

From: [ASCC New Claims](#)
To: [Thomas Burns](#); [Roni Gear](#)
Cc: [Kathryn Irby](#)
Subject: CLAIM: Willie B. Jones (ADC 090529 v. ADC, Claim No. 211057)
Date: Monday, April 19, 2021 11:22:00 AM
Attachments: [Willie B. Jones \(ADC 090529 v. ADC, Claim No. 211057\).pdf](#)

Please see attached. Contact Kathryn Irby with any questions.

Thank you,

Maritza

Maritza S Haynes
Arkansas State Claims Commission
101 East Capitol Avenue
Suite 410
Little Rock, Arkansas 72201
501-682-2819
Maritza.Haynes@arkansas.gov

ARKANSAS STATE CLAIMS COMMISSION

(501)682-1619
FAX (501)682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, AR 72201-3823

April 19, 2021

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602

(via email)

RE: *Willie B. Jones v. Arkansas Division of Correction*
Claim No. 211057

Dear Mr. Burns,

Enclosed please find a copy of the above-styled claim filed against the Arkansas Division of Correction. Pursuant to the Arkansas Rules of Civil Procedure, as well as Claims Commission Rule 2.2, you have **thirty days from the date of service** in which to file a responsive pleading.

Your responsive pleading should include your agency number, fund code, appropriation code, and activity/section/unit/element that this claim should be charged against, if liability is admitted, or if the Claims Commission approves this claim for payment. This information is necessary even if your agency denies liability.

Sincerely,

Kathryn Irby

ES: mshaynes

cc: Willie B. Jones (ADC [REDACTED]), *Claimant* (w/ encl.)

Note to Claimant or Claimant's counsel: The Claims Commission copied you on this correspondence to provide you with confirmation that your claim has been processed and served upon the respondent agency.

Arkansas State Claims Commission

Please print in ink or type

APR 01 2021

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

- Mr. Mrs. Ms. Miss

Willie B. Jones # [redacted], Claimant

vs.

State of Arkansas, Respondent

RECEIVED Do Not Write in These Spaces Claim No. Date Filed Amount of Claim \$ Fund

COMPLAINT

Willie B. Jones, the above named Claimant, of [redacted] (Name) (Street or R.F.D. & No.) (City)

County of Lee represented by Self-Adv. (State) (Zip Code) (Daytime Phone No.) (Legal Counsel, if any, for Claim)

of [redacted] (Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.) says:

State agency involved: Arkansas Department of Correction Amount sought: 10,000.00

Month, day, year and place of incident or service: December 17, 2019; [redacted]

Explanation: This is a failure to follow policy and procedures claim. My claim is predicated upon the fact that I was moved from 19 barracks rack 22 where I did not have to go up or down any stairs to get to my assigned rack, to 2 BKS. rack 17 that did require me to go up and down stairs. For claimant to be assigned to 2 BKS. rack 17 put him in direct violation of his [redacted] proceeded to make the state agency involved aware of this blatant and willful disregard for their own Policy and Procedures in to no avail. (See attached Exhibit 1)

Records will further confirm that claimant would be moved again in the same barracks from 2 BKS. Rack 17 to 2 BKS. Rack 45 again requiring claimant to go up and down stairs [redacted]

On February 4, 2020 at approx. 10:25 P.M. while assigned to 2 barracks Rack 45 claimant would suffer a fall on the stairs leading to his assigned rack [redacted] (See attached Exhibit 2)

[redacted]

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? 12 17 19; to whom? Mr. G. Lay - Warden (Department)

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

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.

Willie B. Jones (Print Claimant/Representative Name) Willie B. Jones (Signature of Claimant/Representative)

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

on this 28 day of March, 2021 (Date) (Month) (Year)

[Signature] (Notary Public)

My Commission Expires: 12 14 2024 (Month) (Day) (Year)

WALLACE B. McNARY NOTARY PUBLIC-STATE OF ARKANSAS ST. FRANCIS COUNTY My Commission Expires 12-14-2024 Commission # 12403570

SF1- R7/99

" Claimant Exhibit 1 "

[Redacted]

(Attachment I)

State Claims Commission
DEC 23 2019
APR 01 2021

FOR OFFICE USE ONLY	
GRV. #	19-00928
Date Received:	12/23/2019
GRV. Code #:	600 508

Name Willie Jones

ADC # [Redacted] Brks # 2-17 Job Assignment Schedule B 7 Per.

12-17 (Date) STEP ONE: Informal Resolution

12-22-19 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If [Redacted], (Date) Emergency Grievance

a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In 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

[Redacted]

RECEIVED
JAN 30 2020
INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

Willie Jones
Inmate Signature

12-17-19
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 12/17/19 (date), and determined to be Step One and/or an Emergency Grievance NO (Yes or No). This form was forwarded to medical or mental health? NO (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

Sally A Bell [Redacted] Sally A Bell 12/17/19
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: 12-20-19 TALK TO
Mrs. Westbrook will take care of issue as soon as
she can.

Sally A Bell 12/22/19 Willie Jones 12-22-19
Staff Signature & Date Returned Inmate Signature & Date Received

This form was received on 12-22-19 (date), pursuant to Step Two. Is it an Emergency? NO (Yes or No).

Staff Who Received Step Two Grievance: [Signature] Date: 12-22-19

Action Taken: _____ (Forwarded to Grievance Officer/Warden/Other) Date: 12-22-19

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

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

BKS 2/17 Will

"equipment Exhibit 1"

IGT#10
3GS

Attachment III

INMATE NAME: Jones, Willie B.

ADC #: [REDACTED]

GRIEVANCE #: [REDACTED]-19-00928

WARDEN/CENTER SUPERVISOR'S DECISION

[REDACTED]

Resolve this complaint:

RECEIVED

[Signature]

JAN 30 2020

Signature of Warden/Supervisor or Designee _____
INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

1-21-20
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.

[REDACTED]

Willie B. Jones

ADC#: [REDACTED]

1-23-2020
Date

Inmate Signature

"claimant Exhibit 1"

IGTT430
3GD

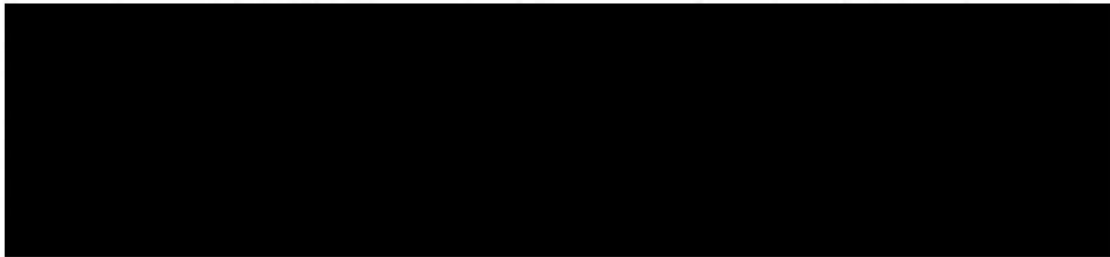
Attachment VI

INMATE NAME: Jones, Willie B.

ADC # [REDACTED]


GRIEVANCE#: [REDACTED] 19-00928

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION



Your appeal was received on 1/30/20. In review of your appeal and supporting documentation, I find that you have been moved again. I consider this matter resolved at the unit level and find no merit in your appeal.

Appeal denied.



Director

2/12-20

Date

"claimant Exhibit 2"

RECEIVED GRIEVANCE OFFICE

FEB 11 2020

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center [redacted] Unit

Name Willie B. Jones

ARKANSAS DEPT OF CORRECTION EAST ARKANSAS REGIONAL UNIT

FOR OFFICE USE ONLY
GRV. # [redacted] -20-20164
Date Received: 2/11/20
GRV. Code #: 588

ADC# [redacted] Brks # 2-45 Job Assignment D/C

2-9-20 (Date) STEP ONE: Informal Resolution

2-10-20 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.) If the issue was not resolved during Step One, state why: _____

_____, (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 serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In 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

[Redacted area]

[Redacted area]

MAR 11 2020

Willie B. Jones
Inmate Signature

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING 2-9-20
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 2.10.20 (date), and determined to be Step One and/or an Emergency Grievance Yes (Yes or No). This form was forwarded to medical or mental health? No (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

Staff Name (PROBLEM SOLVER) ID Number Staff Signature Date Received
Sgt. Bell [redacted] Sgt. Bell 2.10.20

Describe action taken to resolve complaint, including date: do not have [redacted] According to Egan's you

Staff Signature & Date Returned Sgt. Bell 2.10.20 Inmate Signature & Date Received Willie B Jones 2-10-20

This form was received on 2.10.20 (date), pursuant to Step Two. Is it an Emergency? (Yes or No) No

Staff Who Received Step Two Grievance: Sgt. Bell Date: 2.10.20

Action Taken: Forward Forwarded to Grievance Officer Warden/Other Date: 2.10.20

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

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

IGTT410
3GS

TS6245K

"claimant Exhibit 2"

RECEIVED

MAR 11 2020

Attachment III

INMATE NAME: Jones, Willie B.

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING
ADC #: [REDACTED] GRIEVANCE #: [REDACTED]-20-00164

WARDEN/CENTER SUPERVISOR'S DECISION



[Signature]
Signature of Warden/Supervisor or Designee

Title

2-26-20
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.



Willie B. Jones
Inmate Signature

ADC#: [REDACTED]

2-26-20
Date

"claimant Exhibit 2"

IGTT430
3GD

Attachment VI

INMATE NAME: Jones, Willie B.

ADC # [REDACTED]

GRIEVANCE# [REDACTED] 20-00164

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION



Appeal denied.

[Handwritten Signature]
Director

4-1-20
Date

From: [Roni Gean](#)
To: [ASCC Pleadings](#)
Cc: [Thomas Burns](#)
Subject: Willie Jones [REDACTED] - Claim 211057 Answer
Date: Tuesday, April 20, 2021 11:35:54 AM
Attachments: [Willie B. Jones 090529 v. ADC 211057 - Answer 04-20-21.pdf](#)

Good Morning,

Please find attached our Answer in the above matter. Thank you.

Roni Gean

Administrative Specialist III
ADC Division of Correction
Internal Affairs Division (870) 267-6218
Legal Division (870) 267-6844
6814 Princeton Pike, Pine Bluff, AR 71602
roni.gean@arkansas.gov

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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

WILLIE B. JONES (ADC# [REDACTED])

CLAIMANT

v.

NO. 211057

ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

RESPONDENT

ANSWER

COMES NOW the Respondent, Arkansas Department of Corrections, 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,
Arkansas Department of Corrections
Office of Chief Counsel



Thomas Burns (02006)
ADC Legal Division
6814 Princeton Pike, Pine Bluff, AR 71602-9411
(870) 267-6845 Office/ (870) 267-6373 Facsimile
thomas.burns@arkansas.gov

CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been served this 20th day of April 2021 on the Claimant by placing a copy of the same in the U. S. Mail, regular postage, to:

Willie B. Jones (ADC# [REDACTED])
[REDACTED]



Thomas Burns
General Counsel

From: [Thomas Burns](#)
To: [ASCC Pleadings](#)
Cc: [Roni Gear](#)
Subject: Willie Jones v ADC 211057
Date: Tuesday, May 11, 2021 9:25:33 AM
Attachments: [0200_001.pdf](#)

Motion to Dismiss

Thomas Burns
General Counsel
Arkansas Department of Corrections
Division of Correction
6814 Princeton Pike
Pine Bluff Arkansas 71602
Phone: (870) 267-6845
Fax: (870) 267-6373
thomas.burns@arkansas.gov

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BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

WILLIE JONES (ADC [REDACTED])

CLAIMANT

v

NO. 211057

ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

RESPONDENT

RESPONDENT’S MOTION TO DISMISS

Comes Now the Respondent, Arkansas Department of Corrections (ADC), for its Motion to Dismiss, states:

1. The inmate’s claim should be dismissed pursuant to the Arkansas Rules of Civil Procedure (ARCP) 12(b)(6) as it fails to state facts upon which relief can be granted.

2. On a motion to dismiss pursuant to Rule 12(b)(6) of the Arkansas Rules of Civil Procedure the courts treat the facts alleged in complaints as true and view them in the light most favorable to the plaintiff. *Dockery v Morgan, 2011 Ark. 94*. “However, [Arkansas’s] rules require fact pleading, and a complaint must state facts, not mere conclusions, in order to entitle the pleader to relief.” *Id.* The Court should “treat only the facts alleged in the complaint as true but not the plaintiff’s theories, speculation, or statutory interpretation.” *Id.*

3. An “important mechanism for weeding out meritless claims [is a] motion to dismiss for failure to state a claim.” *Fifth Third Bancorp v. Dudenhoeffer, 573 U.S. 409, 425 (2014)*. Legal conclusions, unsupported conclusions, and unwarranted inferences must be ignored and fail to withstand a Rule 12(b)(6) motion. *See Farm Credit Svcs. v American State bank, 339 F.3d 764 (8th Cir. 2003)*. A pleading must contain a “short and plain statement of the claim showing that the pleader is entitled to relief. *Ashcraft v Iqbal 556 U.S. 662 (2009)*. Although detailed factual allegations are not required, more that “unadorned, the-defendant-unlawfully-harmed-me-

accusations” are required. *Id.* To survive a motion to dismiss, a complaint must contain sufficient factual matter that, when accepted as true, state a claim to relief that is plausible on its face. *Id.* A claim is facially plausible “when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Id.*

4. The inmate seeks the sum of \$10000.00 for alleged failure to follow procedure. Although inmate seeks an award of damages (\$10000.00), he fails to plead any basis for an award of damages, and he fails to give the Arkansas Claims Commission any rational basis beyond mere speculation of the damages. Damages are an essential element of a tort claim and there must an allegation of sufficient facts to satisfy the damages element or the case is subject to a motion to dismiss. *Wallis v. Ford Motor Company*, 362 Ark. 317, 208 S.W. 3d 153 (2008). The inmate’s claim, even if true, does not support a claim for monetary relief.

5. Even if the inmate were to plead with more specificity, he would still not be able to prevail. The party claiming damages has the burden of proving those damages beyond speculation. *Minerva Enterprises v. Howlett*, 308 Ark. 291, 824 S.W. 2d 377 (1992). Even taking the inmate’s allegations true as pleading, and giving him the benefit of every possible inference, his mere inconvenience of alleged wrongdoing can never render a claim that is anything but speculation.

6. Pro Se parties are not given special treatment and are held to the same standard as a licensed attorney. *Pressler v. Ark. Publ. Serv. Comm’n*, 2011 Ark. App. 512, at 9, 385 S.W.3d 349, 355 (citing *Elder v. Mark Ford & Assocs.*, 103 Ark. App. 302, 288 S.W.3d 702 (2008)). The Claims Commission notes that under Arkansas law, a claimant choosing to represent himself is held to the same standard as an attorney. *Michael Pickens v ADC claim 190793 (ASCC 2019)*.

7. Whether a plaintiff is represented by counsel or is appearing pro se, his complaint must allege specific facts sufficient to state a claim. *See Martin v Sargent*, 780 F.2d 1334, 1337 (8th Cir. 1985).

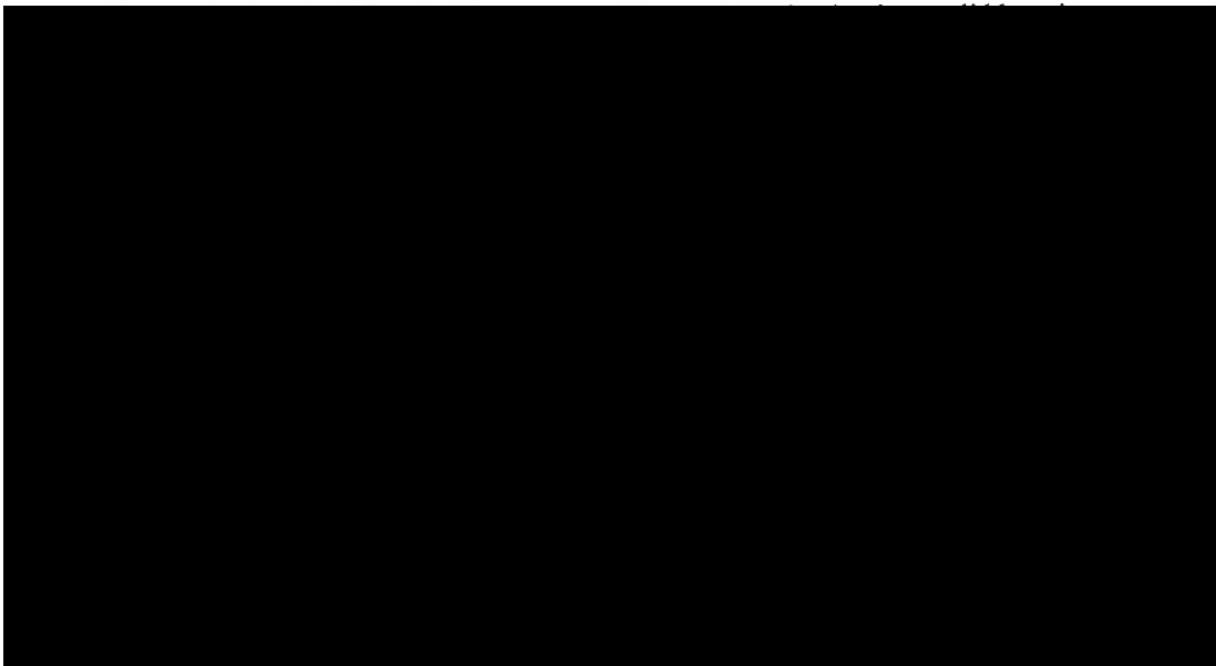
8. A complaint must state facts, not mere conclusions, in order to satisfy the requirements of Rule 8 of the Arkansas Rules of Civil Procedure. *Doe v Weiss*, 2010 Ark. 150.

9. In reviewing whether a complaint is subject to dismissal, the Court must accept as true all factual allegations in the complaint, but is “not bound to accept as true a legal conclusion couched as a factual allegation.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007)). “Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice.” *Id.* “Nor does a complaint suffice if it “tenders ‘naked assertion[s]’ devoid of ‘further factual enhancement.’” *Id.* (quoting *Twombly*, 550 U.S. at 557). Rather, a complaint must plead “enough facts to state a claim to relief that is plausible on its face.” *Twombly*, 550 U.S. at 570. “A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Iqbal*, 556 U.S. at 678. “The plausibility standard is not akin to a ‘probability requirement,’ but it asks for more than a sheer possibility that a defendant has acted unlawfully.” *Id.* (quoting *Twombly*, 550 U.S. at 556). A well pleaded complaint may proceed even if it appears that actual proof of those facts is improbable and that recovery is very remote and unlikely. *Twombly*, 550 U.S. at 556. A complaint cannot, however, simply leave open the possibility that a plaintiff might later establish some set of undisclosed facts to support recovery. *Id.* at 561. Rather, the facts set forth in the complaint must be sufficient to nudge the claims across the line from conceivable to plausible. *Id.* at 570. “[W]here the well-pleaded facts do not permit the court to infer more than the mere

possibility of misconduct, the complaint has alleged –but it has not ‘show[n]’ – ‘that the pleader is entitled to relief.’” *Iqbal*, 556 U.S. at 679 (quoting *Fed.R.Civ.P. 8(a)(2)*).

10. The Plausibility standard is not akin to a “probability requirement” but it asks for more than a sheer possibility that a defendant has acted unlawfully. Where a complaint pleads facts that are “merely consistent with” a defendant’s liability, it” stops short of the line between possibility a plausibility of entitlement to relief” *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 555 (2007)

11. The inmate is currently housed at the [REDACTED] of the ADC. He is serving a life sentence on a conviction of Murder and other crimes.



17. The Inmate is attempting to tell the Commission and the ADC where he should be housed. That is not the function of the Claims Commission, that is the sole purview of the ADC.

18. The inmate filed two grievances in relation to this matter both of which were found without merit after two levels of review. *See attached to Inmate complaint.*

19. The inmate has filed a complaint that he knows is in bad faith and not supported by the facts. The Commission should award the ADC fees and costs for having to respond to this baseless complaint.

20. This same claim, if presented to a court of general jurisdiction would, as a matter of law, be dismissed.

21. “The commission shall make no award for any claim which, as a matter of law, should be dismissed from a court of law or equity for reasons other than sovereign immunity.” Ark. Code Ann. § 19-10-204(3)(A) (West Supp. 2015). “Specifically, if the facts of a given claim would cause the claim to be dismissed as a matter of law from a court of general jurisdiction, then the commission shall make no award on the claim.” Ark. Code Ann. § 19-10-204(3)(B) (West Supp. 2015). The claimant has not been damaged and only makes mere assertions that he has been damages. Without damages a Court would dismiss the claim in its entirety.

WHEREFORE, the Respondent prays that the motion be granted and the complaint dismissed; for their attorney’s fees and costs; and all other just and proper relief to which they may be entitled.

