Name) Signature of Claimant/Representative

SWORN TO and subscribed before me at Grady AR



on this 09 day of May 2013

My Commission Expires: 01 31 2013

PHOTOGRAPHS OF THE ~~CELL~~ ~~WHEN THE~~ ~~CELL~~ WAS SHAKEN  
DOWN AND ITEMS WAS CONFISCATED BY SGT. CHANEY ON 7-2-  
012  
END OF COMPLAINT

---

SUBSCRIBED AND SWORN TO BEFORE ME, A NOTARY PUBLIC, ON THIS  
09 DAY OF May 2013

FELICIA PIGGEE  
NOTARY PUBLIC-STATE OF ARKANSAS  
DESHA COUNTY  
My Commission Expires 01-31-2021  
Commission # 12382202

  
SIGNATURE

Felicia Piggie  
NOTARY PUBLIC

0131-2021  
MY COMMISSION EXPIRES

MAY 16 2013

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

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JERRY ELLIS (ADC 078658)

CLAIMANT

V.

NO. 13-0807-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*  
 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 16 day of May, 2013, on the Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

Jerry Ellis (ADC 078658)  
Varner Super Max Unit  
PO Box 400  
Grady, AR 71644-0400

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

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

JERRY ELLIS (ADC #078658)

CLAIMANT

V.

NO. 13-0807-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

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 \$5,000.00 for loss of property alleging that four (4) law books were taken from him on July 23, 2012, by an officer stating that they were overdue from the law library.
2. Claimant did not submit any grievance on this matter at all. His first grievance after this incident was filed on August 9, 2012 and relates to rain water in the cell blocks., but none are relevant to the claims which he has filed.
3. AD12-16 N. provides that "inmates are hereby advised that they must exhaust their administrative remedies as to all defendants at all levels of the grievance procedure before filing a Section 1983 lawsuit and Claims Commission claim. If this is not done, their lawsuit or claims may be dismissed immediately."

WHEREFORE, for the above reasons Respondent prays that the Complaint 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

ARKANSAS STATE  
CLAIMS COMMISSION

MAY 16 2013

RECEIVED

CERTIFICATE OF SERVICE

I certify that a copy of the above Motion to Dismiss has been served this 16 day of May, 2013, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

JERRY ELLIS (ADC #078658)

VSM

P. O. Box 600

GRADY, AR 71644-0600

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

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

JERRY ELLIS #78658

V. #13-0807-CC CLAIMANT  
ARKANSAS DEPTS OF CORRECTION Arkansas Claims Commission

JUN 05 2013

RECEIVED

RESPONDENT

MOTION FOR EXTENSION OF TIME

COMES NOW THE CLAIMANT JERRY ELLIS #78658 —  
PRO, SE, MOVES THIS STATE CLAIMS COMMISSION FOR  
AND ADDITIONAL EXTENSION OF TIME DUE TO THE —  
FOLLOWS.

1. THE CLAIMANT STATES THAT PER TO RULE 2.2 RESPONSIVE  
PLEADING AND RULE 2.4 FILING OF ALL MOTIONS OF THE —  
ARKANSAS STATE CLAIMS COMMISSION RULES MANUAL HE  
REQUEST FOR AND ADDITIONAL THIRTY (30) DAYS EXTENSION  
OF TIME DUE TO THAT MRS. PHALLA CARTER, V.S.M PROGRAM —  
GRIEVANCE COORDINATOR AND MRS. SHARON CANTHELL, V.S.M.  
PROGRAM GRIEVANCE SPECIALIST HAVE REFUSED TO —  
PROVIDE CLAIMANT WITH THE COPIES OF HIS REQUESTED —  
GRIEVANCES SHOWING PROOF THAT CLAIMANT HAS EXHAUSTED —  
HIS ADMINISTRATIVE REMEDIES TOWARD AD-12-16 POLICY —  
AND PROCEDURES OF PG (5.) TOWARD PARAGRAPH (1.) BUT TO  
NO AVAIL SEE EXHIBITS (A), (B), AND (C)

2. THE CLAIMANT STATES THAT ON 5-23-13 HE SPOKE WITH MRS. —  
PHALLA CARTER, V.S.M PROGRAM GRIEVANCE COORDINATOR —  
AND SHOWED HER A COPY OF HIS FILED CLAIM OF 5-14  
13 AND CLAIMANT SHOWED MRS. PHALLA CARTER V.S.M.



