

DEC 14 2012

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

DEC 14 2012

RECEIVED

- Mr. Mrs. Ms. Miss

George Marshall, #099713, Claimant

vs.

State of Arkansas, Respondent Dept. of Correction

RECEIVED Do Not Write in These Spaces Claim No. 13-0480-CC Date Filed December 14, 2012 Amount of Claim \$ 7,500.00 Fund DOC

Failure to Follow Procedure

COMPLAINT

George Marshall, #099713, the above named Claimant, of P.O. Box 180, Brickeys, AR 72320

County of Lee represented by Prose

State agency involved: Ark. Dept. of correction Amount sought: \$7,500.00

Explanation: The grievance is filed on the date 12/31/12, at (E.A. Rull) of The (A.D.C.) by did Rull's issue firstly, had that a failure to follow is to seen as the cause for an atypical period of suffering pain that should never transpired or occur - due to the policy & procedures (AR-94-109) and (AR-901), (AR-905) and, finally (AR-833). Wherefore, since it can be said that the (E.A.R) doctor or the healthcare provider did so adequately comply with the state statute 27-29-403, certainly a liable inmate then any inmate suffering and pain as can be established to have gone uncorrected or unattended to for such an atypical amount of time must rightly be laid at the hands of the (E.A. Rull) classified officer - one, Mr. Greening and, the (deputy) warden - T. Ball) who is so the head of my period of time relevant, i.e. - classification committee assembled, that was is - responsible for the duty of seeing to the fact of the matter that no disable inmate suffer misassignment in his housing!

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? N/A; to whom? N/A; and that the following action was taken thereon: N/A; and that \$ was paid thereon: (2) Has any third person or corporation an interest in this claim?; if so, state name and address; and that the nature thereof is as follows:; 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.

George Marshall (Print Claimant/Representative Name) X George Marshall (Signature of Claimant/Representative)

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

on this 22 day of November 2012 (Date) (Month) (Year)

My Commission Expires: March 1 2015 (Month) (Day) (Year)

IGTT410
3GS

INMATE NAME: Marshall, George ADC #: 099713B GRIEVANCE #: EA-12-01174

WARDEN/CENTER SUPERVISOR'S DECISION

Inmate Marshall, you grieve you have ask Ms. Green to be moved to a rack on the bottom tier. Your complaint is noted. Documentation reveals you were moved to a bottom tier on 08/01/2012 due to your medical script. Your complaint is with merit but resolved.

[Handwritten Signature]

[Handwritten Title]

[Handwritten Date]

Signature of Warden/Supervisor or Designee

Title

Date

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AUG 23 2012

INMATE GRIEVANCE SUPERVISOR
ADMINISTRATION BUILDING

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? *There was no punishment handed down to Mrs. Green or Deputy Todd Ball.*

[Handwritten Inmate Signature]

[Handwritten ADC#]

[Handwritten Date]

Inmate Signature

ADC#

Date

INMATE NAME: Marshall, George

ADC #: 099713

GRIEVANCE#:EA-12-01174

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

I have received your formal grievance dated 07/31/12 in reference to the denial of a bottom rack, which has caused you great pain by having to go up and down the stairs.

After reviewing all the supporting documentation, I have determined that I concur with the Warden's response. You have been given a bottom rack which resolves your problem. Disciplinary action against employees, contractors or visitors is not a remedy available through the Inmate Grievance Procedure.

Based on the above stated information, I do find merit in your complaint but resolved at the unit level.

Appeal denied.

17M7

Director

Date

10.2.12

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

GEORGE MARSHALL (ADC 099713)

CLAIMANT

V.

NO. 13-0480-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

ARKANSAS STATE
CLAIMS COMMISSION

DEC 28 2012

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CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been served this 20 day of December, 2012, on the Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

George Marshall (ADC 099713)
East Arkansas Regional Unit
PO Box 180
Brickeys, AR 72320

Lisa Mills Wilkins
LISA MILLS WILKINS Ark. Bar #87190

FEB 11 2013

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

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GEORGE MARSHALL (ADC # 099713)

CLAIMANT

V.