Respectfully submitted,

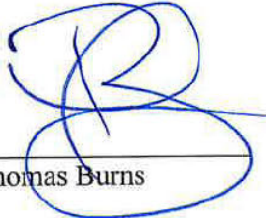


Thomas Burns (02006)
Legal Department
Division of Correction
6814 Princeton Pike
Pine Bluff, AR 71602
(870) 267-6845 Office
(870) 267-6373 Facsimile
thomas.burns@arkansas.gov

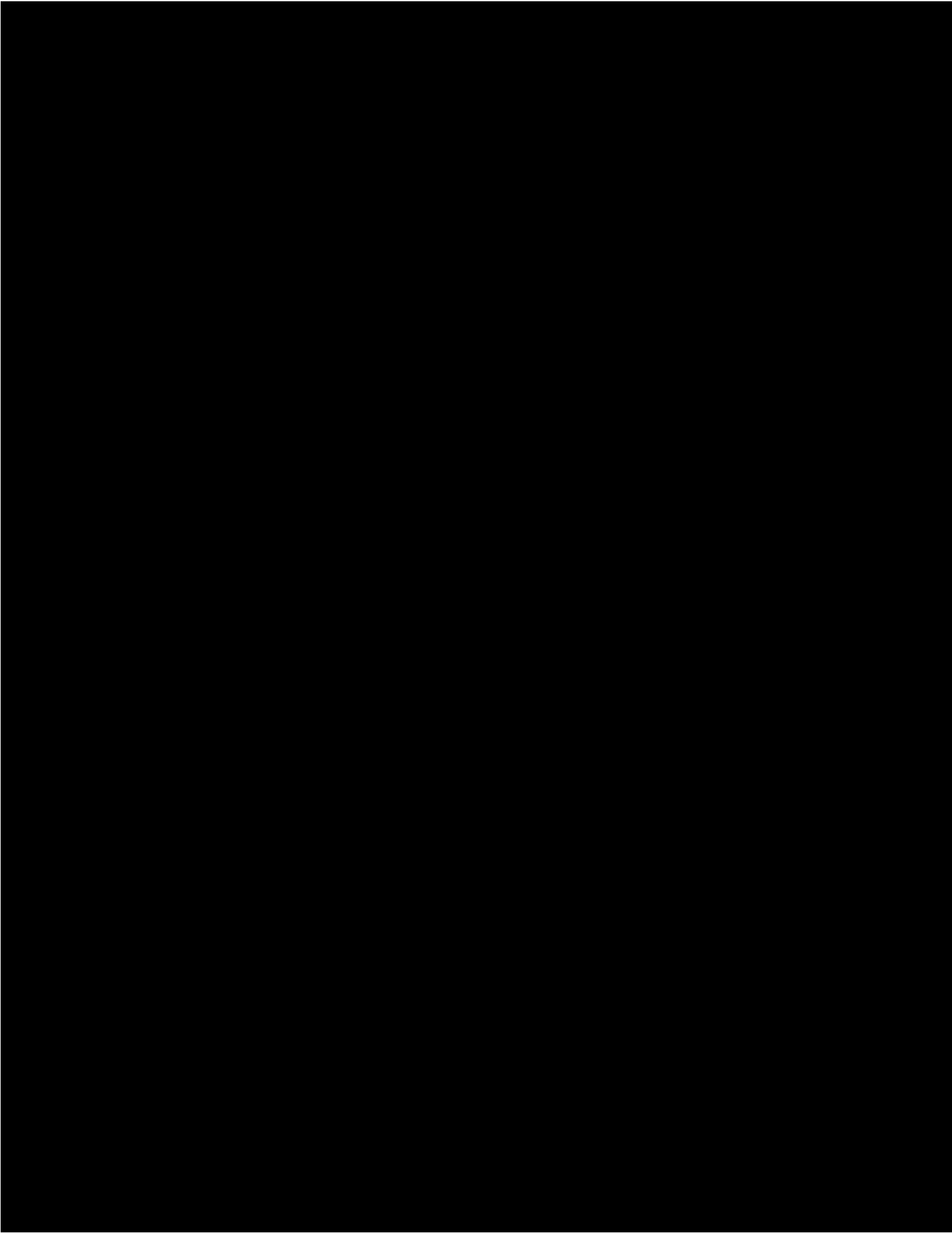
CERTIFICATE OF SERVICE

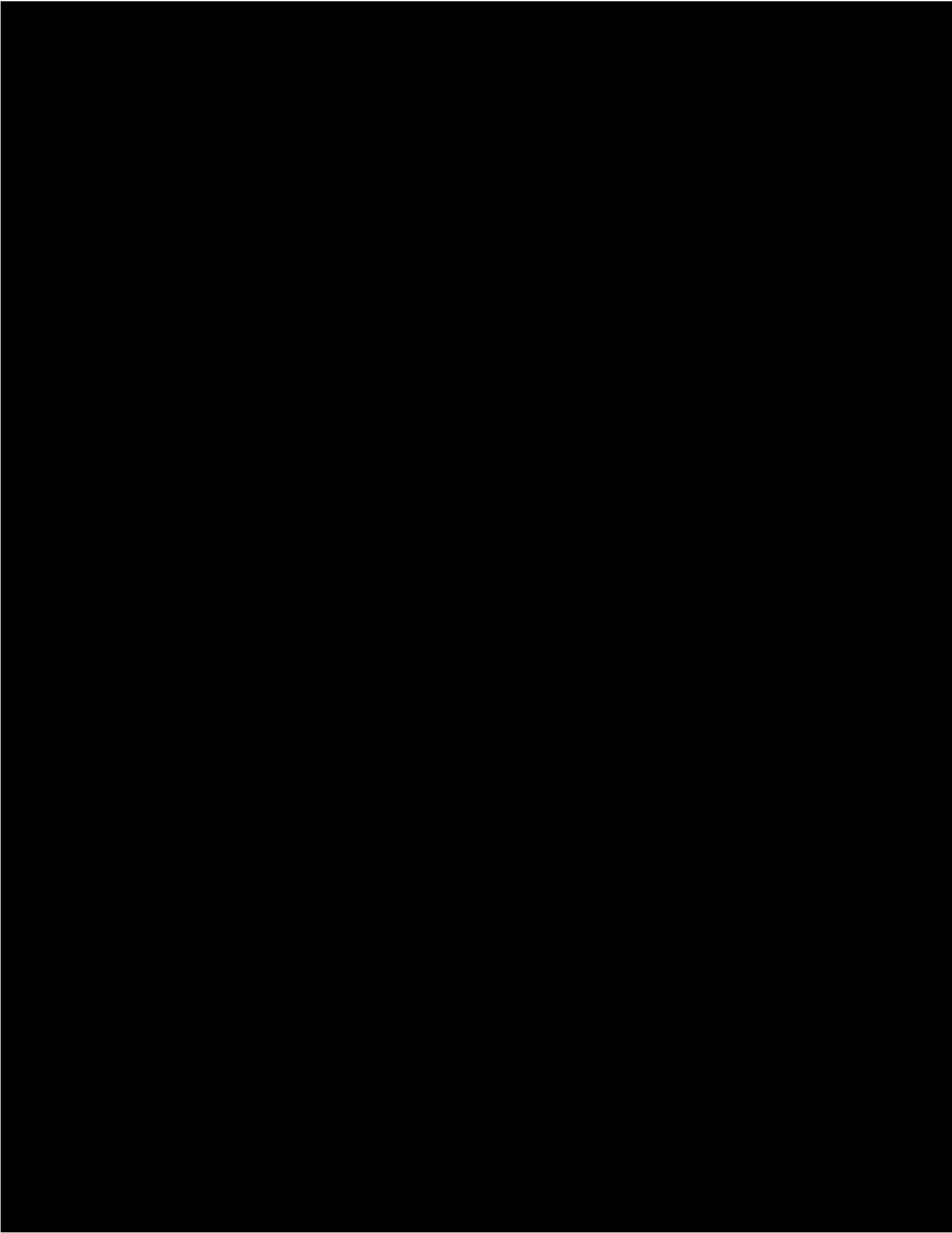
I certify that a copy of the above pleading has been served this 11th day of May 2021, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

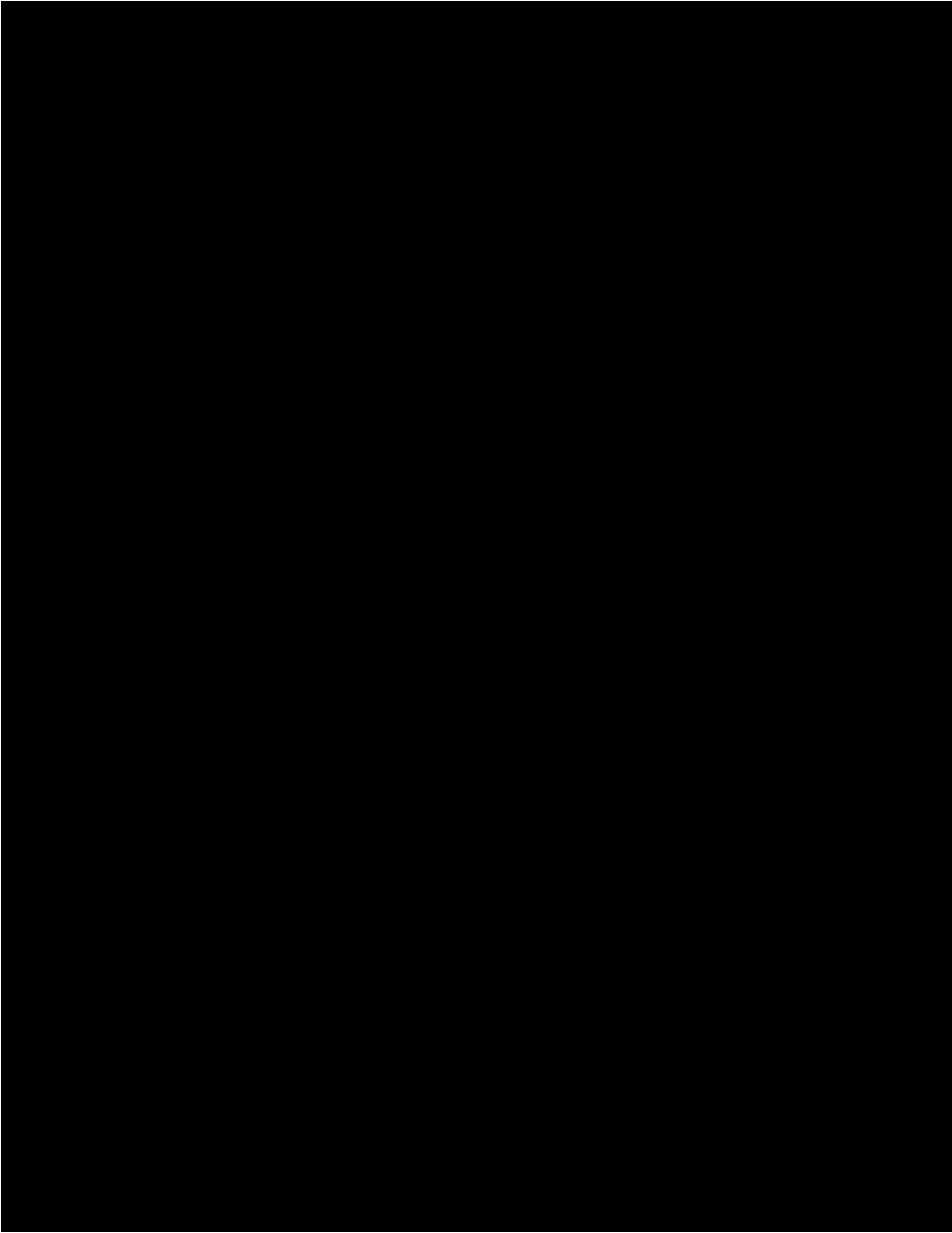
Willie Jones [REDACTED]
[REDACTED]

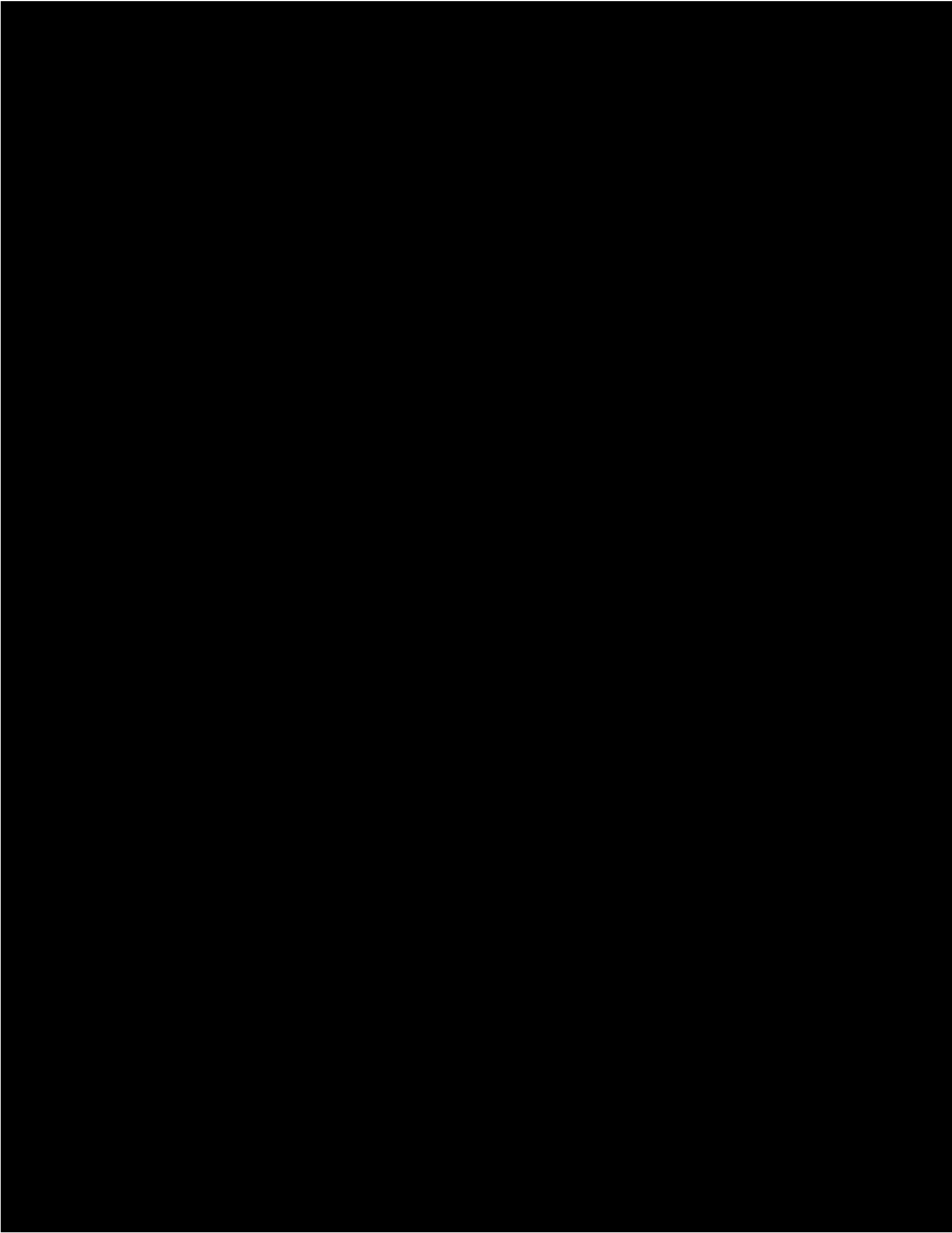


Thomas Burns









BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

WILLIE JONES LADC [REDACTED]

CLAIMANT

Arkansas
State Claims Commission

No. 211057

MAY 24 2021

RECEIVED

vs.

ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

RESPONDENT

CLAIMANT'S RESPONSE AND OBJECTIONS TO

RESPONDENT'S MOTION TO DISMISS

Comes now the claimant, Willie Jones, pro-se and for his response and objection to respondent's Motion to Dismiss doth state as follows.

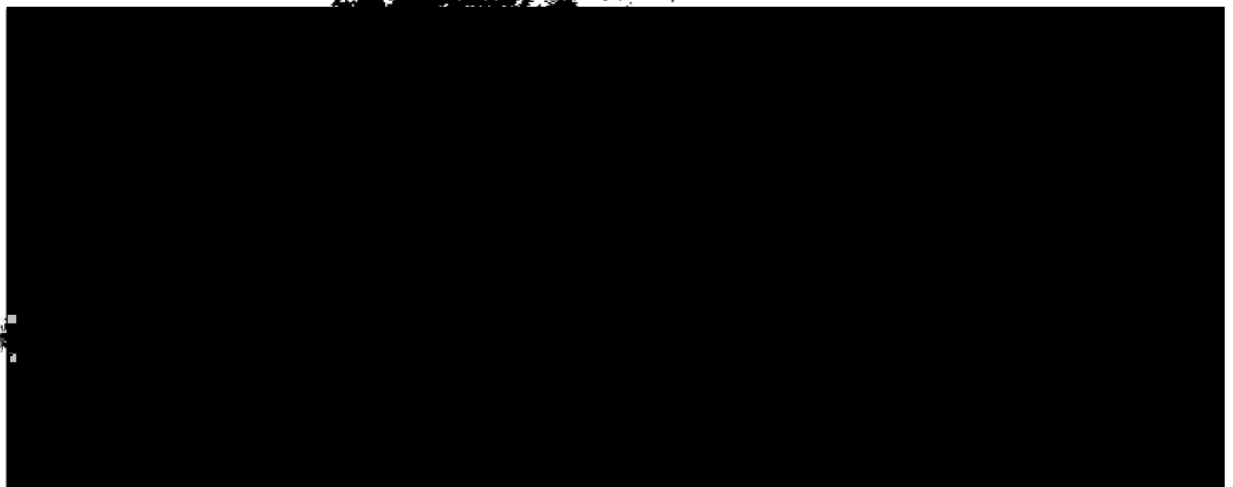
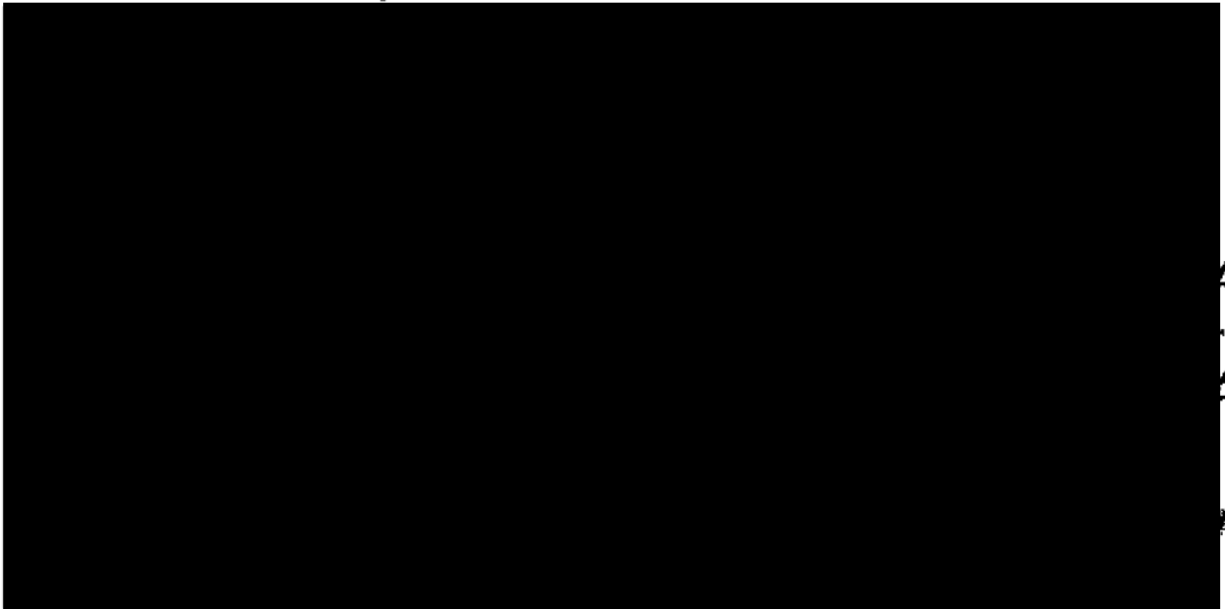
1. That the Respondent's have filed a Motion to Dismiss in the above referenced case NO.

[REDACTED]

Damages are an essential element of a tort claim and there must be an allegation of sufficient facts to satisfy the damages element or the case is subject to a Motion to dismiss. Wallis v. [REDACTED]

Here, claimant have satisfied this requirement and thus he is entitled to damages. In his complaint claimant states, "on February 4, 2020 at approx.

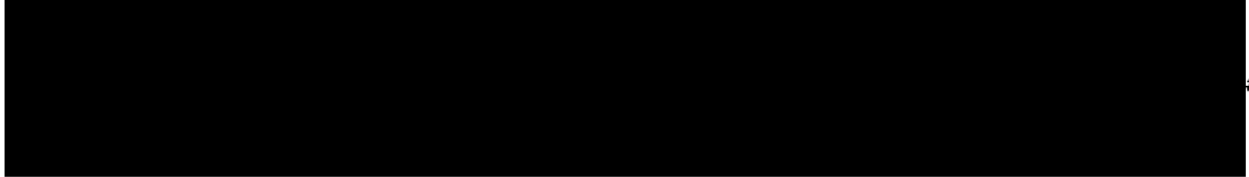
10:25 P.M. While assigned to 2 barracks rack 45 claimant would suffer a fall



In addition, Mr. Lay never in his response found claimant grievance to have no merit.

Mr. Lay's response is clear that [redacted]

was [redacted] on 2-9-20 when according to the Warden of the unit





counsel is correct on one point," Arkansas's Rules require fact pleading, and a complaint must state facts, not mere conclusions, in order to entitle the pleader to relief. ~~who must have met this burden which~~



~~with the last sentence in paragraph 17, which states, "The court~~
[again see attached exhibit 17].



[REDACTED]

A claim is facially plausible "when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged."
Here, the respondents are clearly liable for the misconduct alleged as evidenced by their clear admission to move claimant to another barracks, that was not in violation of [REDACTED] when bed space became available" to No avail. [REDACTED]

[REDACTED]

claimant have stated a claim which is "failure to follow policy and procedures" where upon relief can be granted. claimant is entitled to monetary relief as a result of the continued [REDACTED] this fall that never would occurred if the respondents would of followed their own established policy and procedures, as it relates to housing inmates outside of their medical restrictions.

~~Under the Rule 12(b)(6) of the Federal Rules of Civil Procedure~~ the courts treat the facts alleged in complaints as true and view them in light most favorable to the plaintiff. ~~Under the Rule 12(b)(6) of the Federal Rules of Civil Procedure~~

WHEREFORE, claimant prays that the Respondent's motion to DISMISS be denied and a hearing be set to further explore the wonders of the unit, Mr. G Kay; testimony the [REDACTED] the time of this incident.