PROGRAM GRIEVANCE A COPY OF THE RESPONDENTS -  
MRS. LISA MILLS WILKINS MOTION TO DESMISS HIS  
CLAIM. WHICH MRS. PHALIA CARTER, V.S.M PROGRAM -  
GRIEVANCE COORDINATOR TOLD CLAIMANT THAT SHE  
NEEDS TO SHOW HER SUPERVISOR MRS. SHARON -  
CANTRELL, V.S.M PROGRAM GRIEVANCE SPECIALIST  
A COPY OF CLAIMANT MOTION AND ON 5-21-13 AT APPROX  
CLAIMANT SUBMITTED HIS COPY OF THE RESPONDENTS -  
ATTORNEY MRS. LISA MILLS WILKINS MOTION TO DESMISS -  
TO MRS. PHALIA CARTER, V.S.M PROGRAM GRIEVANCE -  
COORDINATOR AND TO THE 31<sup>ST</sup> DAY OF MAY 2013 MRS. PHALIA -  
CARTER, V.S.M PROGRAM GRIEVANCE COORDINATOR STILL  
HAS NOT RETURN CLAIMANT COPY OF HIS MOTION TOWARD THE  
RESPONDENTS ATTORNEY MRS. LISA MILLS WILKINS SEE -  
EXHIBITS (A) (B) AND (C)

3. THE CLAIMANT STATES THAT ON 5-23-13 HE SHOWED MS -  
FELICIA PIGGEE, V.S.M ISSUANCE PROGRAM COORDINATOR -  
~~XXXXXXXXXX~~ A COPY OF HIS FILED CLAIM OF 5-14-13 -  
AND CLAIMANT SHOWED MS. PIGGEE, V.S.M ISSUANCE  
PROGRAM COORDINATOR COPIES OF MRS. CANTRELL  
V.S.M PROGRAM GRIEVANCE SPECIALIST AND MRS. CARTER  
V.S.M PROGRAM GRIEVANCE COORDINATOR INTER-OFFICE  
COMMUNICATIONS OF 5-21-13 BUT MS PIGGEE, (V.S.M) -  
ISSUANCE PROGRAM COORDINATOR HAS NOTHING TO DO -  
WITH STEP (1) OF THE INMATE GRIEVANCE PROCESSING -  
PER TO (PG) (1) OF PARAGRAPHS (10) AND (11) OF AD -  
12-16 POLICY AND PROCEDURES AND AD-12-16 -

POLICY WILL REFLECT THAT MRS. PIGGEE, V. S.M. ISSUANCE PROGRAM COORDINATOR HAS NOTHING TO DO WITH STEP (2) OF PROCESSING ANY INMATES. GRIEVANCE OF STEP (2) SEE EXHIBITS (A), (B), AND (C).

4. THE CLAIMANT STATES THAT HE REQUEST FOR AND ADDITIONAL THIRTY (30) DAYS EXTENSION OF TIME DUE TO THE ISSUES SET FORTH IN PARAGRAPHS (1) THROUGH (3).

WHEREFORE THE CLAIMANT PRAYS THAT THE ARKANSAS STATE CLAIMS COMMISSION GRANT THE SAID MOTION.

CERTIFICATE OF SERVICE

I, JERRY ELLIS #78658 PRO, SE, DO HEREBY CERTIFY THAT (5) COPIES OF THE FORE GOING MOTION HAS BEEN MAILED TO MR. NORMAN L. HODGES, JR. DIRECTOR OF THE STATE CLAIMS COMMISSION AND ONE (1) COPY OF THE SAME MOTION HAS BEEN MAILED TO THE RESPONDENTS ATTORNEY MRS. LISA MILLS WILKINS AT P. O. BOX 8707 PINE BLUFF, AR 71601 ON THE 31ST DAY OF MAY 2013

PRO, SE. S L M  
RESPECTFULLY SUBMITTED  
JERRY ELLIS #78658  
V. S.M.  
P. O. BOX 400  
GRADY, AR 71601-0400

STATE CLAIMS COMMISSION LOCKET  
OPINION

Amount of Claim \$ 5,000.00

Claim No. 13-0807-CC

Jerry Ellis, #078658 Claimant  
vs.