NO. 13-0480-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT

RESPONDENT'S MOTION TO DISMISS UNDER ARCP 12(B)(6)

COMES NOW the Respondent, Arkansas Department of Correction, and for its MOTION TO DISMISS UNDER ARCP 12(B)(6), states and responds as follows:

1. Claimant filed a claim for failure to follow policy, in the amount of \$7,500.00 alleging he was placed on an upper tier bunk in violation of his medical script.
1. Claimant has failed to state a claim upon which relief can be granted herein under ARCP Rule 12(b)(6) in that Claimant does not state what policy was violated or how he was damaged or injured.
2. Claimant alleges that on July 25, 2012, he was placed on a top tier in violation of his medical script for 'no stairs' and that classification officer, Mrs. Green refused to adhere to his no stair script. Claimant had a temporary script which was in effect from March 21, 2011 through June 21, 2011.
3. Medical was present during the classification of the Claimant and made no objection to placing him on the upper tier. Claimant made no complaints to medical staff regarding his placement on the upper tier despite numerous visits to medical for various treatments. The matter was brought to the attention of Deputy Warden Todd Ball on July 31, 2011, who sent an email to Mrs. Green on that date ordering Claimant to be moved. See Exhibit "A". Unfortunately, Corizon medical staff did not notice the restriction, Claimant suffered no injury by being placed in the upper tier, and as soon as the matter came to Mr. Balls attention, Claimant was moved on August 1, 2012. The matter has been resolved without harm to the Claimant.
4. As an element of the damages, Claimant is required to show that he has suffered a harm. He has failed to show any harm that he suffered as a result of being housed on the upper tier. Claimant suffered no injury through fall, stumbling, or similar falter.
5. He has failed to show how he was harmed in anyway by a violation of the policy. Claimant filed his only grievance on this matter against Mrs. Green on July 25, 2012,
6. Respondent moves that the commission dismiss this claim. A motion to dismiss is proper when there are no facts upon which relief can be granted. ARCP 12(B)(6). Claimant can show no facts upon which he is entitled to relief and therefore this claim should be dismissed.

WHEREFORE, for the reasons stated about and the evidence submitted, the Claims filed must 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

CERTIFICATE OF SERVICE

I certify that a copy of the above pleading has been served this 7th day of February, 2013, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

GEORGE MARSHALL (ADC # 099713)
EARU
P.O. Box 180
Brickeys, AR 72320-0180

Lisa Mills Wilkins
LISA MILLS WILKINS Ark. Bar #87190

Todd Ball

From: Todd Ball
Sent: Tuesday, July 31, 2012 4:38 PM
To: Pauletta Green
Subject: Inmate George Marshall # 099713

Ms. Green, you need to move Inmate George Marshall # 099713, he has a no stair script.

BEFORE The ARKANSAS State Claims Commission

George MARSHALL ADC # 099713

Claimant

V.

NO. 13-0480-CC

ARKANSAS Department of Correction

Respondant

CLAIMANTS Objection to Respondants
Motion to Dismiss

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FEB 19 2013

Arkansas Claims Commission

In Response to the Respondant's "Exhibit A" that was un-signed, and printed in 2013 concerning a 2012, matter is not substantiated. Leading to the question of the Respondant's veracity, wherein the document marked "Exhibit A" the states Administrator Deputy Warden R.T. Ball of Arkansas' Dept. of Corrections, East Ark. Regional unit, offers no verification of authenticity of document, only typed or computer printed facsimile of a note with a 2012 date in it's body, yet the time and date of actual printing was in 2013. Being un-signed and not properly sealed renders document frivolous, artifice, of at the very least circumstantial value and, complainant objects to document titled "Exhibit A" being admitted into evidence, as being deficient in authentication, pursuant to Arkansas, Rules of Evidence Rule 901. Also, Equivalent in nature as letter of co-defendant to defendant in Davis v. State 350 Ark

UNIT LEVEL GRIEVANCE FORM (Attachment D)

Unit/Center E. A. H. U.