Respectfully Submitted,

Willie Jones
Willie Jones, # [REDACTED]

41

CERTIFICATE OF NOTARY

State of ARKANSAS

County of Lee

Subscribed and sworn to before me a Notary Public on this 16 day of MAY 2021.

ALBERT NORTON
NOTARY PUBLIC-STATE OF ARKANSAS
PHILLIPS COUNTY
My Commission Expires 10-18-2022
Commission # 12290692

Albert Norton
Notary Public

My commission expires: 10-18-2022

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading has been served 17th day of May 2021, on the below counsel by placing a copy of the same in the U.S. Mail, regular postage to:

Thomas Burns
Legal Department
6814 Princeton Pike
Pine Bluff, AR. 71602

Willie Jones
Willie Jones, # [REDACTED]



UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center [REDACTED]

Name Willis Jones

ADC# [REDACTED] Brks # 2-17 Job Assignment School - KR Per.

12-17 (Date) STEP ONE: Informal Resolution

12-22-19 (Date) STEP TWO: [REDACTED]

[REDACTED], (Date)

a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In 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 person, etc. _____

[REDACTED]

Will Jones
Inmate Signature

12-17-19
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 12-17-19 (date), and determined to be Step One and/or an Emergency Grievance NO (Yes or No). This form was forwarded to medical or mental health? NO (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

PRINT STAFF NAME (PROBLEM SOLVER) Sally A Bell ID Number [REDACTED] Staff Signature Sally A Bell Date Received 12/17/19

Describe action taken to resolve complaint, including dates: 12-20-19 Talk to MS Westbank will take care of issue as soon as she can.

Sally A Bell 12/22/19
Staff Signature & Date Returned

Will Jones 12-22-19
Inmate Signature & Date Received

This form was received on 12-22-19 (date), pursuant to Step Two. Is it an Emergency? _____ (Yes or No). Staff Who Received Step Two Grievance: [REDACTED] Date: 12-22-19

Action Taken: _____ (Forwarded to Grievance Officer/Warden/Other) Date: 12-22-19

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

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

AKS 2/17 Will

;

IGT 010
3GS

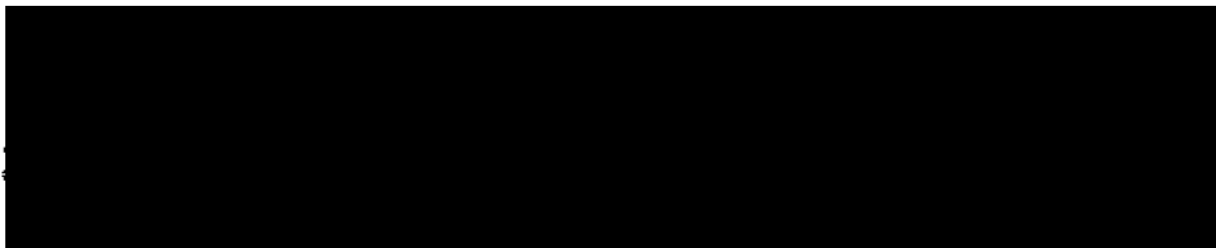
Attachment III

INMATE NAME: Jones, Willie B.

ADC #: [REDACTED]

GRIEVANCE #: 19-00928

WARDEN/CENTER SUPERVISOR'S DECISION



<i>WJ</i>	JAN 30 2020	
Signature of Warden/Supervisor or Designee	INMATE GRIEVANCES SUPERVISOR ADMINISTRATION BUILDING	Date
		<u>1-21-20</u>

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? As the warden confirms I am presently housed in 2 bks. rack 17. In addition, I still have to walk down some stairs to get to my assigned Rack



<u>Willie B. Jones</u>	ADC#: [REDACTED]	Date
Inmate Signature		<u>1-23-2020</u>

IGTT430
3GD

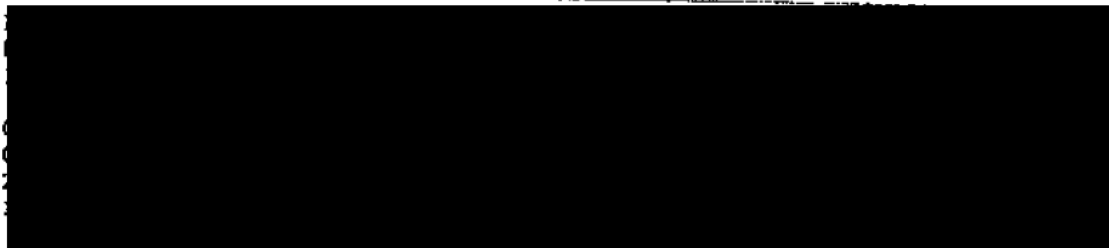
Attachment VI

INMATE NAME: Jones, Willie B.

ADC #: [REDACTED]

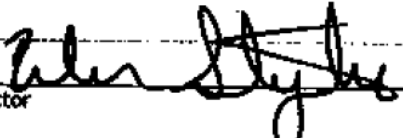
GRIEVANCE# [REDACTED] 9-00928

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION



Your appeal was received on 1/30/20. In review of your appeal and supporting documentation, I find that you have been moved again. I consider this matter resolved at the unit level and find no merit in your appeal.

Appeal denied.


Director

2/12-20
Date

1

f

UNIT LEVEL GRIEVANCE FORM (Attachment I)

RECEIVED
CORRECTIONS OFFICE
FEB 11 2020

FOR [REDACTED] USE ONLY
GRV. # <u>20-00164</u>
Date Received: <u>2/11/20</u>
GRV. Code #: <u>508</u>

Unit/Center [REDACTED]

Name Willie B. Jones

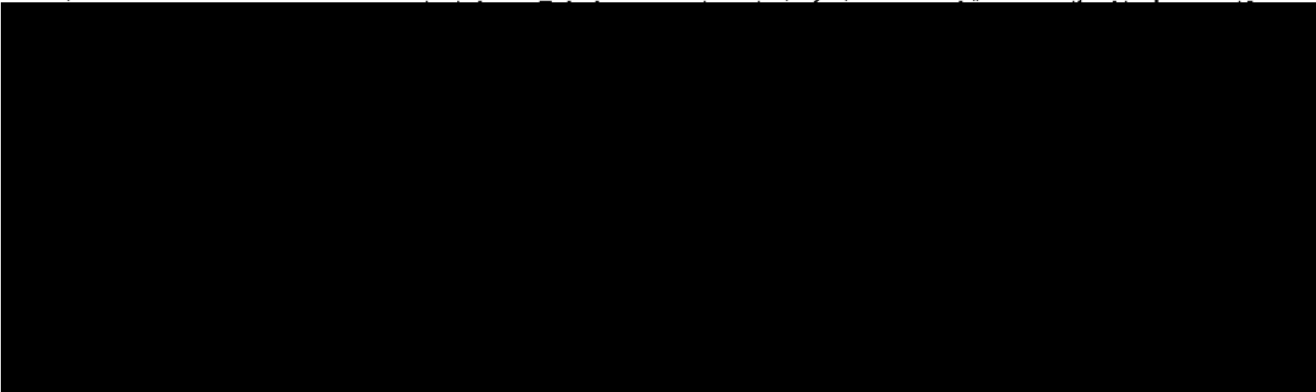
ADC# [REDACTED] Brks # 2-45 Job Assignment 0/4

2-9-20 (Date) STEP ONE: Informal Resolution

2-10-20 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)
If the issue was not resolved during Step One, state why: _____

_____, (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 serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In an Emergency, state why: [REDACTED]

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



MAR 11 2020

Willie B. Jones
Inmate Signature

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING 2-9-20
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 2.10.20 (date), and determined to be Step One and/or an Emergency Grievance
Yes (Yes or No). This form was forwarded to medical or mental health? No (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

<u>S. Bell</u> PRINT STAFF NAME (PROBLEM SOLVER)	[REDACTED] ID Number	<u>S. Bell</u> Staff Signature	<u>2.10.20</u> Date Received
Describe action taken to resolve complaint, including dates: <u>According to Jones' goal do not have a [REDACTED]</u>			

Staff Signature & Date Returned S. Bell 2-10-20 Inmate Signature & Date Received Willie B Jones 2-10-20

This form was received on 2.10.20 (date), pursuant to Step Two. Is it an Emergency? _____ (Yes or No)
Staff Who Received Step Two Grievance: S. Bell Date: 2-10-20
Action Taken: Forwarded (Forwarded to Grievance Officer/Warden/Other) Date: 2-10-20
If forwarded, provide name of person receiving this form: _____ Date: _____

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

IGTT430
3GD

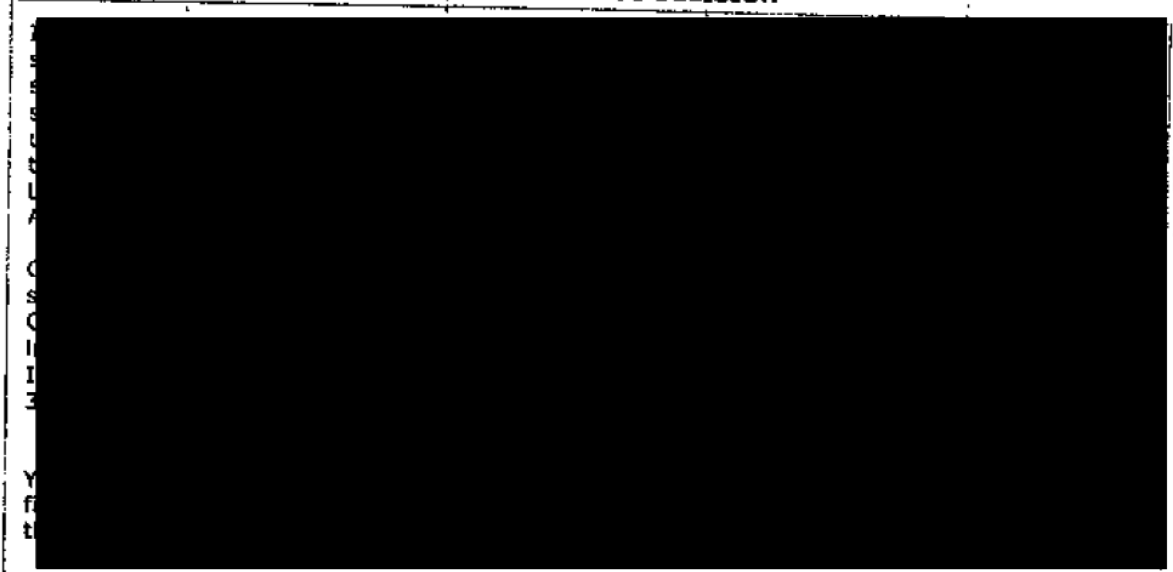
Attachment VI

INMATE NAME: Jones, Willie B.

ADC #: [REDACTED]

GRIEVANCE# [REDACTED]-20-00164

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION



Appeal denied.

Director *[Handwritten Signature]*

Date 4-1-20

IGTT410
3GS

TS6845K



RECEIVED

MAR 11 2020

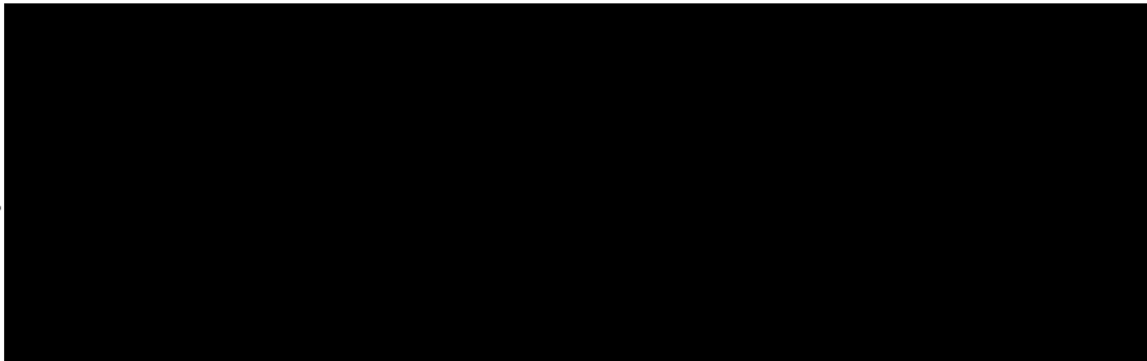
Attachment III

INMATE GRIEVANCES SUPERVISOR

INMATE NAME: Jones, Willie B.

ADC #: [REDACTED] ADMINISTRATION BUILDING
GRIEVANCE #: [REDACTED]-20-00164

WARDEN/CENTER SUPERVISOR'S DECISION



up
here
t
ADC
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/5/20
used in
ONLY

[Handwritten Signature]

Signature of Warden/Supervisor or Designee

Title

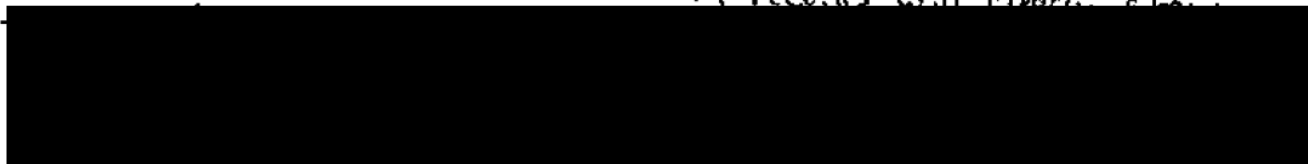
2-26-20
Date

INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filing 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?

All my records will clearly show



End of Statement

Willie B. Jones

Inmate Signature

ADC#:

2-26-20
Date

BJ 2/4/20
Attachment III

IGTT410
3GS

INMATE NAME: Jones, Willie B.

ADC #: [REDACTED]

GRIEVANCE #: 19-00950

WARDEN/CENTER SUPERVISOR'S DECISION



Warden/Center Supervisor, states you will be moved upon available bed space. This should address your concern.

[Handwritten Signature]

Signature of Warden/Supervisor or Designee

Title

1-29-20
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? *The warden clearly states that I'm being violate but nothing being done yet.*

*PAID BY THE STATE OF MISSISSIPPI
YOUR APPEAL HAS BEEN RECEIVED
AND WILL BE REVIEWED
BY THE APPEAL PROCESS*

RECEIVED

FEB 03 2020

ADC# [REDACTED]
Date

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

Inmate Signature

10/10/04

10/10/04

.



STATE CLAIMS COMMISSION
TOL AVE., SUITE 410
ARKANSAS 72201-382

15-12

NEOPOST 1008 6000809222
05/27/2021
US POSTAGE \$000.40⁰



ZIP 72201
041M11277420

NEOPOST
05/27/2021
US POSTAGE \$000.51⁰



ZIP 72201
041M11277420

Mr. John W. Magness (ADD [REDACTED])
[REDACTED]

~~NCU~~

EARLY
return to
sender

I/m refuse to
sign

WRON

UTF
72201080920

NIXIE 381 FE 1 0006/29/21
RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
BC: 72201382410 *0155-09201-28-00

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

August 10, 2021

Mr. Willie B. Jones (ADC [REDACTED])
[REDACTED]
[REDACTED]

RE: ***Willie B. Jones v. Arkansas Department of Correction***
Claim No. 211057

Dear Mr. Jones,

Enclosed please find a file-marked copy of your Response and Objections to Respondent's Motion to Dismiss filed in the above-referenced claims. These documents were originally placed in the mail, May 24, 2021. Please notify the Respondent as well as the Claims Commission, in writing, when your address has changed. A decision has not been made for the Motion. If you have any questions, please do not hesitate to contact my office.

Sincerely,

Kathryn Irby

ES: sjhyche

From: [Misty Scott](#) on behalf of [ASCC Pleadings](#)
To: [Thomas Burns \(DOC\)](#)
Cc: [Roni Gean \(DOC\)](#); [ASCC Pleadings](#); [Mika Tucker](#)
Subject: ORDER: Willie Jones v. ADC, Claim No. 211057
Date: Tuesday, March 29, 2022 12:03:00 PM
Attachments: [Willie B. Jones v. ADC-MT .pdf](#)
[Willie Jones-order.pdf](#)

Thomas:

Please see attached. Contact Mika Tucker with any questions.

Thank you,

Misty

Misty Scott
Arkansas State Claims Commission

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

March 29, 2022

Mr. Willie B. Jones (ADC [REDACTED])
[REDACTED]

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

Re: ***Willie B. Jones v. Arkansas Division of Correction***
Claim No. 211057

Dear Mr. Jones and Mr. Burns:

Enclosed please find an Order entered today by the Arkansas State Claims Commission. If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: msscott

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

WILLIE JONES (ADC [REDACTED])

CLAIMANT

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION

RESPONDENT

ORDER

Now before the Arkansas State Claims Commission (the "Claims Commission") is a motion filed by the Arkansas Division of Correction (the "Respondent") to dismiss the claim of Willie Jones (the "Claimant"). Based upon a review of the motions, the arguments made therein, and the law of Arkansas, the Claims Commission hereby finds as follows:

- 1. Claimant filed his claim on April 1, 2021, seeking \$10,000.00 in damages, alleging

[REDACTED]

- 2. Respondent filed a motion to dismiss pursuant to Ark. R. Civ. Proc. 12(b)(6), arguing, *inter alia*, that Claimant's claim is a housing claim outside the jurisdiction of the Claims Commission.

- 3. Claimant responded, disagreeing that dismissal was proper.

- 4. In reviewing Respondent's motion to dismiss, the Claims Commission must treat the facts alleged in the complaint as true and view them in a light most favorable to the Claimant. *See Hodges v. Lamora*, 337 Ark. 470, 989 S.W.2d 530 (1999). All reasonable inferences must be resolved in favor of the Claimant, and the complaint must be liberally construed. *See id.* However, the Claimant must allege facts, not mere conclusions. *Dockery v. Morgan*, 2011 Ark. 94 at *6, 380 S.W.3d 377, 382. The facts alleged in the complaint will be treated as true, but not "a plaintiff's

theories, speculation, or statutory interpretation.” *See id.* (citing *Hodges*, 337 Ark. 470, 989 S.W.2d 530 (1999)).

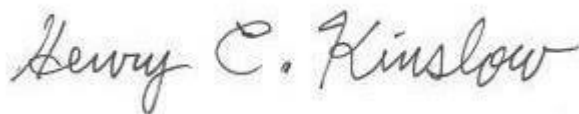
5. At this time, the Claims Commission is unpersuaded that this claim is outside its jurisdiction. Claimant is stating a negligence claim. Moreover, the facts in this claim are similar to those in *Wilkerson v. Arkansas Department of Correction*, Claim No. 180482.

6. Additionally, the Claims Commission elects to exclude the evidence attached to Respondent’s motion for purposes of considering this motion to dismiss. *See* Ark. R. Civ. P. 12(b). This exclusion relates only to this motion to dismiss. Respondent is free to use these documents as permitted by all applicable rules of practice and procedure and to file a motion for summary judgment once discovery is completed.

7. For these reasons, the Claims Commission finds that dismissal of Claimant’s claim is premature.

8. Respondent’s motion to dismiss is DENIED, and the parties are instructed to conduct discovery.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION

Courtney Baird
Dexter Booth
Henry Kinslow, Co-Chair
Paul Morris, Co-Chair
Sylvester Smith

DATE: March 29, 2022

Notice(s) which may apply to your claim

- (1) A party has forty (40) days from the date of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the date of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a)(3).
- (2) If a Claimant is awarded less than \$15,000.00 by the Claims Commission at hearing, that claim is held forty (40) days from the date of disposition before payment will be processed. *See* Ark. Code Ann. § 19-10-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of \$15,000.00 or more are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 19-10-215(b).

MAY 16 2022

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

RECEIVED

Willie Jones (ADC [REDACTED])

Claimant

v.

No. 211057

Arkansas Department of Corrections
Division of Correction

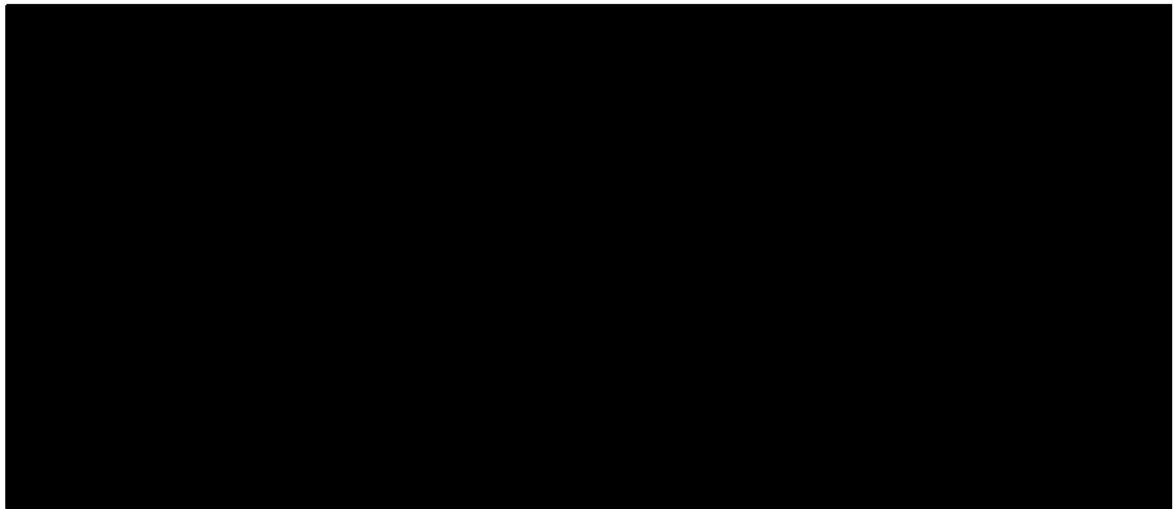
Respondent

Claimant's Response to Respondents First Set of Interrogatories

And Requests for Production Propounded to Claimant

Comes now, Claimant, Willie Jones and for his reply to Respondent's request states:

1. Mr. Jones in accordance with Rules 33 and 34 of the Arkansas Rules of Civil Procedure and request by Defendant states answers to interrogatories and request for production. Interrogatory No. 1 – Please list all witnesses you may call in relation to this matter and, a synopsis of their expected testimony. Mr. Jones will call ADC Captain U. Fields, Captain Fields was the security officer on duty and who responded to the incident with Mr. Jones on Fe. 4, 2020 at 10:30 p.m. thereabout. Also, Mr. Jones will call APN Converse. Mrs. Converse will testify as to attending Mr. Jones' medical issues, as well as Captain Fields testimony as to what occurred.