Attorneys  
Pro se Claimant

Department of Correction Respondent  
State of Arkansas

Lisa Wilkins, Attorney Respondent

Date Filed May 14, 2013

Type of Claim Failure to Follow Procedure

FINDING OF FACTS

The Claims Commission hereby unanimously grants the Respondent's "Motion to Dismiss," for the reasons contained therein. Therefore, this claim is hereby unanimously denied and dismissed.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

The Claims Commission hereby unanimously grants the Respondent's "Motion to Dismiss," for the reasons contained therein. Therefore, this claim is hereby unanimously denied and dismissed.

Date of Hearing June 14, 2013

Date of Disposition June 14, 2013

[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.



BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

JERRY ELLIS #78658

CLAIMANT

V.

#13-0807-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

Arkansas  
State Claims Commission  
JUL 22 2013

MOTION FOR RECONSIDERATION

RECEIVED

COMES NOW THE CLAIMANT JERRY ELLIS #78658 PRO,  
SE, MOVES THIS STATE CLAIMS COMMISSION TO VACATE  
IT'S RULING OF JUNE, 14, 2013

1. THE CLAIMANT STATES THAT THE STATE CLAIMS COMMISSION  
OPINION OF JUNE, 14, 2013 SHALL BE VACATED DUE TO THAT  
ON MAY, 23, 2013 CLAIMANT WRITTEN TO MR. NORMAN L. -  
HODGES, JR. ABOUT HIM SPEAKING WITH MRS. PHAELA CARTER -  
V.S.M PROGRAM GRIEVANCE COORDINATOR ON MAY, 25, 2013  
OF THE CLAIMANT NEEDS PROOF OF HIS GRIEVANCE # V.S.M -  
12-02995 SHOWING THAT CLAIMANT HAD EXHAUSTED HIS  
ADMINISTRATIVE REMEDIES OF AD-12-16 OF PG 5) TOWARD  
PARAGRAPH (1.) BUT MR. NORMAN L. HODGES, JR NEVER  
RESPONDED OF CLAIMANT LETTER OF MAY, 23, 2013

2. THE CLAIMANT STATES THAT DUE TO THAT MR. NORMAN L.  
HODGES, JR. NEVER RESPONDED TO HIS LETTER OF MAY, 23, 013  
CLAIMANT THEN FILE A MOTION FOR EXTENSION OF TIME -  
ON 5-31-2013 WHICH CLAIMANT CANNOT SAY WHY HIS  
MOTION FOR EXTENSION OF TIME WAS NOT RECEIVED UNTIL  
JUNE, 5, 013 WHEN THE VANNA LIND MALL ROOM -  
SUPERVISOR MRS. V. ALLEN ADVISE CLAIMANT ON

7-2-013 THAT CLAIMANT LEGAL LETTER TO MR. NORMAN L. HODGES, JR. WAS MAILED OUT THE SAME DAY THE VARNER UNIT MAIL ROOM RECEIVED THAT LETTER ON MAY 23, 013 AND DUE TO THAT MR. NORMAN L. HODGES, JR. KNEW THAT CLAIMANT WAS HAVING AND PROBLEM OBTAINING COPIES OF HIS SUBMITTED GRIEVANCE # V.S.M-12-02995 MR. NORMAN L. HODGES, JR. SHOULD HAVE GRANTED THE CLAIMANT AND EXTENSION PER TO RULE (b)(b)(2.) OF THE ARKANSAS RULES OF CIVIL PROCEDURES ACCORDINGLY TO EDWARDS V. SZABO FOOD SERVICE INC. 877 S.W.2D 932 (1994) THOMPSON V. ZUFARI, 924 S.W.2D 796 (1996) AND SEE SABELY V. STATE, 685 S.W.2D - 169 (1985) THEREFORE THE STATE CLAIMS COMMISSION OPINION OF JUNE, 14, 2013 SHALL BE VACATED.