Name George Marshall

ADC# 99713 Brks # 14-35 Job Assignment Hall Porter

1-3-12 (Date) STEP ONE: Informal Resolution

(Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: Constant severe pain and swelling to my left ankle and foot.

1-3-12 (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): On 12-24-11 my left ankle and foot were put on me to the point that I could not walk on it. Well officers was told about my problem and the doc was called. Nurse Taylor and Nurse Johnson came and took me to the doc. I was then put on the doc. I was held by Nurse Taylor. But a little while later, Nurse Taylor came back on the ward and told me that she talk to Doctor OAL. OAL (Name), Nurse Johnson, and she said to send me back to the barracks. On 12-26-11 Sgt Williams took me to the doc about my left ankle and foot. Well he talk to Dr. OAL then she and she told him and me that she never talk to nurse Taylor on 12-24-11 about me or my left ankle or foot. Well on 12-26-11 Doctor OAL order X-rays and give me a shot he phion and put me on the ward for a few hours and that was it. Well on 12-28-11 I went back to the doc on my own because the pain was just to much to take. Well Dr. OAL told me that there where no human bones but could not tell me what was causing the pain on the left side of my left ankle. Nor have Doctor OAL attempt to send me to some place that can tell me what is causing this pain. All she have done in a. d. X-rays and legend three which is not doing my good for the pain that I'm using the Mr.

George Marshall
Inmate Signature

1-3-12
Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

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 _____

S.K. Isaacs 1307 Arkansas Claims Commission 1-3-12
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: FEB 19 2012

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Staff Signature & Date Returned _____ Inmate Signature & Date Received _____

This form was received on _____ (date), pursuant to Step Two: Is it an Emergency? _____ (Yes or No).

Staff Who Received Step Two Grievance: _____ Date: _____

Action Taken: _____ (Forwarded to Grievance Officer/Warden/Other) Date: _____

If forwarded, provide name of person receiving this form: _____ Date: _____

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE-Grievance Officer; ORIGINAL-Given back

10

IPTS022A

Bed Assignments

Bed Assignments (1 - 20 of 187)

Date	Time	Facility Name	Housing Area	Bed ID	Assignment Reason	Status
<u>09/18/2012</u>	07:22 PM	East AR Region. Unit	BK15	003L	Overcrowding Adjustment	Assigned
<u>09/06/2012</u>	02:35 AM	East AR Regional Max Unit	ISOL	M76L	Disciplinary Confinement	Unassigned
<u>08/07/2012</u>	05:28 AM	East AR Region. Unit	BK15	004L	Exchanged Beds	Unassigned
<u>08/01/2012</u>	11:30 PM	East AR Region. Unit	BK18	004L	Job Assignment	Unassigned
<u>02/13/2012</u>	11:08 PM	East AR Region. Unit	BK14	035U	Initial Assignment	Unassigned
<u>02/07/2012</u>	03:45 PM	East AR Region. Unit	BK16	024L	Job Assignment	Unassigned
<u>01/25/2012</u>	07:44 PM	East AR Regional Max Unit	ISOL	M32L	Disciplinary Confinement	Unassigned
<u>03/06/2011</u>	07:26 AM	East AR Region. Unit	BK14	035U	Job Assignment	Unassigned
<u>02/15/2011</u>	04:56 PM	East AR Region. Unit	BK18	043U	Initial Assignment	Unassigned
<u>02/11/2011</u>	05:29 AM	East AR Regional Max Unit	ISOL	M81L	Job Assignment	Unassigned
<u>02/03/2011</u>	05:35 AM	East AR Regional Max Unit	ISOL	M57L	Job Assignment	Unassigned
<u>11/01/2010</u>	08:10 PM	East AR Region. Unit	BK18	013L	Custody Change	Unassigned
<u>10/08/2010</u>	08:55 PM	East AR Regional Max Unit	ISOL	M73L	Disciplinary Confinement	Unassigned
<u>02/18/2010</u>	02:39 PM	East AR Region. Unit	BK18	023L	Job Assignment	Unassigned
<u>01/28/2010</u>	02:02 PM	East AR Region. Unit	BK16	025L	Job Assignment	Unassigned
<u>01/28/2010</u>	08:31 AM	East AR Region. Unit	BK16	041U	Job Assignment	Unassigned
<u>01/12/2010</u>	02:18 PM	East AR Region. Unit	BK18	025L	Initial Assignment	Unassigned
<u>12/23/2009</u>	11:12 PM	East AR Region. Unit	BK10	035U	Treatment	Unassigned
<u>10/26/2009</u>	04:00 PM	East AR Region. Unit	BK18	014L	Job Assignment	Unassigned
<u>09/30/2009</u>	02:04 PM	Delta Regional Unit	BK08	0028	Job Assignment	Unassigned