6. Interrogatory No. 6 – Please state if you believe the ADC acted with deliberate indifference. I believe the ADC acted negligently, not with deliberate indifference.

- [REDACTED]
8. Interrogatory No. 8 – Please state why you should receive money. Mr. Jones should receive a monetary damage award because his injuries are the direct result of the respondent's negligence.
 9. Interrogatory No. 9 – Please state what percent of fault you have in the matter. Mr. Jones has no degree of fault in the incident of his fall on Feb. 4, 2020. He as in his assigned area of housing and followed rules.
 10. Interrogatory No. 10 – Please state why you didn't file an emergency grievance. Mr. Jones' injury and the absence of grievance supplies available hindered filing an emergency grievance in this matter.
 11. Interrogatory No. 11 – Please state how you came up with \$10,000 in damages. Mr. Jones assess his damages at \$10,000.00 based on the 10 or more days of pain mental distress injury he suffered, accruing at \$1,000.00 a day.
 12. Interrogatory No. 12 – Please state what your measure of damages is. Mr. Jones measures

[REDACTED]

Request for production of documents: request for production No. 1 – please attach a copy of any documents you plan to introduce in any hearing of this matter. Mr. Jones plans to introduce the following documents: 1. Original Grievance on 12-17-19; 2. Immediate grievance on 2-9-20; 3. Chief Deputy Director decision on 2-12-20; 4. Warden's decision on 1-21-2020; 5. Mr. Jones Appeal on 1-29-20; 6. Health Services response on 3-27-20; 7. State Claims Complaint on issue; 8. [REDACTED] end [REDACTED]

Respectfully Submitted,

Willie Jones

State of Arkansas

County of Lee

I, Willie Jones, Petitioner herein, do hereby certify that the answers and responses to said first-set of request for admissions to Willie Jones and first set of interrogatories and requests for production of propounded to claimant are true and correct to the best of his knowledge.

Willie Jones

SUBSCRIBED AND SWORN TO BEFORE me, a Notary Public, on this 12 day of May, 2022.

[Signature]

My Commission Expires: 12-15-2026



CERTIFICATE OF SERVICE

I, Willie Jones, do certify that a copy of the foregoing petition was served on the following persons at the addresses listed below, by placing same in the U.S. Mail with sufficient postage affixed to ensure proper delivery on this 12 day of May, 2022 to below respondent address.

Willie Jones

Thomas Burns (02006) Respondent's Atty.

6814 Princeton Pike

Ark. Dept. of Corr. Div. Correction

Plaintiff

Pine Bluff, AR 71602

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

Willie Jones (ADC [REDACTED])

Claimant

v.

No. 211057

Arkansas Department of Correction,
Division of Correction

Respondent

Claimant's Response to Respondent's First Set of Requests for
Admissions to Willie Jones


Comes now the Claimant, Willie Jones, pro se and for his response to the Respondent, Ark. Dept. Corr., Division of Correction first set of requests for admissions to Willie Jones states that Willie Jones answers in accordance with the Arkansas Rules of Civil Procedure Respondent's response as follows:

- 1. Request for Admission No. 1 – Admit that you do not have any damages related to this

[REDACTED]

- 2. [REDACTED]

- 3. [REDACTED]

4. 

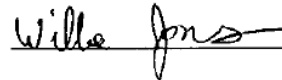
5. Request for Admission No. 5 – Admit that you are claiming deliberate indifference by the ADC. No, Mr. Jones is not claiming deliberate indifference by the ADC, but rather is claiming negligence of responsibilities and policy that resulted in injury to Mr. Jones' person.

6. Request for Admission No. 6 – Admit that ADC acted pursuant to policy. No, the ADC did not act pursuant to its policy.

7. Request for Admission No. 7 – Admit that you do not have any income. Mr. Jones admits he does not have any income.

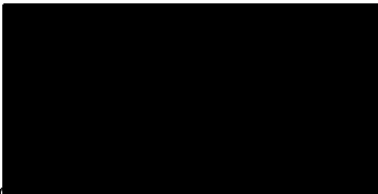
8. Request for Admission No. 8 – Admit that you did not pay a co-pay. At this time, Mr. Jones is not sure whether he did or did not pay a co-pay to medical regarding this issue.

Respectfully Submitted,

 _____

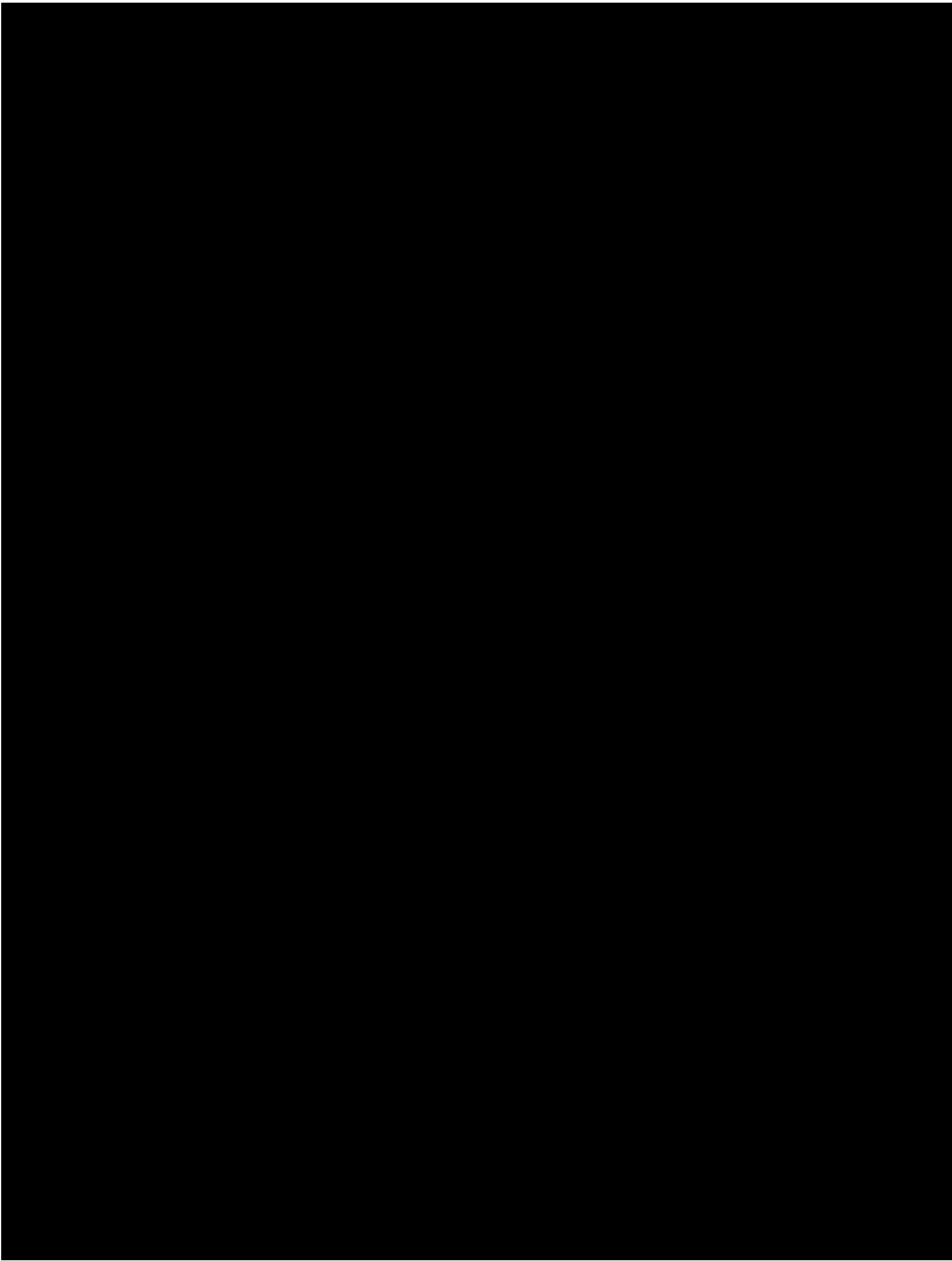
“Claimant”

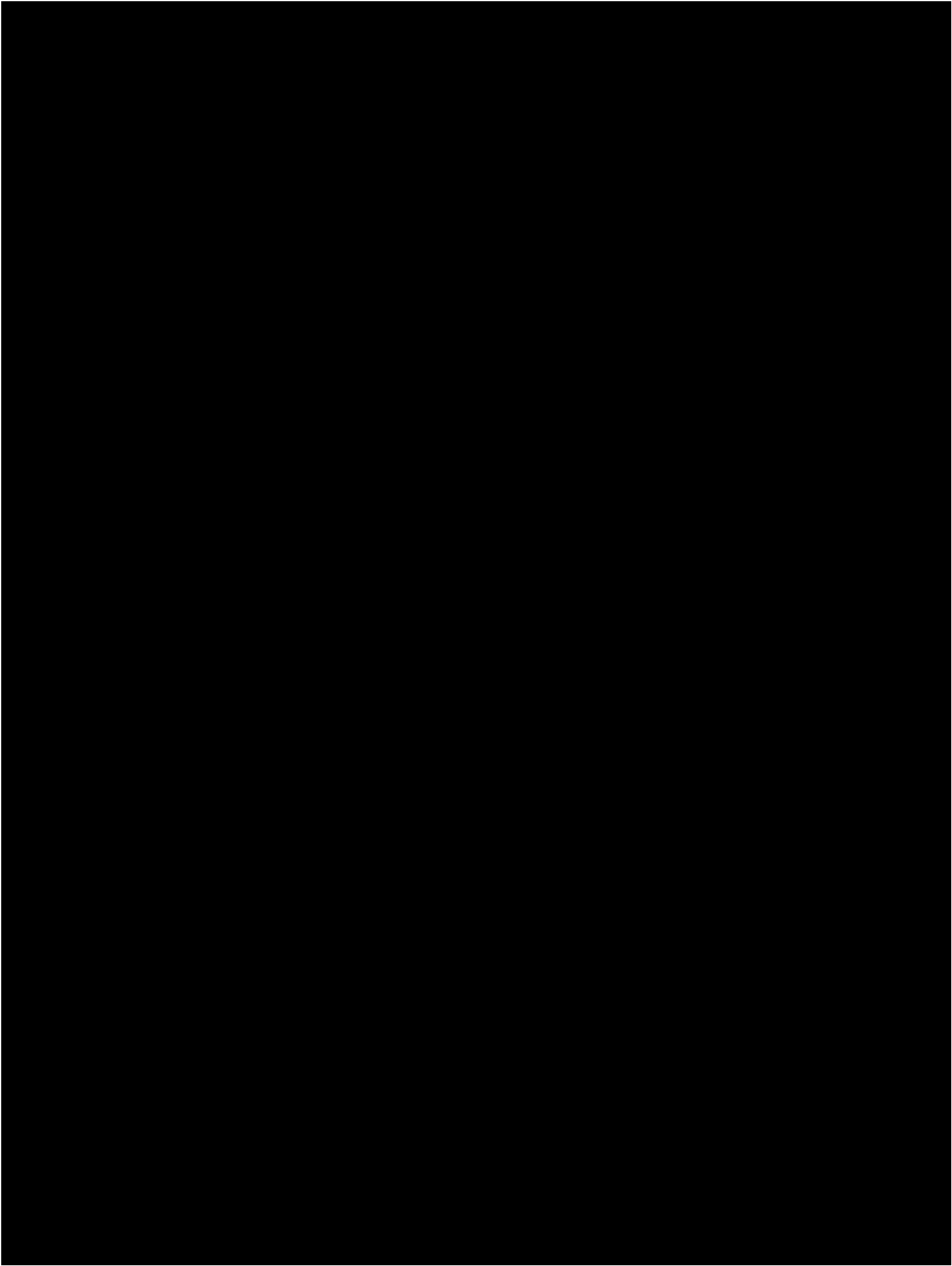
cc: Willie Jones

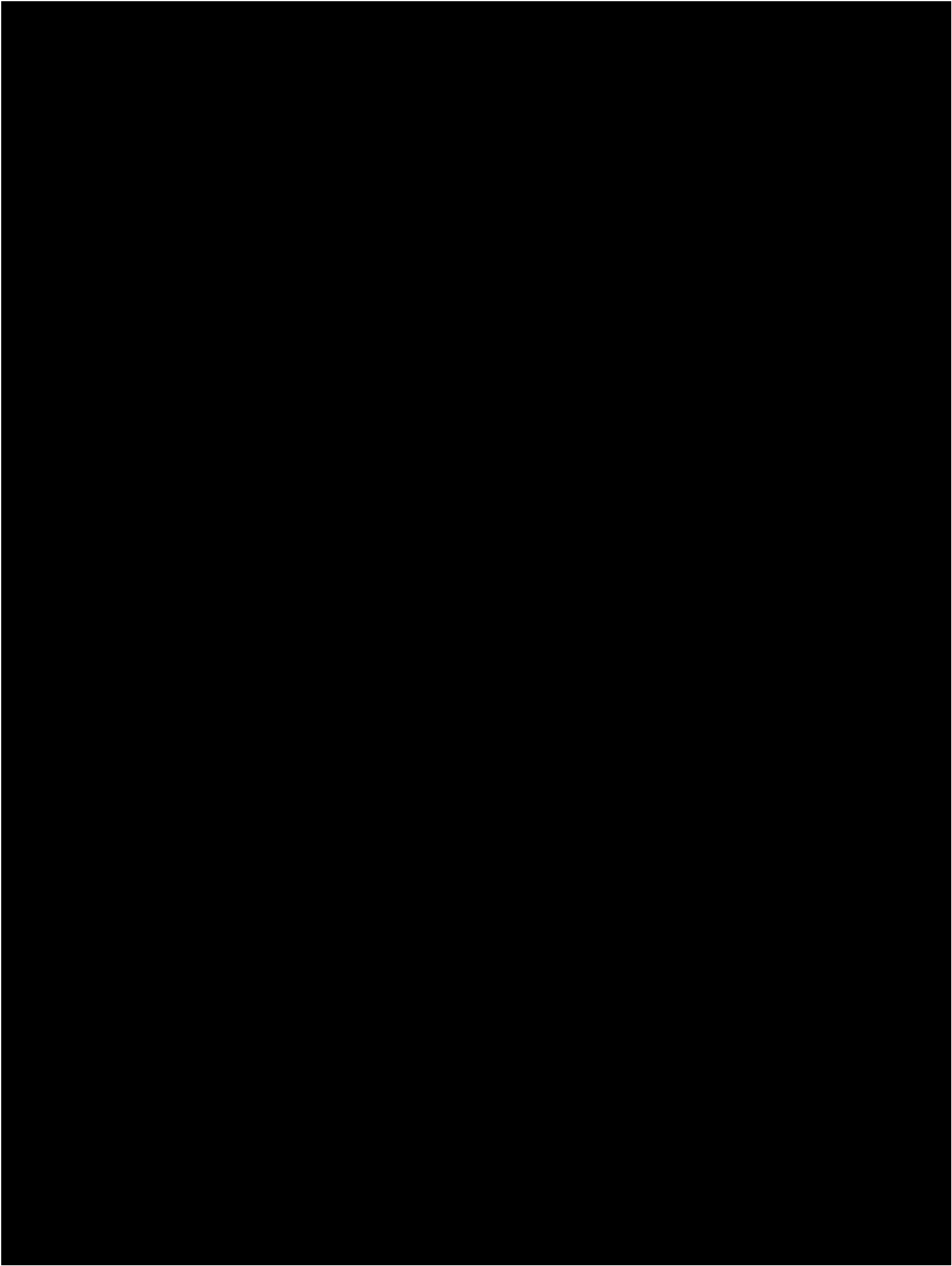


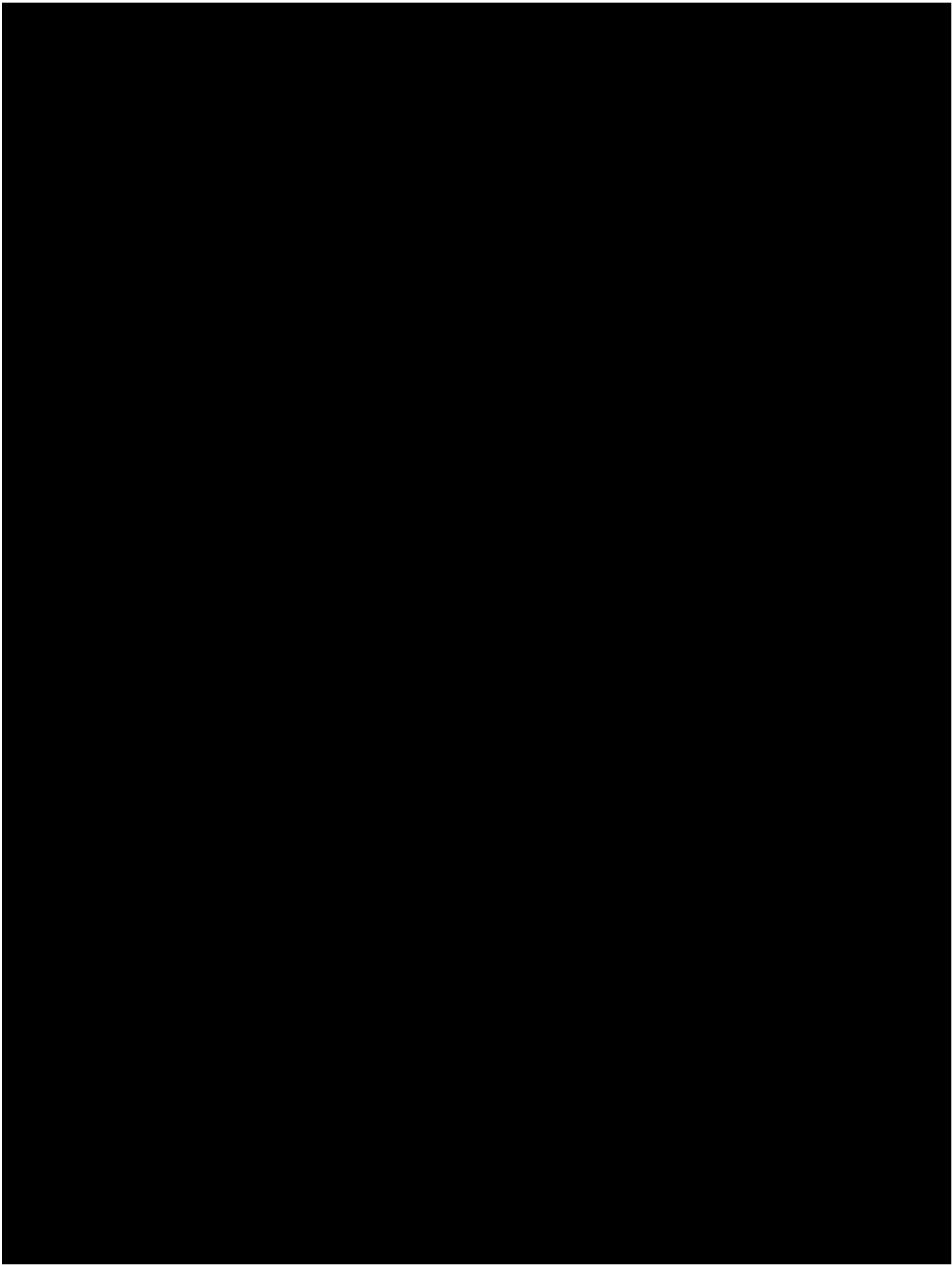
“Respondent”