3. THE CLAIMANT STATES THAT DUE THAT MR. NORMAN L. HODGES, JR. GRANTED CLAIMANT AND EXTENDED EXTENSION OF TIME OUT SIDE THE (10) DAYS RESPONSE TIMEFRAME OF THE CLAIMANT CLAIM # 13-0384-CG OF JAN, 15, 013 BUT - DUE TO THAT MR. NORMAN L. HODGES, JR. REFUSED TO - GRANT THE CLAIMANT AND EXTENDED EXTENSION OF TIME - THAT WAS INADEQUATE PER TO RULE (b)(b)(1.) OF THE ARKANSAS RULES OF CIVIL PROCEDURES ACCORDINGLY TO EDWARDS V. SZABO FOOD SERVICE INC, 877 S.W.2D 932 (1994) AND SEE THOMPSON V. ZUFARI, 924 S.W.2D 796 (1996) THEREFORE THE STATE CLAIMS COMMISSION OPINION OF JUNE, 14, 013 SHALL BE VACATED,

4. THE CLAIMANT STATES THAT THE STATE CLAIMS COMMISSION OPINION OF JUNE 14, 2013 IS MISLED - DUE TO THAT THE STATE CLAIMS COMMISSION INSTRUCTIONS SHEET STATED THAT ALL GRIEVANCE - PROCEDURES SET BY THE DEPARTMENT OF CORRECTION MUST BE EXHAUSTED BEFORE A CLAIM CAN BE FILED, WHICH CLAIMANT MET THAT REQUIREMENT WHEN HE SUBMITTED HIS COMPLAINT ON MAY 13, 2013 AND - DUE TO THAT THE STATE CLAIMS COMMISSION SHOULD HAVE RULED ON CLAIMANT SUBMITTED MOTION FOR EXTENSION OF TIME PER TO RULE (b) (b) (1) OF THE ARKANSAS RULES OF CIVIL PROCEDURES ACCORDING TO EDWARDS V. SZABO FOOD SERVICE INC. - 877 S.W.2D 932 (1994) AND SEE THOMPSON V. ZUFARI, 924 S.W.2D 746 (1996) THEREFORE THE STATE CLAIMS COMMISSION OPINION OF JUNE 14, 2013 SHALL BE VACATED.

5. THE CLAIMANT STATES THAT THE STATE CLAIMS COMMISSION - OPINION OF JUNE 14, 2013 SHALL BE VACATED DUE TO THEY - FAILED TO MET THE REQUIREMENT OF RULE 2.2, RULE 2.4 - AND RULE 7.1 OF THE STATE CLAIMS COMMISSION RULES - MANUAL OF CLAIMANT SUBMITTED MOTION FOR - EXTENSION OF TIME ACCORDING TO SLATON V. - SLATON, 956 S.W.2D 150 (1997) LAJMAN V. BONEY, 967 S.W.2D 561 (1998) MAH V. BARG, 633 S.W.2D 376 (1987) AND SEE CORNETT V. PRATHER, 737 S.W.2D - 159 (1987) THEREFORE THE STATE CLAIMS COMMISSION



RULING OF JUNE, 14, 2013 SHALL BE VACATED,

THEREFORE FOR ALL THE REASONS STATED THE CLAIMANT PRAYS THAT THE STATE CLAIMS COMMISSION VOID ITS RULING OF JUNE, 14, 2013

### CERTIFICATE OF SERVICE

I, JERRY ELLIS #78658 PRO, SE, DO HEREBY CERTIFY THAT (5) COPIES OF THE FOREGOING MOTION HAS BEEN MAILED TO MRS. EARNESTINE STRICKLAND, INTERIM DIRECTOR OF THE STATE CLAIMS COMMISSION AND ONE (1) COPY OF THE SAME MOTION HAS BEEN MAILED TO THE RESPONDENT'S ATTORNEY MRS. LISA MILLS WILKINS AT P. O. BOX 8707 PINE BLUFF, AR 71601 ON THIS 18TH DAY OF JULY, 2013