New Page

FEB 19 2013

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STATE OF ARKANSAS)
) §
COUNTY OF Lee)

AFFIDAVIT

I Leroy, H. Stevenson, after first being sworn, do hereby swear, depose and State that: On Dec, 24 Inmate G. Marshall
left Cankles, and foot, gave out on him,
and he, couldn't walk, down the Stair, because
he couldn't put pressure on it, at all he
was carried down Stair by Inmate, but
he was assigned to pack 14-35 with 15
up Stair, when he should had a down Stair
pack knowing he had crutches, and came to be
gain with. He was in emergency situation of
physical harm, by medical staff.

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

1-13-2013
DATE

Leroy H. Stevenson
AFFIANT

SOCIAL SECURITY #

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this 13 day of
January, 2013.

Michael D. Allen
NOTARY PUBLIC

My Commission Expires: March 1, 2015

MICHAEL D. ALLEN
CRITTENDEN COUNTY
NOTARY PUBLIC -- ARKANSAS
My Commission Expires March 1, 2015

FEB 19 2013

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STATE OF ARKANSAS)
) §
COUNTY OF LEE)

AFFIDAVIT

I PRUITT, CHARLES JR., after first being sworn, do hereby swear, depose and State that: ON OR AROUND DECEMBER 24, 2011 I AND OTHER INMATES HAD TO CARRY INMATE G. MARSHALL UP AND DOWN THE STAIRS SO THAT HE COULD GET TO AND FRO HIS RACK (UPSTAIRS 14-35) AND PLACES OF NECESSITY (IE. RESTROOM, CHOW, DIABETIC SHOT) DUE TO THE FACT THAT HE COULD PUT ABSOLUTELY NO PRESSURE ON HIS LEFT FOOT AND/OR ANKLE. HE SHOULD NOT HAVE BEEN ASSIGNED UPSTAIRS AND THE INFIRMARY WAS AWARE OF HIS SITUATION AND PAIN BECAUSE THEY HAD TO COME TO THE BARRACKS AND GET HIM ON AT LEAST ONE OCCASSION.

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

1-13-13
DATE

[Signature]
AFFIANT

..*** (AVAILABLE AFTER FROM COURT)
SOCIAL SECURITY #

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public, on this 13 day of January, 2013.

[Signature]
NOTARY PUBLIC

My Commission Expires: March 1, 2015

MICHAEL D. ALLEN
CRITTENDEN COUNTY
NOTARY PUBLIC -- ARKANSAS
My Commission Expires March 1, 2015

Before the Arkansas State Claims Commission

George Marshall AOC#099713

Claimant

v.

NO: 13-0480-CC

Ark. Dept. of Correction

Respondant

Brief in Support of Claimant's
Motion to Object, Dated 3-1-13

I. Comes Now before the Arkansas Claims Commission, Claimant George Marshall, by Brief in Support of Prior Objection to Respondant's submission that was dated 2-28-13.