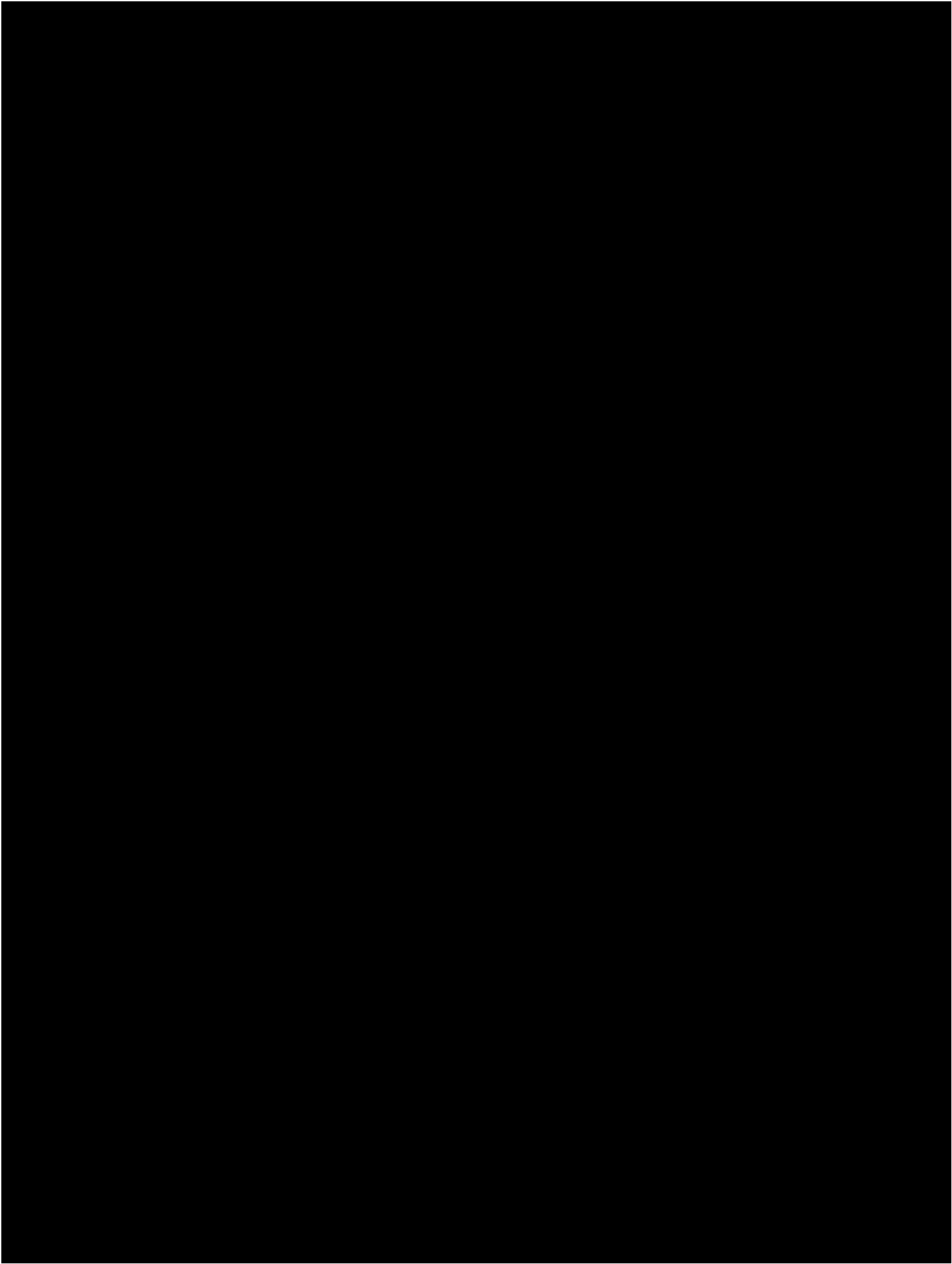
cc: Arkansas Department of Corrections
Division of Corrections
Atty: Thomas Burns (02006)
6814 Princeton Pike
Pine Bluff, AR 71602

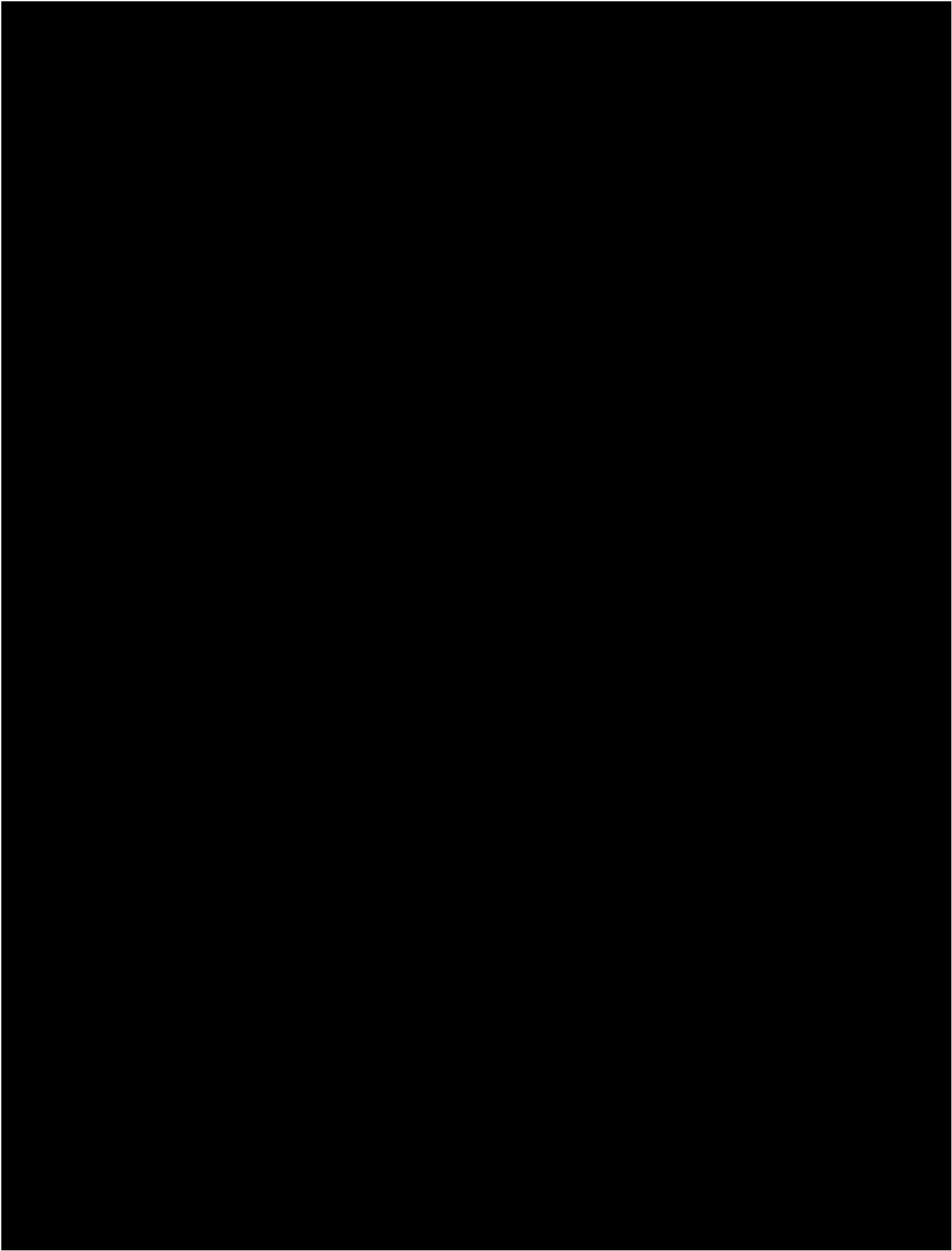


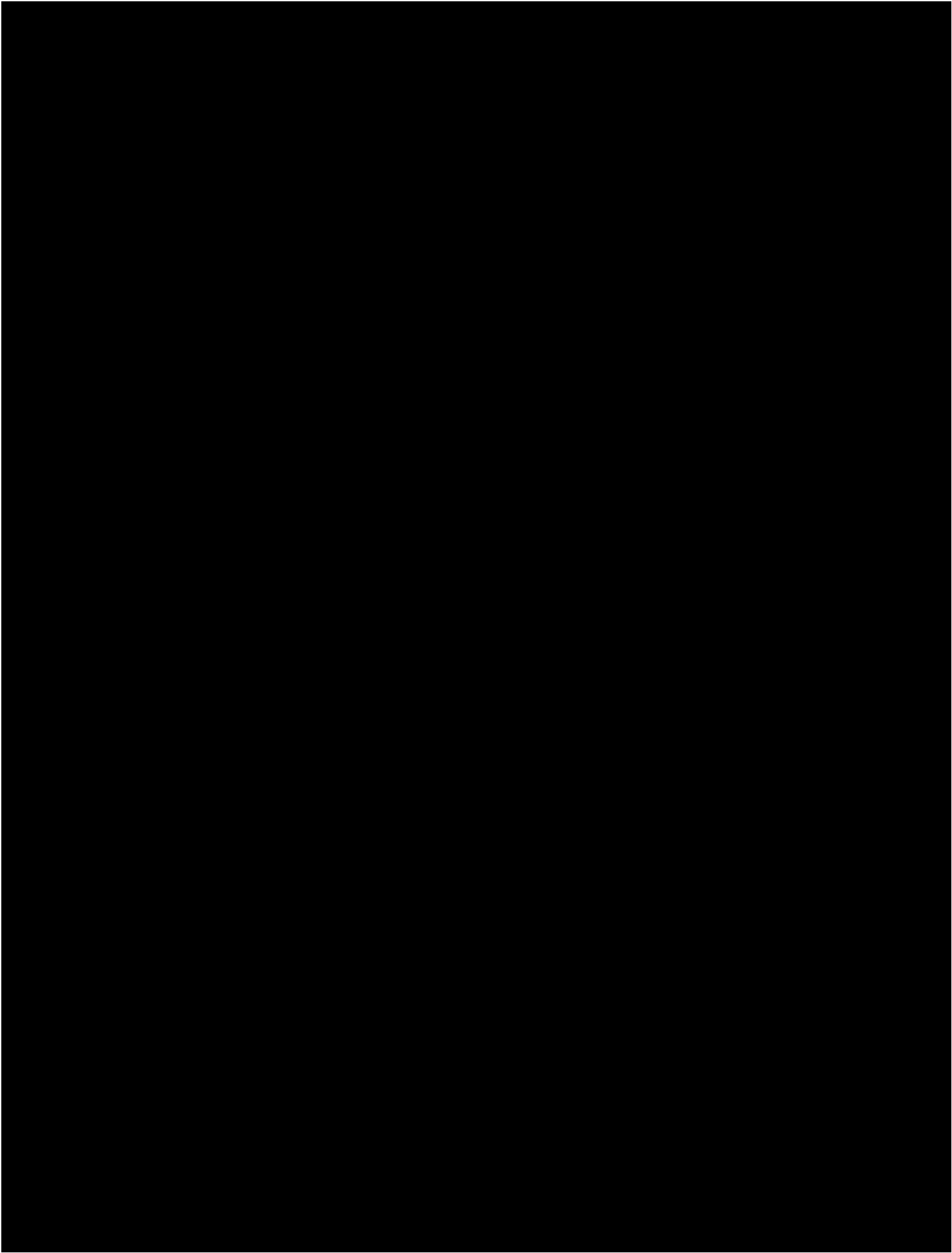












Arkansas
State Claims Commission

13 March 2023

MAR 17 2023

Willie B. Jones



RECEIVED

PRO-SE clerk
Arkansas State Claims Commission
Suite 410
101 E. Capitol Ave
Little Rock, Arkansas 72201-3823

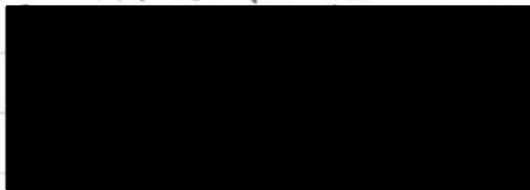
RE: CASE No: 211057

GREETINGS,

my last communication with this commission
OR opposing counsel was on 13 May 2022. I
write to Request a status update of the
case as it has been 10 months with no
contact from this commission.

Thank you For Responding to my
Request at your first opportunity

Respectfully
Willie B. Jones
Willie B. Jones



Q

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

March 21, 2023

Mr. Willie B. Jones (ADC [REDACTED])
[REDACTED]
[REDACTED]

RE: *Willie B. Jones v. Arkansas Division of Correction*
Claim No. 211057

Dear Mr. Jones,

This office received your correspondence on March 17, 2023, requesting information as to the status of your claim. Your claim is in discovery status. If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: msscott

From: [Mika Tucker](#)
To: [Thomas Burns \(DOC\)](#)
Cc: [Kathryn Irby](#)
Subject: HEARING SCHEDULED: Willie Jones v. ADC, Claim No. 211057
Date: Tuesday, September 19, 2023 10:34:00 AM
Attachments: [Jones v. ADC, 211057 hearing ltr \(claim\).pdf](#)

Hi, Thomas.

Please see the attached correspondence.

Thank you,
Mika

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

September 19, 2023

Mr. Willie Jones (ADC [REDACTED])
[REDACTED]

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

RE: ***Willie Jones v. Arkansas Division of Correction***
Claim No. 211057

Dear Mr. Jones and Mr. Burns,

The Claims Commission has scheduled this claim for hearing on **Thursday, January 18, 2024**, beginning at 8:45 a.m. All parties will attend via Zoom. The Zoom invitation is enclosed. The Claims Commission requests that Mr. Burns transmit the Zoom invitation and hearing details to Mr. Jones' unit.

Each party's witness lists, exhibit lists, and exhibits are due by November 29, 2023. If the parties would like for the Claims Commission to review prehearing briefs, the briefs are due at the same time.

If Claimant would like to call other inmates or ADC employees as witnesses, Claimant will need to submit subpoena requests by November 29, 2023. The subpoena requests must include the witnesses' names and addresses. If ADC objects to issuance of any subpoena, ADC will have until December 4, 2023, to file a motion to quash or detailed objections to the witness's proposed testimony.

If Claimant would like to call a witness outside of ADC, Claimant will need to arrange for that witness's virtual attendance at the hearing. Claimant can direct the witness to contact the Claims Commission for the Zoom invitation. If a subpoena will be necessary to compel a witness's

testimony, Claimant will need to submit a subpoena request by November 29, 2023. The subpoena request must include the witness's name and address. Once the Claims Commission issues the subpoena, Claimant will need to have the subpoena served upon the witness pursuant to Rule 45 of the Arkansas Rules of Civil Procedure.

If Respondent will require subpoenas in order to compel the testimony of any of its witnesses, those subpoena requests are also due on November 29, 2023.

Absent good cause shown, any subpoena requests received after November 29, 2023, will be denied.

To the extent that either party intends to file a motion of any kind, absent a showing of good cause, the motion must be submitted in sufficient time to allow the motion to be fully briefed by November 29, 2023.

Please note that a copy of any subpoena requests, witness lists, exhibit lists, and exhibits must be served upon the opposing party via U.S. Mail in accordance with the Arkansas Rules of Civil Procedure.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: mtucker

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings

Time: Jan 18, 2024 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87348644534?pwd=UnAvWmlBVVA4VnNuMVB6WFpuclRodz09>

Meeting ID: 873 4864 4534

Passcode: BZ1fnd

One tap mobile

+16469313860,,87348644534#,,,,*299333# US

+19294362866,,87348644534#,,,,*299333# US (New York)

Dial by your location

- +1 646 931 3860 US
- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

Meeting ID: 873 4864 4534

Passcode: 299333

Find your local number: <https://us06web.zoom.us/u/kdJNKs5RvA>

Arkansas
State Claims Commission

OCT 25 2023

Before the Arkansas State Claims Commission

RECEIVED

Willie Jones (ADC [redacted])

claimant

v.

No. 211057

Arkansas Department of Corrections
Division of Correction

respondent

Witness List of Claimant

1. ADC Captain W. Fields, witness
aka, Major W. Fields

2. APN Mrs. Converse, witness

Before the Arkansas State Claims Commission

Willie Jones (ADC [REDACTED])	claimant
vi	No. 211057
Arkansas Department of Corrections Division of Correction	respondent

Subpoena Request List of Claimant

1. ADC Captain U. Fields, aka ADC Major U. Fields
Captain U. Fields
 address: 6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

2. APN Mrs. Converse
Mrs. APN Stephanie L. Converse
 address [REDACTED]

Comes now, Claimant Willie Jones and for his request for subpoena appearance of the herein stated witnesses above in the above styled matter states:

Mr. Willie Jones, claimant in the above styled matter request

by subpoena, the appearance of all and, each separate witness's appearance on Thursday, January 18, 2024 beginning at 8:45 a.m. by a Zoom hearing as witness upon the above style claim. The aforementioned witnesses, ADC Captain U. Fields, aka ADC Major U. Fields and, APN Mrs. Converse are requested by claimant, at addressed noted,

Willie Jones 90329

Certificate of Service

I, Willie Jones, claimant herein certify, that he requests appearance of the foregoing persons stated by subpoena to testify in the above styled matter, that a copy of this subpoena list has be sent postage paid on this date 11th of Oct, to respondent, Arkansas Division of Correction, 6814 Princeton Pike PineBluff, Ar 71602-9411

signed: Willie Jones
10-11-23

State of Arkansas
County of Lee

Claimant, Willie Jones, being first duly sworn under oath, presents that he has read and subscribed to the above and states that the information therein is true and correct.

Subscribed and sworn to before me this 11 day of October
My Commission expires: 12-15-2026

(3)



Before the Arkansas State Claims Commission

Willie Jones (ADC, [REDACTED])	claimant
vs.	No. 211057
Arkansas Department of Corrections Division of Correction	respondent

Exhibits list of Claimant

1. Original Grievance on 12-17-19
2. Immediate Grievance on 2-9-20
3. Chief Deputy Director decision on 2-12-20
4. Warden's decision on 1-21-2020
5. Mr. Willie Jones Appeal on 1-29-20
6. [REDACTED]
7. State Claims Complaint on issue
8. Mr. Willie Jones [REDACTED] on 3-8-2018, 2-13-2019,
2-5-2020, 4-1-2020, 9-20-2020, 9-10-21, ending
9-9-2022

Please print in ink or type

BEFORE THE STATE CLAIMS COMMISSION
Of the State of Arkansas

Arkansas
State Claims Commission

APR 01 2021

- Mr.
- Mrs.
- Ms.
- Miss

Willie B. Jones # [redacted], Claimant

vs.

State of Arkansas, Respondent

Do Not Write in These Spaces

Claim No. RECEIVED

Date Filed _____
(Month) (Day) (Year)

Amount of Claim \$ _____

Fund _____

COMPLAINT

Willie B. Jones, the above named Claimant, of [redacted] (City)

County of Lee represented by Self-Att-52 (Legal Counsel, if any, for Claim)

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

State agency involved: Arkansas Department of Correction Amount sought: 10,000.00

Month, day, year and place of incident or service: December 17, 2019; East Arkansas Regional unit

Explanation: This is a failure to follow policy and procedures claim.



As parts of this complaint, the claimant makes the statements, and answers the following questions, as indicated: (1) Has claim been previously resolved? Yes (Yes or No); when? 12 17 19 (Month) (Day) (Year); to whom? Mr. G. Lay - Warden (Department); and that the following action was taken thereon: No action

and that \$ N/A was paid thereon: (2) Has any third person or corporation an interest in this claim? N/A; if so, state name and address: N/A (Name) (Street or R.F.D. & No.) (City) (State) (Zip Code)

and that the nature thereof is as follows: N/A; and was acquired on N/A, in the following manner:

WILLIE D. JONES
(Print Claimant/Representative Name)

Willie D. Jones
(Signature of Claimant/Representative)

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

on this 28 day of MARCH, 2021
(Date) (Month) (Year)

Wallace B. McNary
(Notary Public)

My Commission Expires: 12 14 2024
(Month) (Day) (Year)

WALLACE B. McNARY
NOTARY PUBLIC-STATE OF ARKANSAS
ST. FRANCIS COUNTY
My Commission Expires 12-14-2024
Commission # 12403570

SF 1-R7/99

"Claimant Exhibit 1"

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center [Redacted]

Name Willie Jones

ADC# [Redacted] Brks # 2-17 Job Assignment Sched - RR Reg.

FOR OFFICE USE ONLY	
GRV. #	<u>[Redacted]-19-00928</u>
Date Received:	<u>12/23/2019</u>
GRV. Code #	<u>600 508</u>

(w/c)

12-17 (Date) STEP ONE: Informal Resolution

12-22-19 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

[Redacted], (Date) [Redacted] (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 serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In 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

[Redacted]

RECEIVED
JAN 23 2020
INMATE RECEIPT
UNIT LEVEL GRIEVANCE FORM

Willie Jones
Inmate Signature

12-17-19
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 12/17/19 (date), and determined to be Step One and/or an Emergency Grievance NO (Yes or No). This form was forwarded to medical or mental health? NO (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

Sgt. A Bell [Redacted] Sgt. A Bell 12/17/19
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: 12-20-19 Talk to MS Westbrook will take care of issue as soon as she can.

Sgt. A Bell 12/22/19
Staff Signature & Date Returned

Willie Jones 12-22-19
Inmate Signature & Date Received

This form was received on 12-22-19 (date), pursuant to Step Two. Is it an Emergency? _____ (Yes or No).

Staff Who Received Step Two Grievance: [Redacted] Date: 12-22-19

Action Taken: _____ (Forwarded to Grievance Officer/Warden/Other) Date: 12-22-19

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

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

M. Claimant Exhibit 1

IGTT430
3GD

Attachment VI

INMATE NAME: Jones, Willie B.

ADC #: [REDACTED]


GRIEVANCE#: [REDACTED]-19-00928

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION



Your appeal was received on 1/30/20. In review of your appeal and supporting documentation, I find that you have been moved again. I consider this matter resolved at the unit level and find no merit in your appeal.

Appeal denied.


Director

2/12/20
Date

"claimant Exhibit 2"

RECEIVED
GRIEVANCE OFFICE

UNIT LEVEL GRIEVANCE FORM (Attachment I)

FEB 11 2020

FOR OFFICE USE ONLY	
GRV. #	20-001104
Date Received:	2/11/20
GRV. Code #:	508

Unit/Center [REDACTED]

Name Willie B. Jones

ADC# [REDACTED] Brks # 2-45 Job Assignment D/C

2-9-20 (Date) STEP ONE: Informal Resolution

2-10-20 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally).
If the issue was not resolved during Step One, state why: _____

_____, (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 serious nature). If you marked yes, give this completed form to the designated individual in the department. Attach the attached emergency receipt. In an Emergency, state why: [REDACTED]

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

[REDACTED]

MAR 11 2020

Willie B. Jones
Inmate Signature

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING 2-9-20
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 2.10.20 (date), and determined to be **Step One** and/or an Emergency Grievance Yes (Yes or No). This form was forwarded to medical or mental health? NO (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

Sgt. Bell [REDACTED] Sgt. Bell 2.10.20
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Staff Signature & Date Returned Sgt. Bell 2-10-20 Willie B Jones 2-10-20 Inmate Signature & Date Received

This form was received on 2.10.20 (date), pursuant to **Step Two**. Is it an Emergency? NO (Yes or No).