PRO, SE S LA 78658  
RESPECTFULLY SUBMITTED  
JERRY ELLIS #78658  
V. S. M  
P. O. Box 400  
SHADY, AR 71644-0400

EXHIBIT - A

Arkansas Claims Commission

JUN 05 2013

RECEIVED

**ARKANSAS DEPARTMENT OF CORRECTION  
VARNER UNIT  
INTER-OFFICE COMMUNICATION**

TO: Inmate Ellis, Jerry ADC #78658 CB01/0116  
FROM: Phalia M. Carter, Program Specialist-Grievance  
RE: Request for Interview - Section 1983 Lawsuit  
DATE: May 21, 2013

In order to receive copies of your grievances, you will need to present to one of the VSM Treatment/Problem Solvers (Ms. D. Smith or Ms. F. Piggee) a completed Section 1983 lawsuit or Claims Commission claim form. If you need a blank form you can request one from them.

Refer to the below listed information regarding receiving copies of grievances.

**PER AD: 12-16 Inmate Grievance Procedure:**

**Accessibility (Page 4 of 29)**

Inmates may request one copy of their grievance from the facility grievance staff upon presenting a completed Section 1983 lawsuit or Claims Commission claim. The inmate also needs to give the grievance number for the particular grievance he/she is requesting.

**Prison Litigation Reform Act Notice (Page 18 of 29)**

Inmates are hereby advised that they must exhaust their administrative remedies as to all defendants at all levels of the grievance procedure before filing a Section 1983 lawsuit and Claims Commission claim. If this is not done, their lawsuits or claims may be dismissed immediate

Inmates must attach a copy of the Chief Deputy/Deputy/Assistant Director's response to any petition or complaint; otherwise the court or commission may dismiss the case without notice.

Inmates are also advised that they shall be subject to paying filing fees in Federal Court pursuant to the Prison Litigation Reform Act of 1996.

Additionally, you should have either the pink or yellow copy of your grievances that you can use.

Cc: File





EXHIBIT B ←

Arkansas Claims Commission

JUN 05 2013

**ARKANSAS DEPARTMENT OF CORRECTION  
VARNER UNIT  
INTER-OFFICE COMMUNICATION**

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RECEIVED

TO: Inmate Ellis, Jerry ADC #078658 CB01-116

FROM: Sharon L. Cantrell, Program Specialist-Grievance

RE: Request for Interview - Section 1983 Lawsuit

DATE: May 21, 2013

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Attached is your copy of the "Motion to Dismiss Before the Arkansas State Claims Commission" form. The directions for requesting a copy of your grievance is listed below.

In order to receive copies of your grievances, you will need to present to one of the VSM Treatment/Problem Solvers (Ms. D. Smith or Ms. F. Piggee) a completed Section 1983 lawsuit or Claims Commission claim form. If you need a blank form you can request one from them.

Refer to the below listed information regarding receiving copies of grievances.

**PER AD: 12-16 Inmate Grievance Procedure:**

**Accessibility (Page 4 of 29)**

Inmates may request one copy of their grievance from the facility grievance staff upon presenting a completed Section 1983 lawsuit or Claims Commission claim. The inmate also needs to give the grievance number for the particular grievance he/she is requesting.

**Prison Litigation Reform Act Notice (Page 18 of 29)**

Inmates are hereby advised that they must exhaust their administrative remedies as to all defendants at all levels of the grievance procedure before filing a Section 1983 lawsuit and Claims Commission claim. If this is not done, their lawsuits or claims may be dismissed immediate

Inmates must attach a copy of the Chief Deputy/Deputy/Assistant Director's response to any petition or complaint; otherwise the court or commission may dismiss the case without notice.

Inmates are also advised that they shall be subject to paying filing fees in Federal Court pursuant to the Prison Litigation Reform Act of 1996.

Additionally, you should have either the pink or yellow copy of your grievances that you can use.