II. In Support of Claimant's objection to the above mentioned submission by Respondant, Claimant asks the Review of the Bks. 14 security log on 12-24-2011, on O shift (which would be the shift from 6:00 PM till 6:00 AM of 12-25-2011)

The Post was held by CO-I. M. Meadows

Whose testimony would verify the lack of personal knowledge as defined by Ark. Statute 16-41-101

The Uniform Rules of Evidence Rule 602, of Deputy Warden Payne, 'Ms. Green' or Rory Griffin.

III.

Also, in Policy of The Ark. Dept. of Correction, Incidents Are to be Made Record of, And this Policy is Set out in Administrative Regulation 005. (see included form).

IV.

The infirmary log which is maintained by the Post Security officer will also confirm that Claimant was escorted to infirmary and by whom, when and for what purpose.

V.

In Conclusion, testimony of Deputy Warden Payne & 'Ms. Green' could only lead to Conjecture and Speculation.

As well as that of Rory Griffin who's only testimony would only serve to confuse or complicate. And, not promote a fair application of Justice by the facts and substantial evidence, not hearsay or circumstantial evidence. All facts, by policy will be documented in the above stated logs and reports. Claimant requested in a timely manner, Lt. H. Williams as witness, and his medical file of Claimant to achieve Justice without clouding the issue.

Fact is fact. Leaving no room for the speculation or conjecture, which is all that could be created by the respondents '11th hour' request for witnesses with only hearsay or no personal knowledge.

VI. (Continued)

Therefore Claimant Prays Commission will sustain objection to '11th hour' Request of Respondant. And, All the Rights and Privileges a citizen of the State of ARKANSAS, And the United States of America are entitled to by the LAWS AND CONSTITUTIONS of Such.

Original: George Marshall
CC: Lisa Mills Wilkins

Attached. Form.005

Respectfully Submitted
George Marshall
ADC # 099713
P.O. Box 180
Brickey, AL 36006

STATE of ARKANSAS }
County of Lee } Lee

Subscribed AND SWORN to before me, A Notary.

ON this 3 day of MARCH 2013.

WILLIAM IVORY
NOTARY-PUBLIC-STATE OF ARKANSAS
ST. FRANCIS COUNTY
My Commission Expires Dec. 1, 2017
Commission # 12363868

William Ivory
Notary Signature

My Commission Expires: Dec. 1, 2017

STATE CLAIMS COMMISSION . TICKET
OPINION

Amount of Claim \$ 7,500.00 Claim No. 13-0480-CC

George Marshall, #099713 Claimant Attorneys Pro se Claimant

vs.

Department of Correction Respondent Attorneys Lisa Wilkins, Attorney Respondent

State of Arkansas

Date Filed December 14, 2012 Type of Claim Failure to Follow Procedure

FINDING OF FACTS

The Claims Commission hereby unanimously amends the Respondent's "Motion to Dismiss" and unanimously grants the "Amended Motion to Dismiss" for the Claimant's failure to offer evidence that he sustained injuries or damages. Therefore, this claim is hereby unanimously denied and dismissed.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

The Claims Commission hereby unanimously amends the Respondent's "Motion to Dismiss" and unanimously grants the "Amended Motion to Dismiss" for the Claimant's failure to offer evidence that he sustained injuries or damages. Therefore, this claim is hereby unanimously denied and dismissed.

Date of Hearing March 7, 2013

Date of Disposition March 7, 2013

[Signature] Chairman
[Signature] Commissioner
[Signature] Commissioner

Before the Arkansas State Claims Commission

George Marshall #099713

Claimant

Vs.

CLAIM NO: #13-0480-CC

Ark. Dept. of Corrections

Respondant

Request for Reconsideration

ARKANSAS STATE
CLAIMS COMMISSION

MAR 28 2013

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A. CLAIMANT, PRAYS Commission Reconsider
it's granted, motion to dismiss of Respondant
As, the Commission it's self Amended the
motion. And demonstrates Bias in favor
of State Agency.