Staff Who Received Step Two Grievance: Sgt. Bell Date: 2-10-20

Action Taken: Forwarded (Forwarded to Grievance Officer/Warden/Other) Date: 2.10.20

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

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

"INMATE'S EXHIBIT 3"

IGTT410
3GS

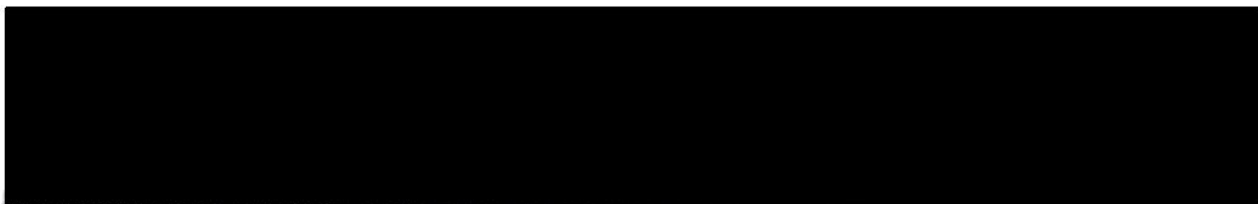
BJJ 2/4/20
Attachment III

INMATE NAME: Jones, Willie B.

ADC #: [REDACTED]

GRIEVANCE #: [REDACTED] 19-00950

WARDEN/CENTER SUPERVISOR'S DECISION



Ms. Westbrook, Classification Supervisor, states you will be moved upon available bed space. This should address your concern.

WJ

Signature of Warden/Supervisor or Designee

Title

1-29-20
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? *The warden clearly states that I'm being violate but nothing being done yet.*

[Empty box for Inmate Signature]

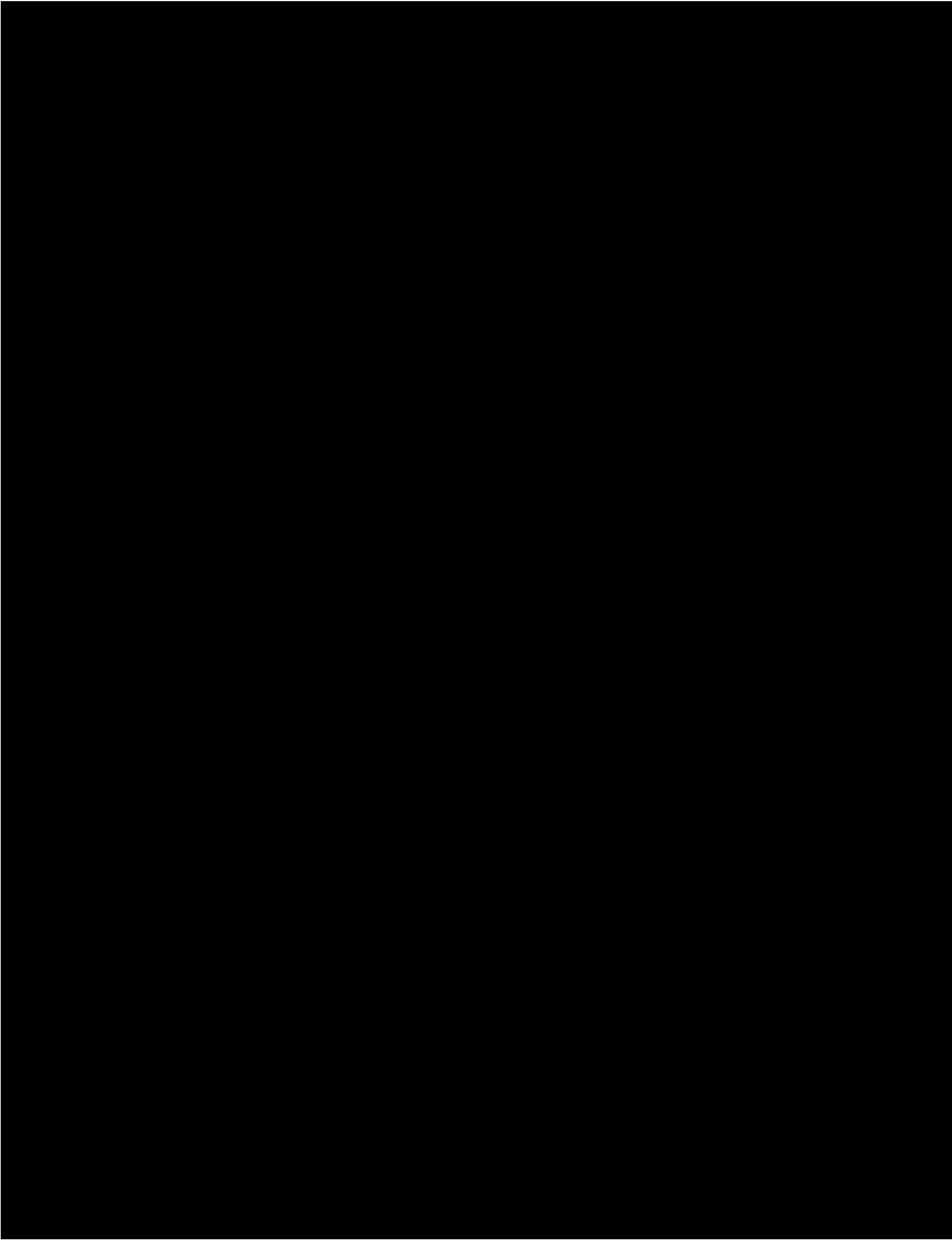
Inmate Signature

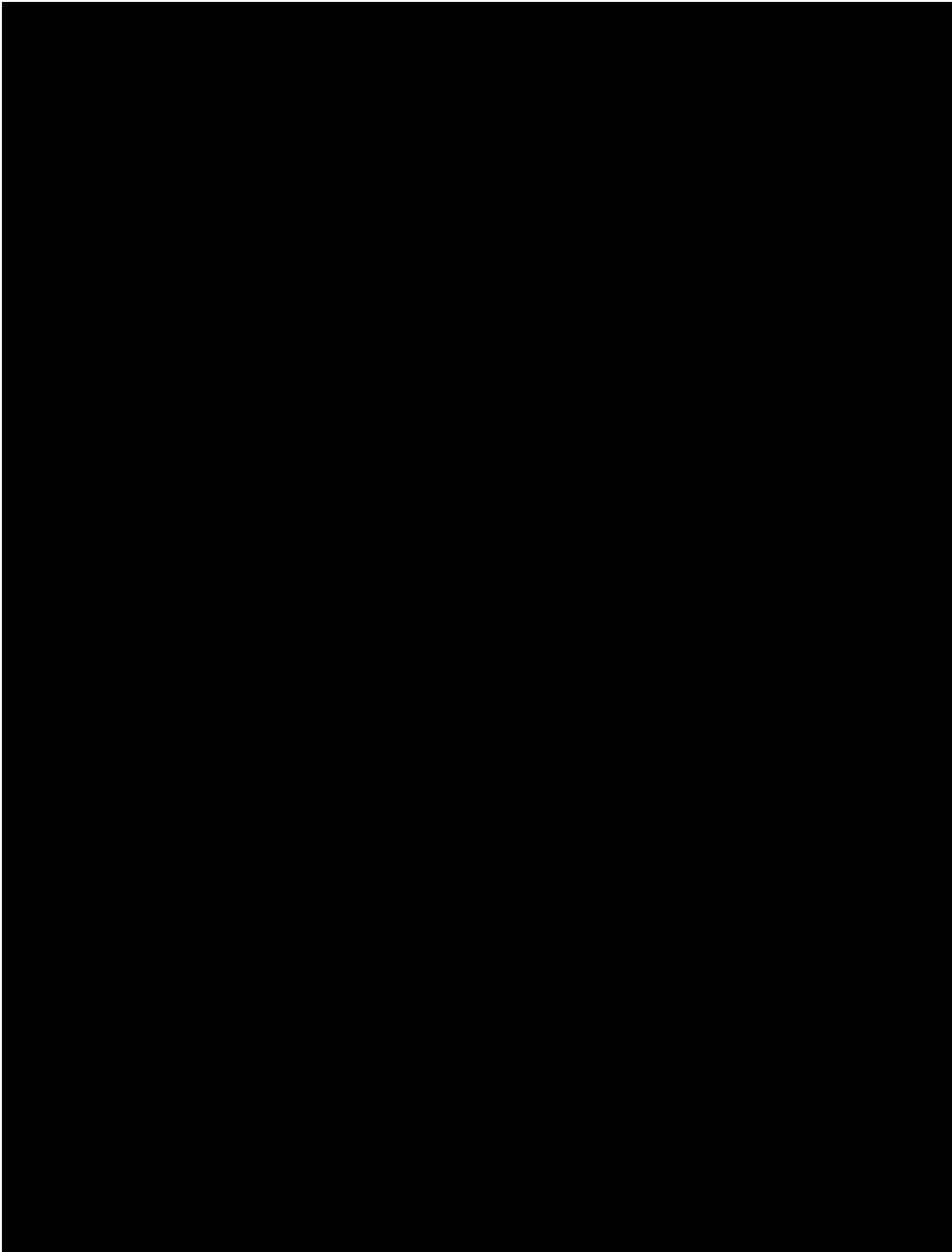
ADC#: [REDACTED]

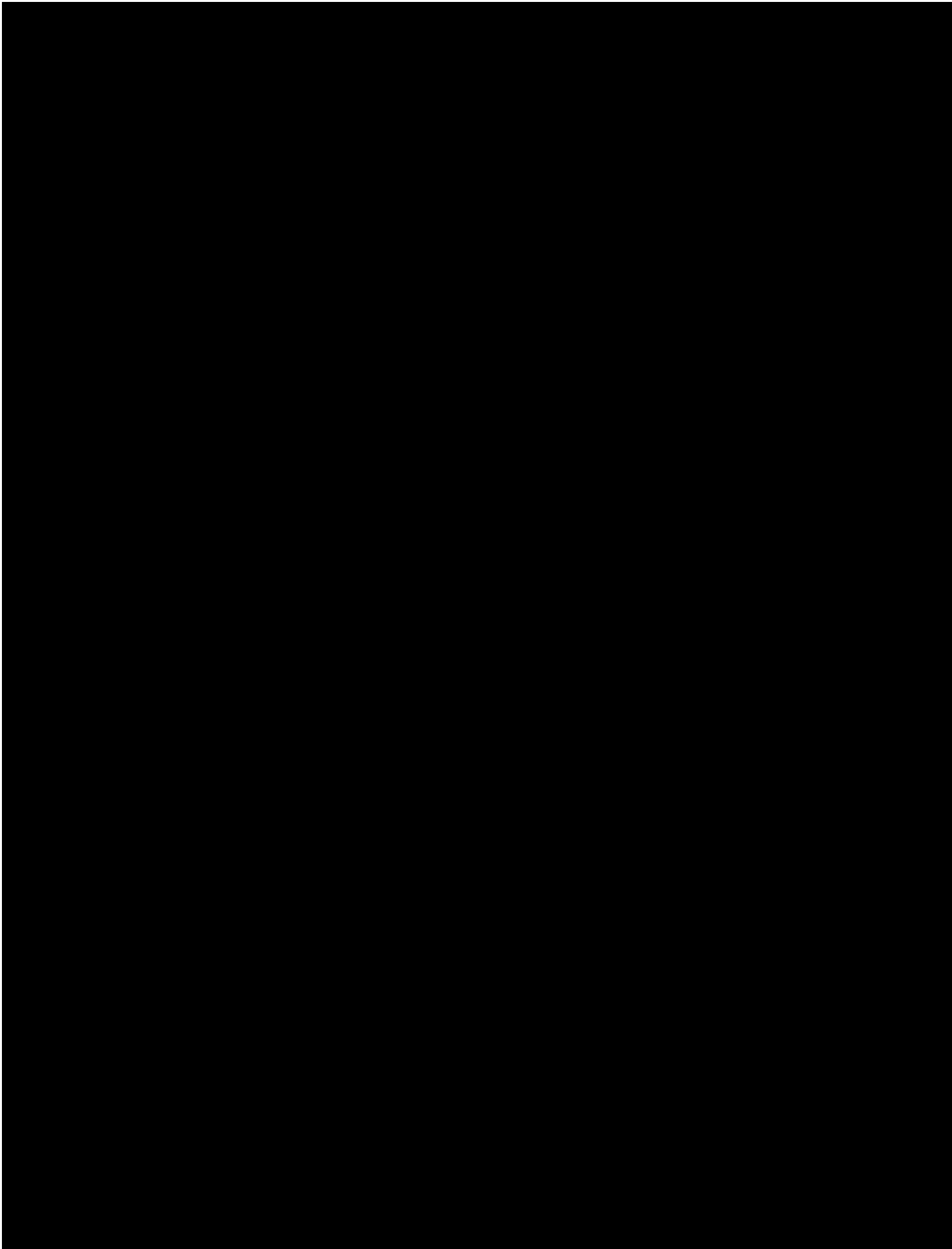
Date

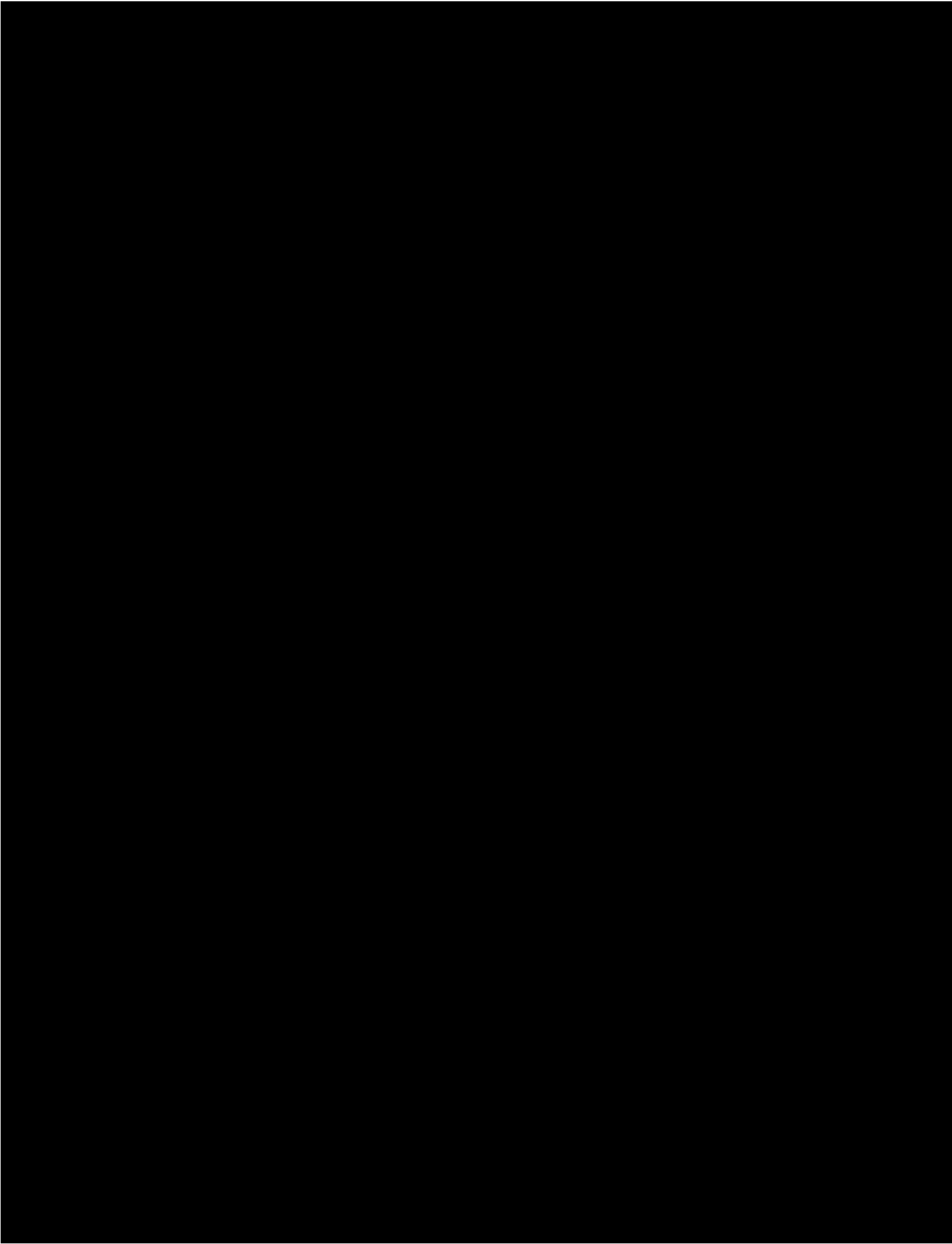
RECEIVED
FEB 03 2020

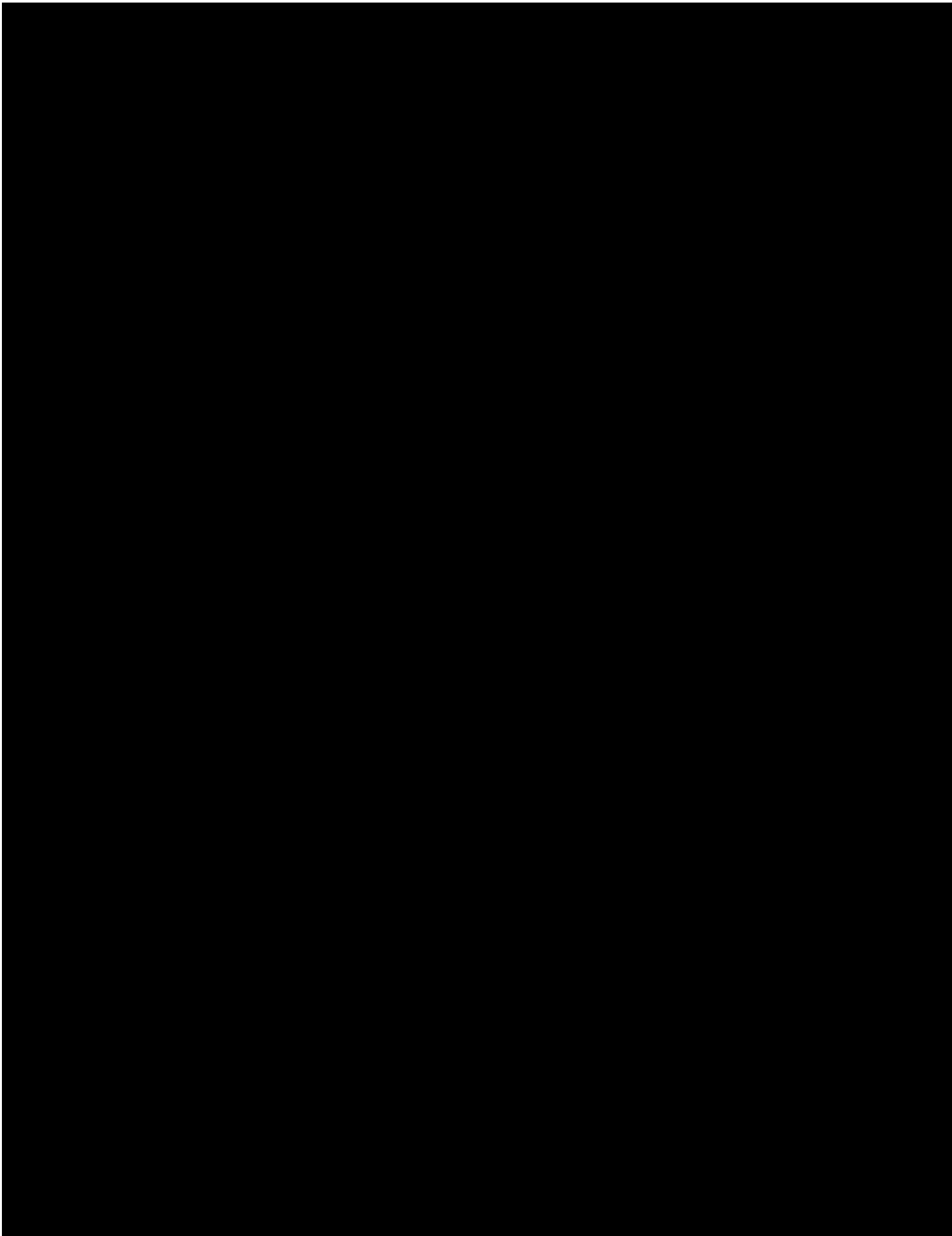
INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