Cc: File  
Attachment

T.O: MRS. FELICIA PIGGEE, V.C.M. ISSUANCE PROGRAM - COORDINATOR

EXHIBIT - C -

STATE OF ARKANSAS )  
COUNTY OF LINCOLN ) S

800-4  
Arkansas Claims Commission

JUN 05 2013

RECEIVED

AFFIDAVIT

JERRY ELLIS #18158

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

I SUBMIT THIS AFFIDAVIT TO YOU PER TO MRS. SHARON CANTRELL, PROGRAM SPECIALIST - COORDINATOR INTER-OFFICE COMMUNICATIONS - 5-21-13 THAT YOU ISSUED TO ME ON 5-22-13 WHICH IS INSUFFICIENT PER TAD-12-16 POLICY AND PROCEDURES OF PG (A) TOWARD SECTION (3) AND ON 5-21-13 I SHOWN MRS. PHALIA CARTER V.C.M. GRIEVANCE COORDINATOR PROOF THAT I HAD AND ACTIVE CLAIM PENDING BEFORE THE STATE CLAIMS (SEE REVERSE SIDE)

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

5-23-13  
DATE

Jerry Ellis  
AFFIANT

SOCIAL SECURITY # \_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this 23 day of May, 2013.

Felicia Piggew  
NOTARY PUBLIC

My Commission Expires: 01-31-2021

FELICIA PIGGEE  
NOTARY PUBLIC-STATE OF ARKANSAS  
DESHA COUNTY  
My Commission Expires 01-31-2021  
Commission # 12382202

STATE CLAIMS COMMISSION CHECKET  
OPINION

Amount of Claim \$ 5,000.00

Claim No. 13-0807-CC

Jerry Ellis, #078658 Claimant  
vs.

Attorneys  
Pro se Claimant

Department of Correction Respondent  
State of Arkansas

Lisa Wilkins, Attorney Respondent

Date Filed May 14, 2013

Type of Claim Failure to Follow Procedure

FINDING OF FACTS

The Claims Commission hereby unanimously denies Claimant's "Motion for Reconsideration" for the Claimant's failure to offer evidence that was not previously available. Therefore, the Commission's June 14, 2013, order remains in effect.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

The Claims Commission hereby unanimously denies Claimant's "Motion for Reconsideration" for the Claimant's failure to offer evidence that was not previously available. Therefore, the Commission's June 14, 2013, order remains in effect.

Date of Hearing August 14, 2013

Date of Disposition August 14, 2013

Pat Moran Chairman  
Bill Lancaster Commissioner  
Jim Baker 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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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

JERRY ELLIS #78658

CLAIMANT

V.

#13-0807-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

Arkansas State Claims Commission  
AUG 29 2013

RECEIVED

NOTICE OF APPEAL

COMES NOW THE CLAIMANT JERRY ELLIS #78658 PRO, SE, SUBMIT THIS NOTICE OF APPEAL PURSUANT TO ACT 33 OF 1997 TOWARD THE ARKANSAS STATE CLAIMS COMMISSION OPINION OF AUGUST 14, 2013

1. THE CLAIMANT JERRY ELLIS #78658 PRO, SE, REQUEST THAT THE ARKANSAS STATE CLAIMS COMMISSION TO NOTIFY THE ARKANSAS STATE GENERAL ASSEMBLY LEGISLATIVE COUNCIL THAT THE CLAIMANT WISH TO APPEAL THE ARKANSAS STATE CLAIMS COMMISSION OPINION OF AUGUST, 14, 2013

2. THE CLAIMANT STATES THAT DUE TO THAT MR. NORMAN L. HODGES, JR. EX-DIRECTOR OF THE ARKANSAS STATE CLAIMS COMMISSION OPINION OF JUNE, 24, 2013 WAS INADEQUATE TO DENIED THE CLAIMANT AND EXTENDED EXTENSION OF TIME PER TO HIS SUBMITTED MOTION FOR EXTENSION OF TIME SUBMITTED ON MAY 31ST 2013 BEFORE THE ARKANSAS STATE CLAIMS COMMISSION BULING OF JUNE 14, 2013 PURSUANT TO.