(1)

Claimants injury is documented by the testimony
of witness, Lt. H. Williams, And the medical
file that records the medical treatments of
Inmates housed in ADC. units.

(2)

Claimant has since been suffering further
Pain and suffering caused, directly by the
failure of Respondant to follow it's own
Policy & Procedures

(2) continued

All submitted evidence supports Claimant.

(3)

By being denied opportunity to have hearing Claimant is being treated as though he were without right to face accuser as provided by 6th Amendment U.S.C.A., And, given no rebuttal to Respondant's motion, or Commission's Amendment of such.

B.

Claimant objects to Commission's Amendment of Respondant's Motions. And, Request to promptly appear in person for oral argument of claim and motions on such.

C. For the above stated reasons Claimant requests reconsideration as provided by A.C.A. 19-10-211, b-2.

~~Respectfully Submitted~~

~~ADC# 099713~~
~~P.O. Box 180~~
~~Briskey~~

P.S. 2 of 3

ADDENDUM;

CLAIMANTS Request for Reconsideration
Dated 3-21-13, Is made in good faith effort
to Achieve Justice. Above mentioned Motion to dismiss
AS Amended by Commission MARCH 7, 2013, in
Claim 13-0480-CC was without Allowing Benefit of
Notice or Copy of motion or Amended motion to
CLAIMANT for Review or Due Process.

original: Claimant
cc: Claims Commission
cc: Lisa Mills-Wilkins

Respectfully Submitted
George Marshall
ADC #099713
P.O. Box 180
Briarclay, AR 72320

STATE of ARKANSAS }
County of Lee } }

Subscribed and sworn to before me as Notary
on this 24 day of March 2013.


Notary Signature

My Commission Expires:
March 1, 2015

MICHAEL D. ALLEN
CRITTENDEN COUNTY
NOTARY PUBLIC -- ARKANSAS
My Commission Expires March 1, 2015

Pg. 3 of 3

STATE CLAIMS COMMISSION DOCKET
OPINION

Amount of Claim \$ 7,500.00

Claim No. 13-0480-CC

George Marshall, #099713 Claimant Attorneys Pro se Claimant
vs.
Department of Correction Respondent Lisa Wilkins, Attorney Respondent
State of Arkansas
Date Filed December 14, 2012 Type of Claim Failure to Follow Procedures

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 March 7, 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 March 7, 2013, order remains in effect.

Date of Hearing April 11, 2013

Date of Disposition April 11, 2013

Richard L. Meyer Chairman
Husock Commissioner
Bill Janaker Commissioner

APR 30 2013

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George Marshall 099713

CLAIMANT

V.

NO: 13-0480-CC

Ark. Dept. of Corrections

RESPONDANT

NOTICE OF APPEAL

I. Comes now claimant, George Marshall, to Enter Notice of Appeal of Claim NO: 13-0480-CC, to the General Assembly, Per. A.C.A § 19-10-211.

A. Claimant Requests Entire Record of proceedings without alteration, of Above mentioned claim be made available and more specifically the request to Dismiss that was amended by the Commission itself.

B. Claimant wishes to Preserve All Records and Actions taken in claim NO: 13-0480-CC, for use in U.S. District Courts USC ~~42~~ 1983 Civil Action.

ORIGINAL: G. MARSHALL

CC: Lisa Mills Wilkins

Respectfully Submitted

George Marshall

ADC # 099713

P.O. Box 180

Brickey, AR 72320

State of Arkansas }
County of Lee }

Subscribed And Sworn to before me A Notary
ON this ~~23~~ day of ~~April~~ 20~~13~~.

PAULETTE R. GREEN
NOTARY PUBLIC-STATE OF ARKANSAS
LEE COUNTY
My Commission Expires 01-10-2015

Notary Signature

My Commission Expires: 1-10-2015