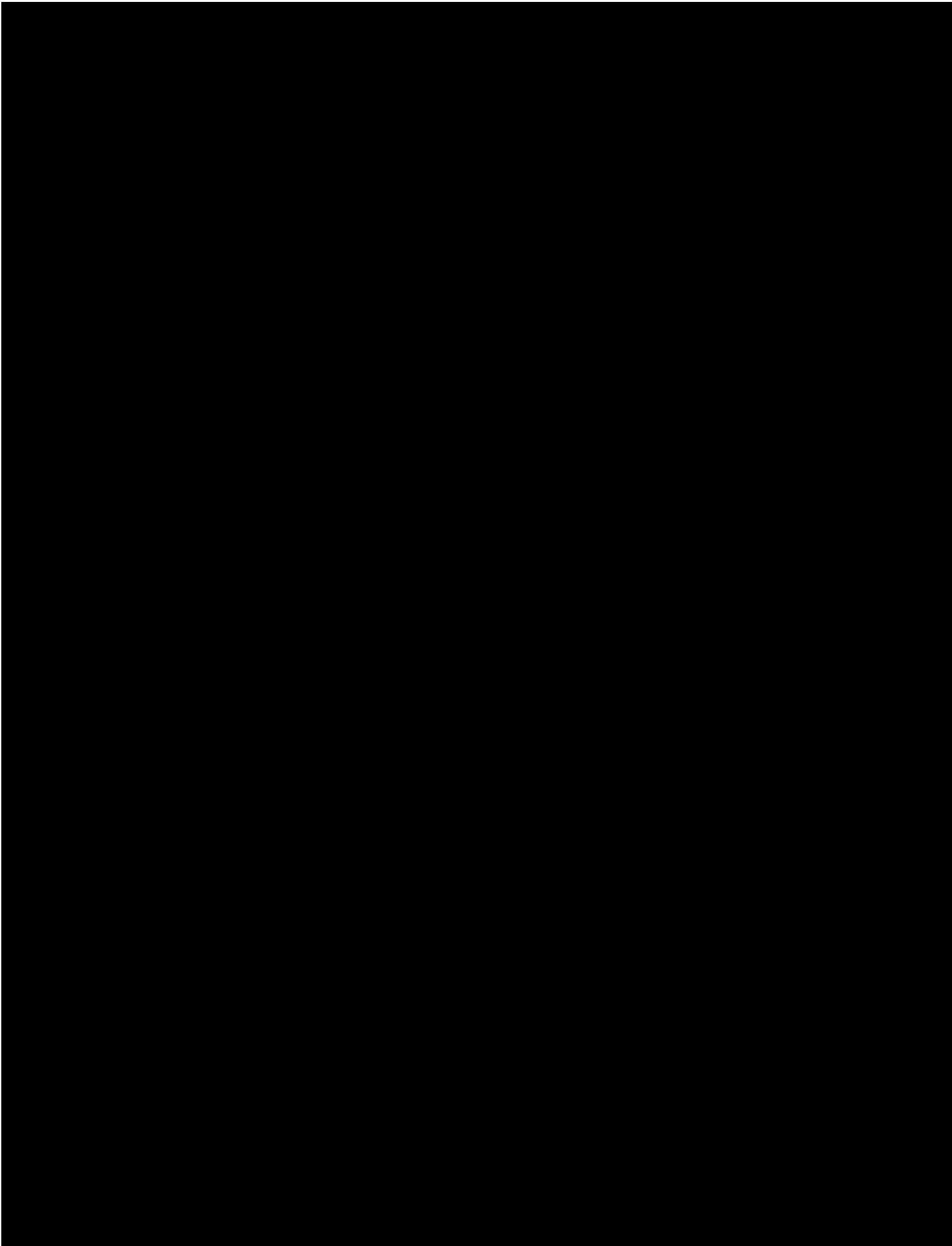


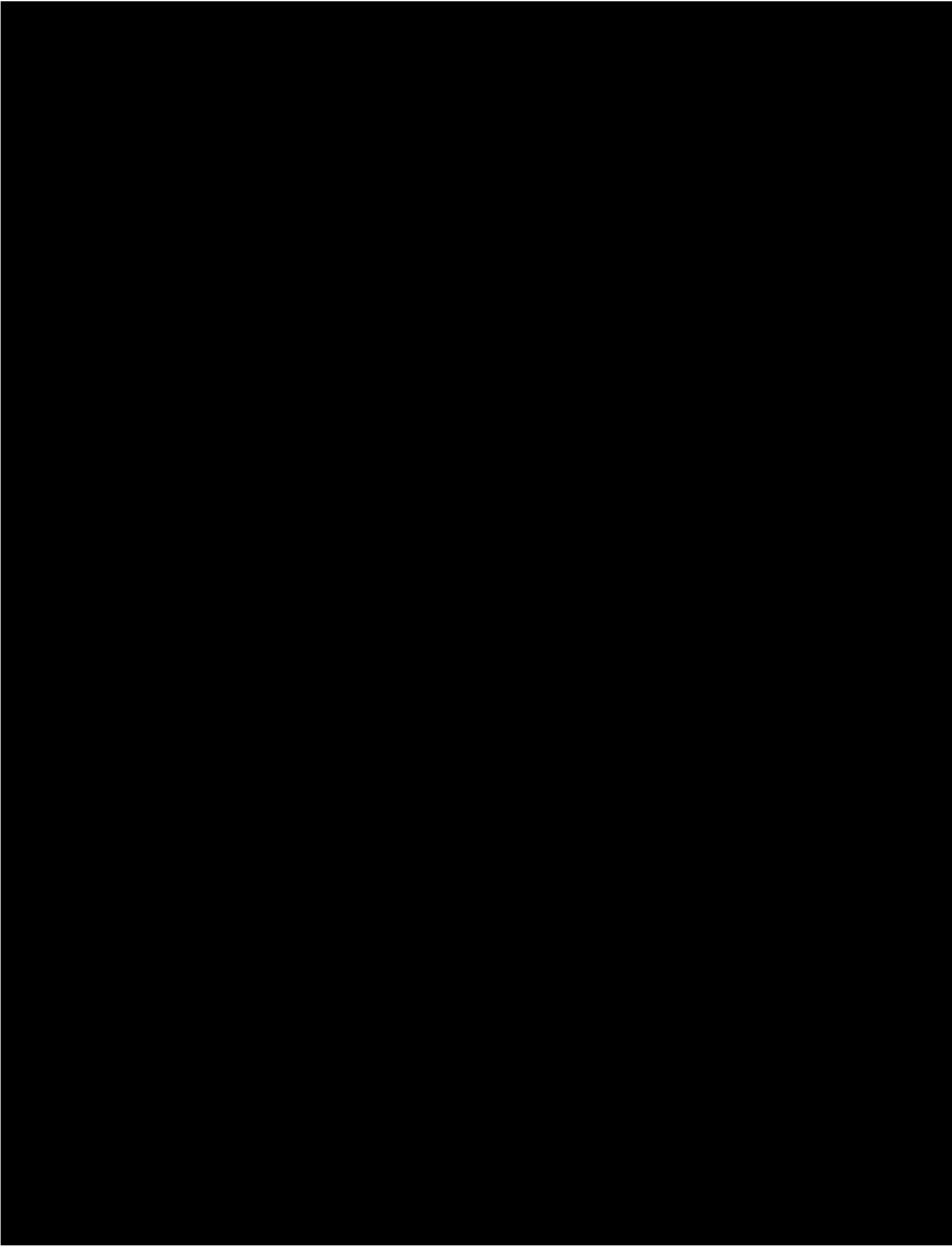












Before the Arkansas State Claims Commission

Willie Jones (ADC [redacted])

claimant

vi

No. 211057

Arkansas Department of Corrections
Division of Correction

respondent

Witness List of Claimant

1. ADC Captain W. Fields, witness
aka, Major W. Fields

2. APN Mrs. Converse, witness

Before the Arkansas State Claims Commission

Willie Jones (ADC [REDACTED])	claimant
v.	No. 211057
Arkansas Department of Corrections	respondent
Division of Correction	

Subpoena Request List of Claimant

1. ADC Captain W. Fields, aka ADC Major W. Fields
 Captain W. Fields
 address: 6814 Princeton Pike
 Pine Bluff, Arkansas 71602-9411

2. APN Mrs. Converse
 Mrs. APN Stephanie L. Converse
 address: [REDACTED]

Comes now, Claimant Willie Jones and for his request for subpoena appearance of the herein stated witnesses above in the above styled matter states:

Mr. Willie Jones, claimant in the above styled matter request

by subpoena, the appearance of all and, each separate witness's appearance on Thursday, January 18, 2024 beginning at 8:45 a.m. by a Zoom hearing as witness upon the above style claim. The aforementioned witnesses, ADC Captain U. Fields, aka ADC Major U. Fields and, APN Mrs. Converse are requested by claimant, at addressed noted,

Willie Jones 90329

Certificate of Service

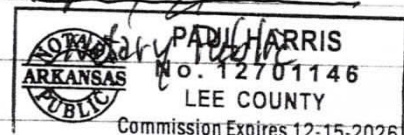
I, Willie Jones, claimant herein certify, that he requests appearance of the foregoing persons stated by subpoena to testify in the above styled matter, that a copy of this subpoena list has be sent postage paid on this date 11th of Oct, to respondent, Arkansas Division of Correction, 6814 Princeton Pike Pine Bluff, Ar 71602-9411

signed: Willie Jones
10-11-23

State of Arkansas
County of Lee

Claimant, Willie Jones, being first duly sworn under oath, presents that he has read and subscribed to the above and states that the information therein is true and correct.

Subscribed and sworn to before me this 11 day of October
My Commission expires: 12-15-2026



(3)

Before the Arkansas State Claims Commission

Willie Jones CADC [REDACTED]	claimant
v.	No. 211057
Arkansas Department of Corrections Division of Correction	respondent

Exhibits list of Claimant

1. Original Grievance on 12-17-19
2. Immediate Grievance on 2-9-20
3. Chief Deputy Director decision on 2-12-20
4. Warden's decision on 1-21-2020
5. Mr. Willie Jones Appeal on 1-29-20
6. [REDACTED]
7. State Claims Complaint on issue
8. [REDACTED]

Please print in ink or type

BEFORE THE STATE CLAIMS COMMISSION
Of the State of Arkansas

Arkansas

State Claims Commission

APR 01 2021

- Mr.
- Mrs.
- Ms.
- Miss

Willie B. Jones [Redacted], Claimant

vs.

State of Arkansas, Respondent

Do Not Write in These Spaces

Claim No. **RECEIVED**

Date Filed _____
(Month) (Day) (Year)

Amount of Claim \$ _____

Fund _____

COMPLAINT

Willie B. Jones, the above named Claimant, of [Redacted] (City)

County of Lee represented by Self-Att-52 (Legal Counsel, if any, for Claim)

of _____ (Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.), says:

State agency involved: Arkansas Department of Correction Amount sought: 10,000.00

Month, day, year and place of incident or service: December 17, 2019; East Arkansas Regional unit



As parts of this complaint, the claimant makes the statements, and answers the following questions:
Yes when? 12 17 19 to whom? Mr. G. Kay - Warden (Department)
(Yes or No) (Month) (Day) (Year)

and that the following action was taken thereon: No action

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

and that the nature thereof is as follows: N/A (Street or R.F.D. & No.) (City) (State) (Zip Code)
: and was acquired on N/A, in the following manner:

WILLIE D. JONES
(Print Claimant/Representative Name)

Willie D. Jones
(Signature of Claimant/Representative)

SWORN TO and subscribed before me at BRICKY'S AR

(City) (State)

on this 28 day of MARCH, 2021

(Date) (Month) (Year)

[Signature]
(Notary Public)

My Commission Expires: 12 14 2024
(Month) (Day) (Year)

WALLACE B. McNARY
NOTARY PUBLIC-STATE OF ARKANSAS
ST. FRANCIS COUNTY
My Commission Expires 12-14-2024
Commission # 12403570

SF 1-R7/99

" Claimant Exhibit 1 "

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center _____

Name Willie Jones

ADC# _____ Brks # 2-17 Job Assignment Sched - K & Rep.

FOR OFFICE USE ONLY	
GRV. #	<u>19-00928</u>
Date Received:	<u>12/23/2019</u>
GRV. Code #	<u>600 508</u> (w/c)

12-17 (Date) STEP ONE: Informal Resolution

12-22-19 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

_____, (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 serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In 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): I were move from a barracks that

[Redacted area]

RECEIVED

IAN 3 # 2020

UNIT LEVEL GRIEVANCE FORM

DATE RECEIVED: 12/23/2019

Willie Jones
Inmate Signature

12-17-19
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 12/17/19 (date), and determined to be Step One and/or an Emergency Grievance NO (Yes or No). This form was forwarded to medical or mental health? NO (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

Sgt. A Bell _____
PRINT STAFF NAME (PROBLEM SOLVER) Staff Signature Date Received

Describe action taken to resolve complaint, including dates: 12-20-19 Talk to MS Westbrook will take care of issue as soon as she can.

Sgt. A Bell 12/22/19
Staff Signature & Date Returned

Willie Jones 12-22-19
Inmate Signature & Date Received

This form was received on 12-22-19 (date), pursuant to Step Two. As it an Emergency? _____ (Yes or No).

Staff Who Received Step Two Grievance: Sgt. A Bell Date: 12-22-19

Action Taken: _____ (Forwarded to Grievance Officer/Warden/Other) Date: 12-22-19

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

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

W. claimant Exhibit 1

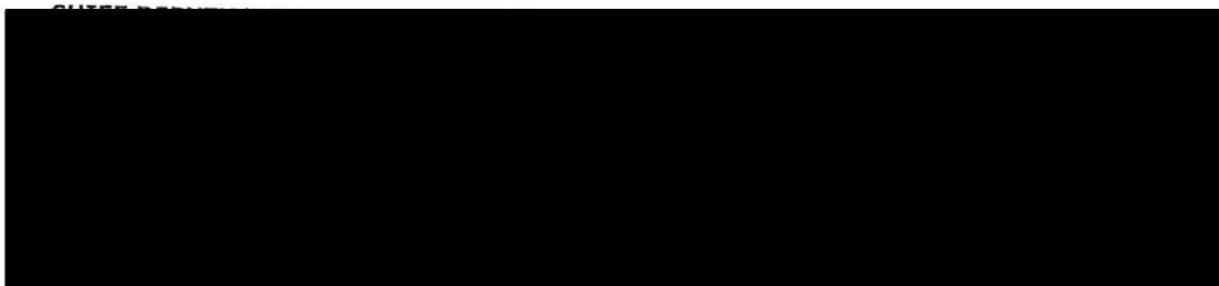
IGTT430
3GD

Attachment VI

INMATE NAME: Jones, Willie B.

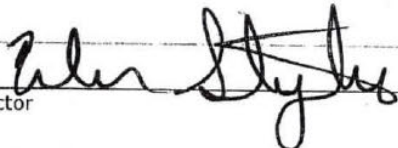
ADC #: [REDACTED]

GRIEVANCE#: [REDACTED]-19-00928



Your appeal was received on 1/30/20. In review of your appeal and supporting documentation, I find that you have been moved again. I consider this matter resolved at the unit level and find no merit in your appeal.

Appeal denied.


Director

2/12-20
Date

"claimant Exhibit 2"

RECEIVED
GRIEVANCE OFFICE

UNIT LEVEL GRIEVANCE FORM (Attachment I)

FEB 11 2020

FOR OFFICE USE ONLY	
GRV. #	20-01164
Date Received:	2/11/20
GRV. Code #:	588

Unit/Center [REDACTED]

Name Willie B. Jones

ADC# [REDACTED] Brks # 2-45 Job Assignment P/JC

2-9-20 (Date) STEP ONE: Informal Resolution

2-10-20 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)
If the issue was not resolved during Step One, state why: _____

_____, (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 serious nature). If you marked yes, give this completed form to the designated problem solving staff who will fill in the attached emergency receipt. In an Emergency, state why: [REDACTED]

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

[REDACTED]

MAR 11 2020

Willie B. Jones
Inmate Signature

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING
Date 2-9-20

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 2.10.20 (date), and determined to be **Step One** and/or an Emergency Grievance Yes (Yes or No). This form was forwarded to medical or mental health? NO (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

PRINT STAFF NAME (PROBLEM SOLVER) St. Bell ID Number [REDACTED] Staff Signature St. Bell Date Received 2.10.20

Describe action taken to resolve complaint, including dates: According to Evans you do not have a [REDACTED]

Staff Signature & Date Returned St. Bell 2.10.20 Inmate Signature & Date Received Willie B Jones 2-10-20

This form was received on 2.10.20 (date), pursuant to **Step Two**. Is it an Emergency? _____ (Yes or No).

Staff Who Received Step Two Grievance: St. Bell Date: 2-10-20

Action Taken: Forward (Forwarded to Grievance Officer/Warden/Other) Date: 2.10.20

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

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

" INMATE'S EXHIBIT 3 "

BJ 2/4/20
Attachment III

IGTT410
3GS

INMATE NAME: Jones, Willie B.

ADC #: [REDACTED]

GRIEVANCE #: [REDACTED]-19-00950

WARDEN/CENTER SUPERVISOR'S DECISION

[REDACTED]

Ms. Westbrook, Classification Supervisor, states you will be moved upon available bed space. This should address your concern.

WJ

Signature of Warden/Supervisor or Designee

Title

1-29-20
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? *The warden clearly states that I'm being violate but nothing being done yet.*

[REDACTED]

Inmate Signature

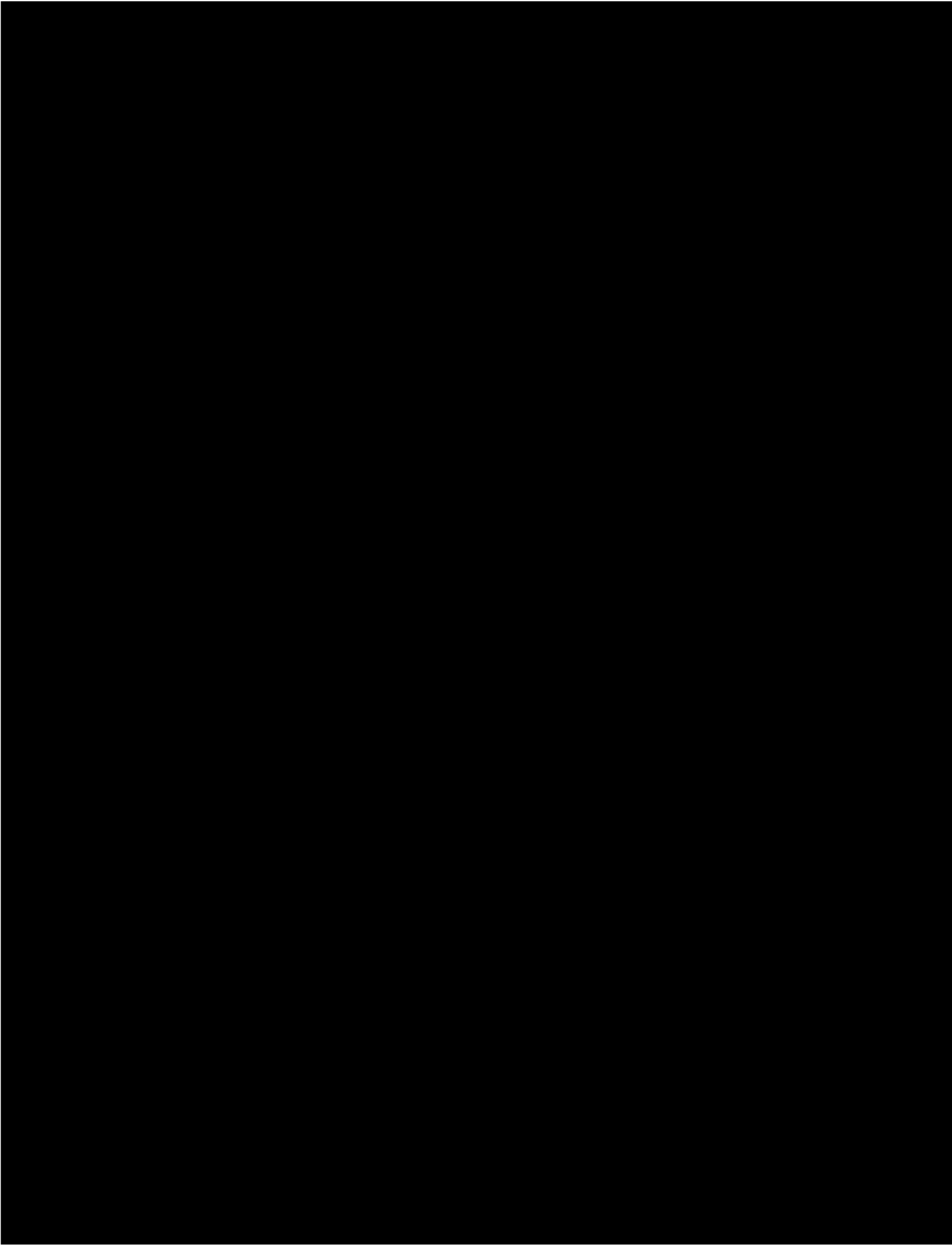
ADC# [REDACTED]

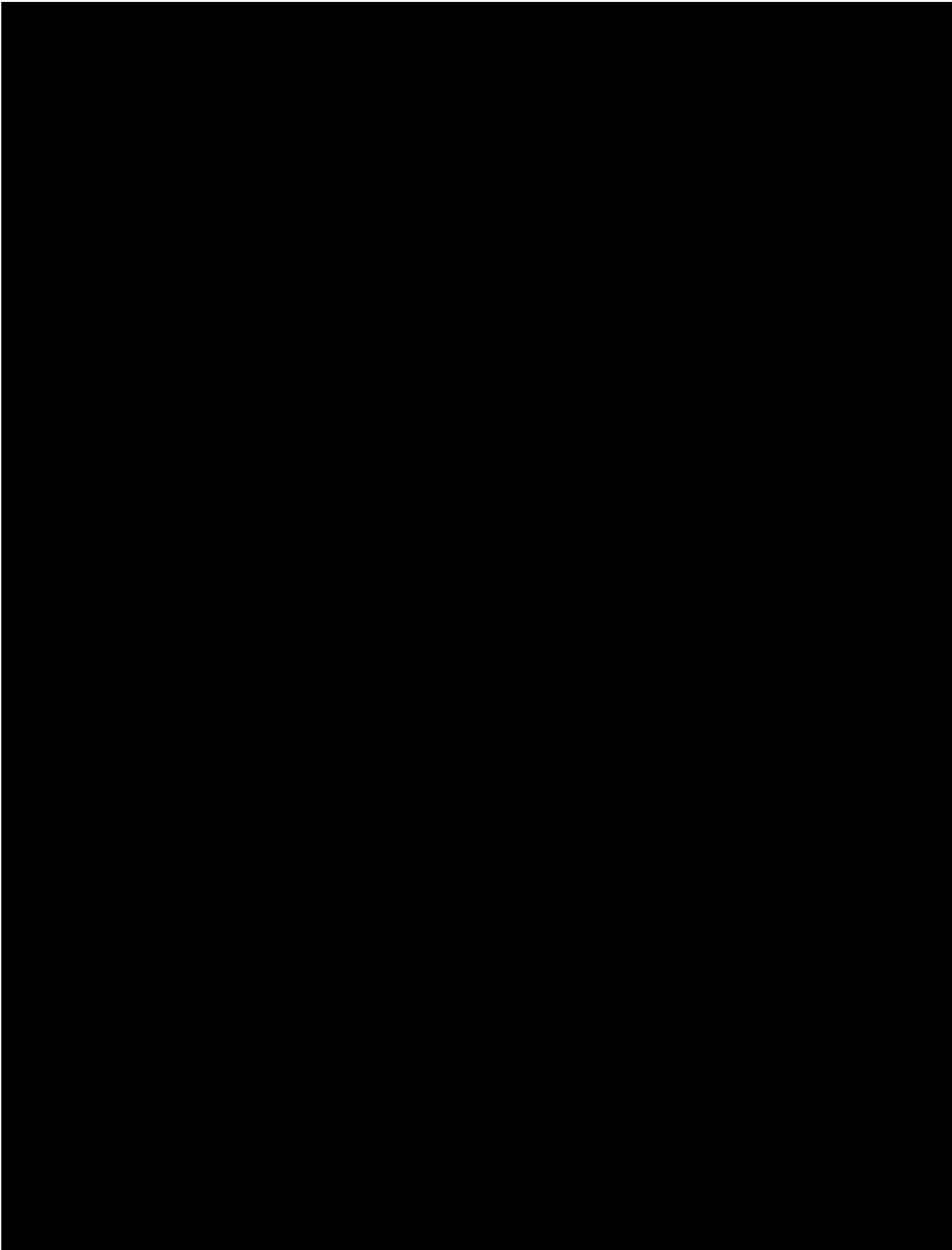
Date

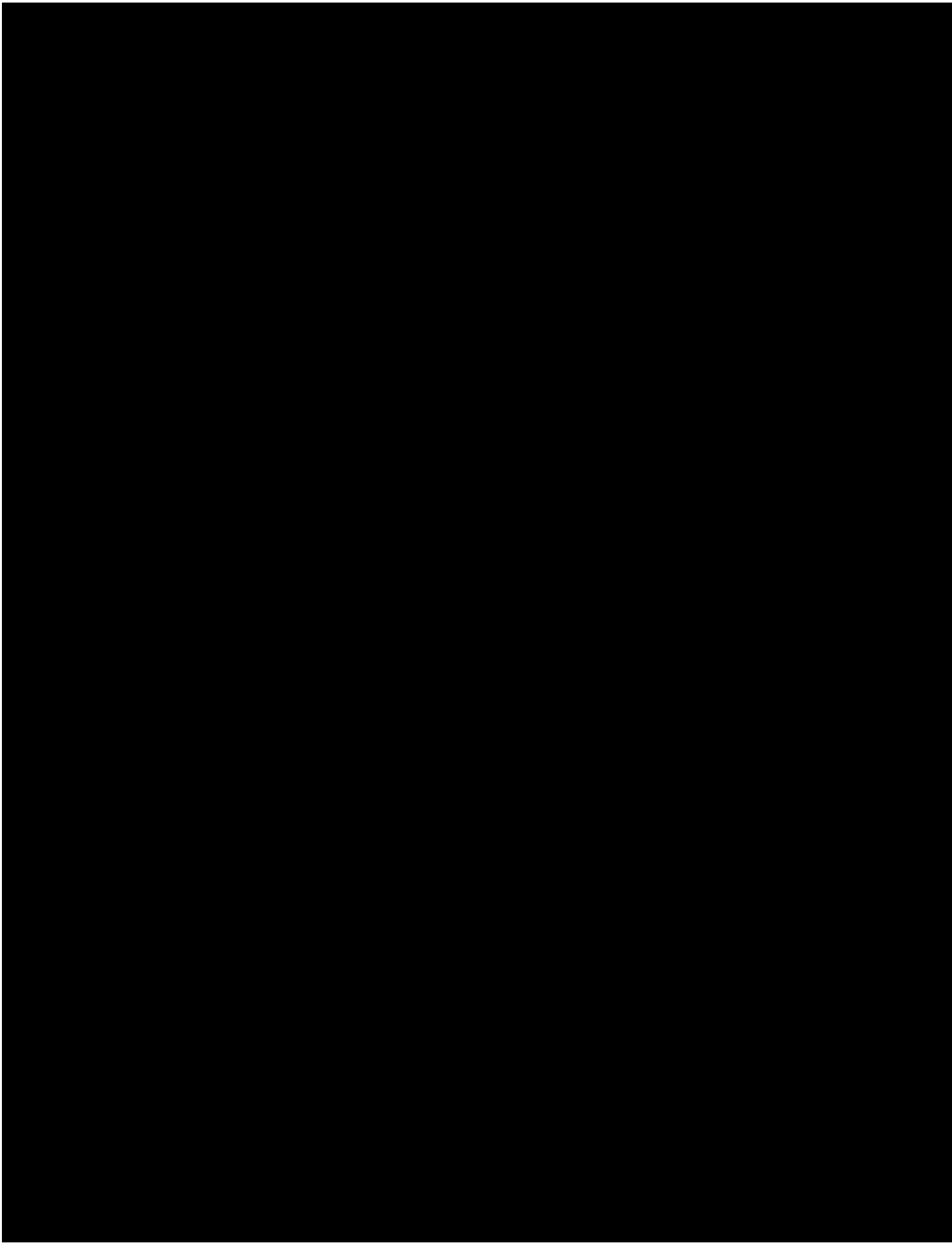
RECEIVED

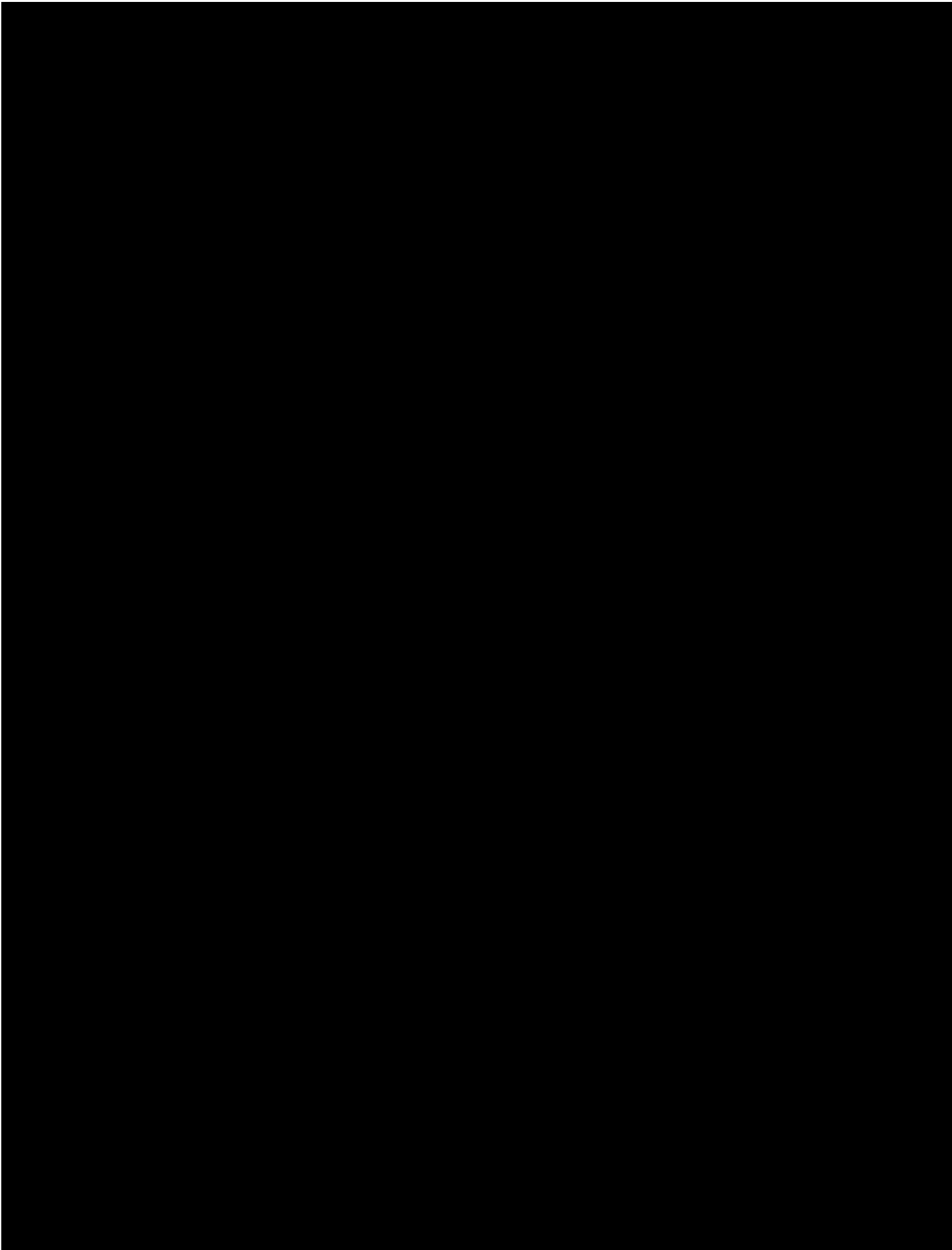
FEB 03 2020

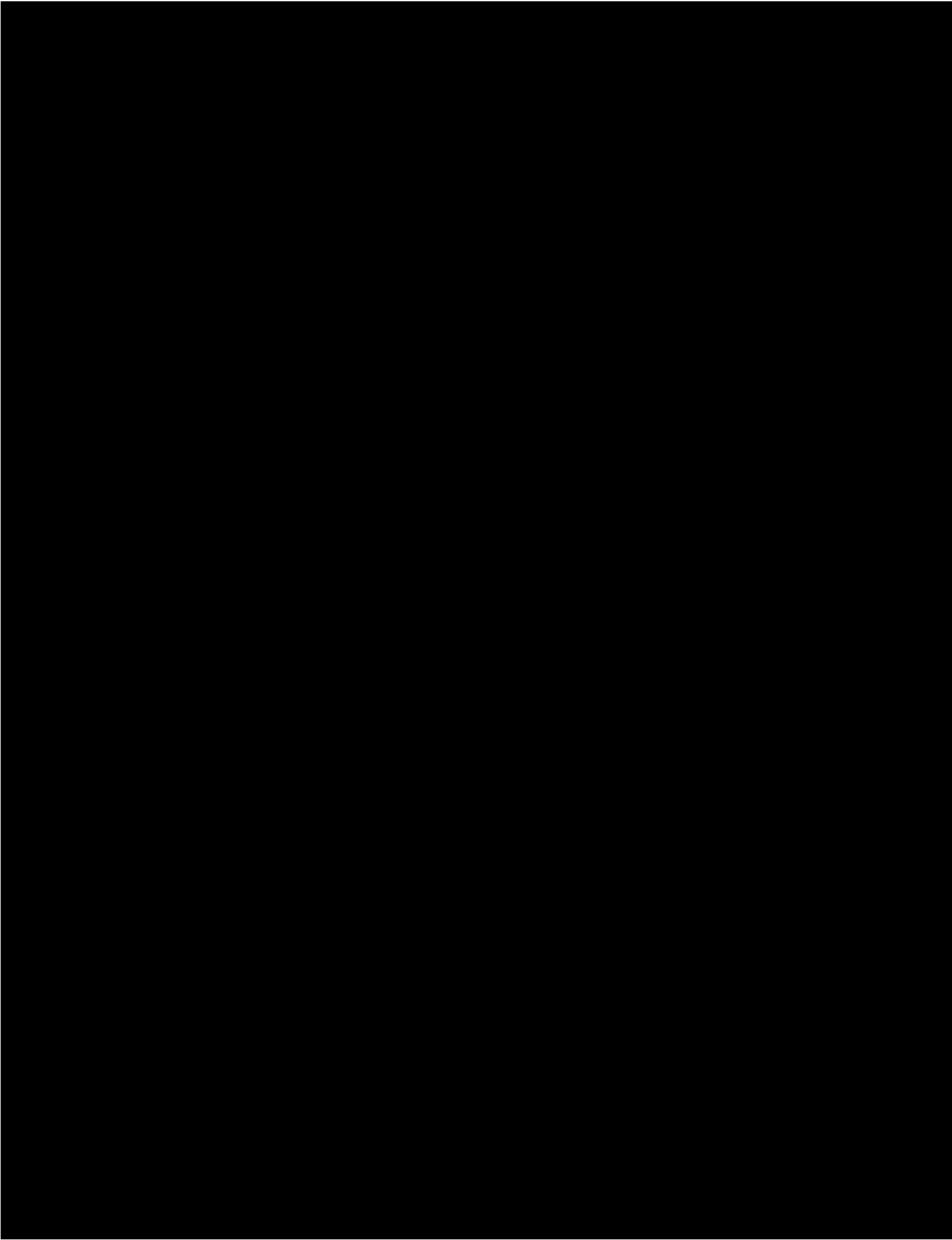
INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

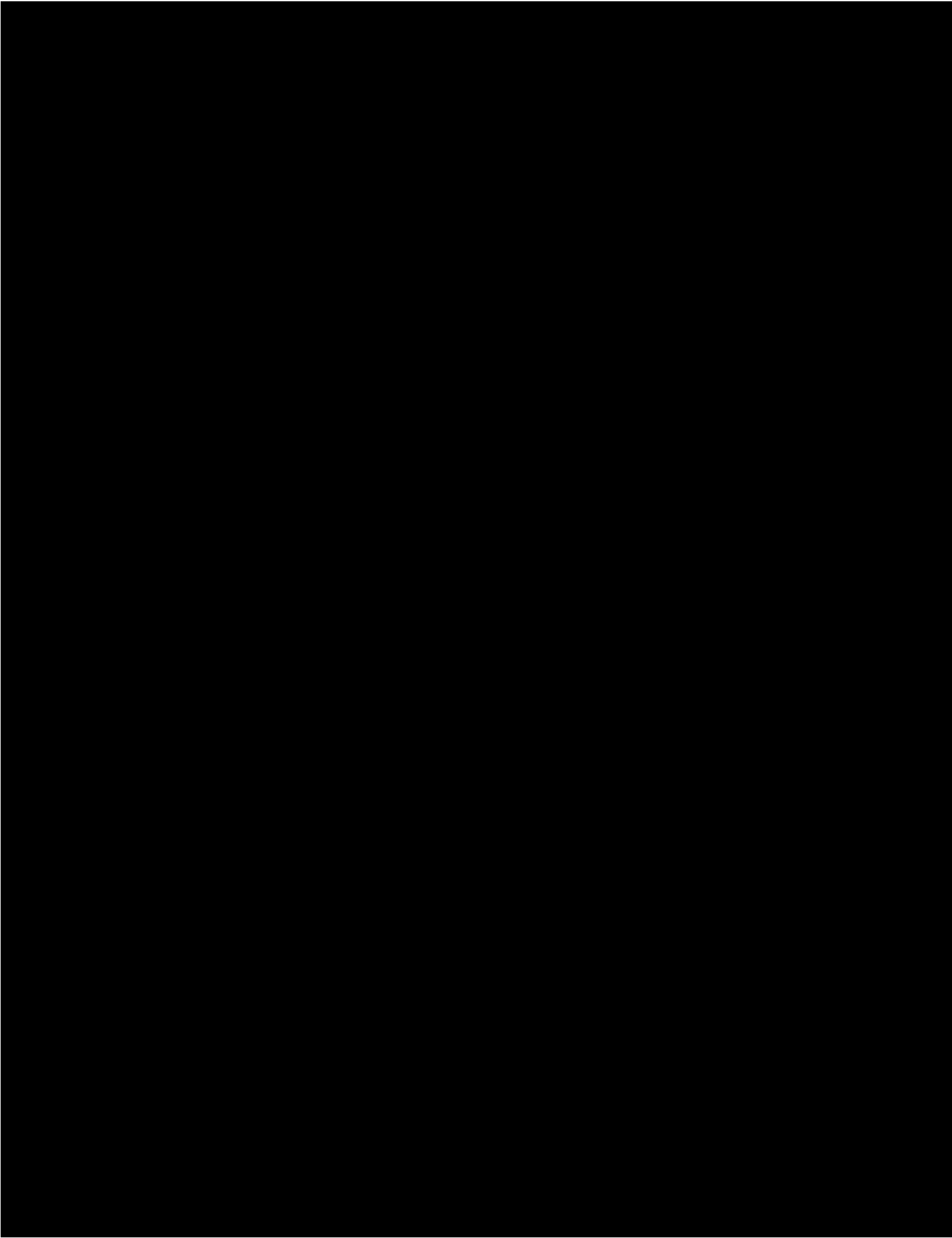


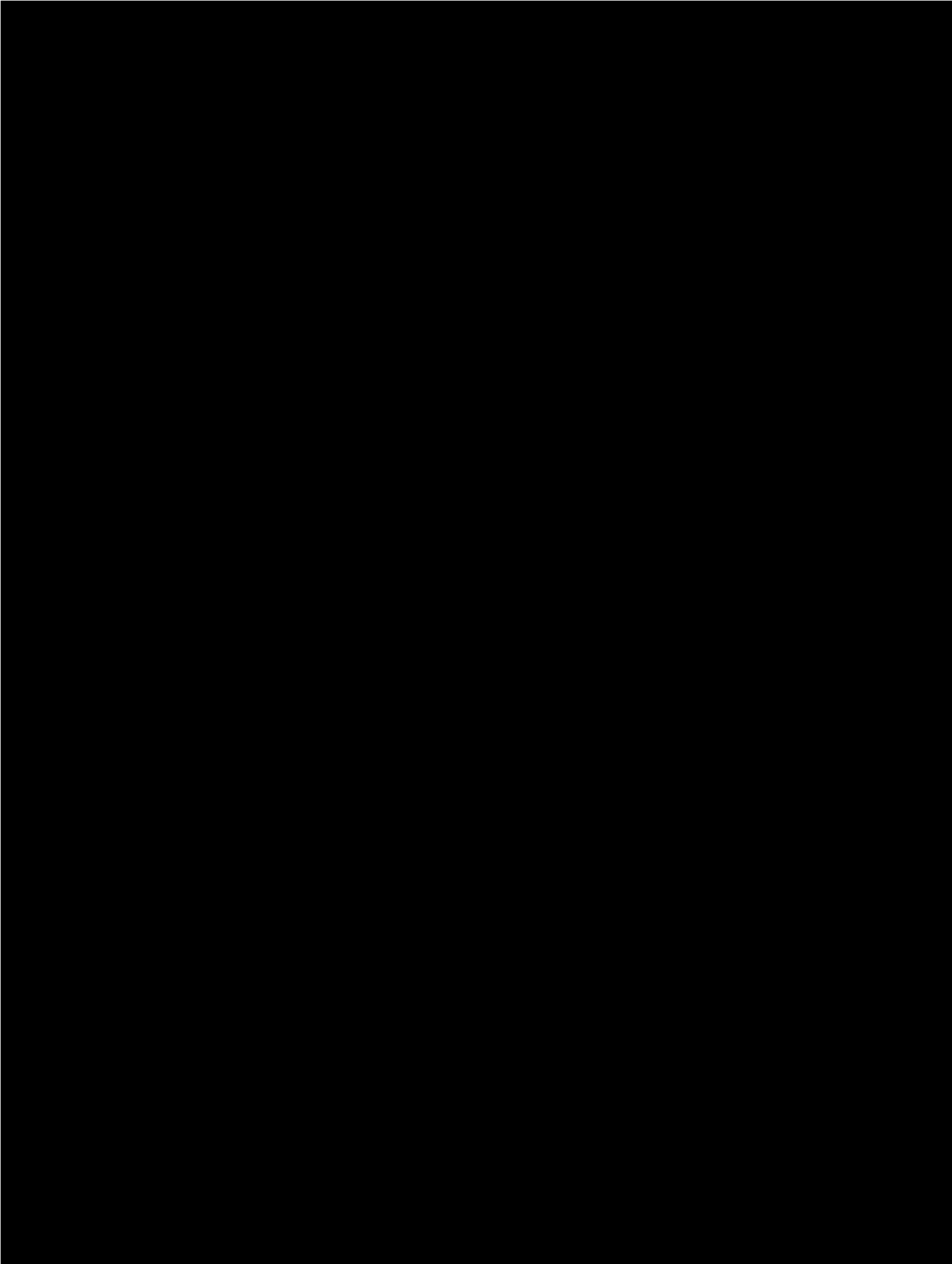












From: [Mika Tucker](#)
To: [Thomas Burns \(DOC\)](#)
Subject: CORR: Willie Jones v. ADC, Claim No. 211057
Date: Tuesday, November 14, 2023 11:50:00 AM
Attachments: [Jones v. ADC -- 211057 -- enclosing subp.pdf](#)
[Jones v. ADC, 211057 -- Converse subpoena.pdf](#)
[Jones v. ADC, 211057 -- Fields subpoena.pdf](#)

Hi, Thomas.

Please see attached correspondence. Thank you.

-Mika

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

November 14, 2023

Mr. Wille Jones (ADC [REDACTED])
[REDACTED]

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

RE: ***Willie Jones v. Arkansas Division of Correction***
Claim No. 211057

Dear Mr. Jones and Mr. Burns,

Enclosed please find subpoenas issued by the Claims Commission for Captain U. Fields and Stephanie Converse per Mr. Jones's request.

Please contact my office with any questions.

Sincerely,

Mika Tucker

ES: mtucker

Enclosures

**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

WILLIE JONES, Claimant

SUBPOENA

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION, Respondent

TO: APN Stephanie L. Converse

[Redacted]
[Redacted]

X YOU ARE COMMANDED to appear at the Arkansas State Claims Commission at the place, date, and time specified below to testify in the above case.

**Thursday, January 18, 2024
8:45 a.m.
Attendance will be via Zoom (Zoom invitation attached).**

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____ YOU ARE COMMANDED, no more than 3 business days after receiving this subpoena, to produce and permit inspection and copying of the following documents or objects (list documents or objects):



November 14, 2023

Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

Date

The Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Claims Commission -- hearings

Time: Jan 18, 2024 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/87348644534?pwd=UnAvWmlBVVA4VnNuMVB6WFpuclRodz09>

Meeting ID: 873 4864 4534

Passcode: BZ1fnd

One tap mobile

+16469313860,,87348644534#,,,,*299333# US

+19294362866,,87348644534#,,,,*299333# US (New York)

Dial by your location

- +1 646 931 3860 US
- +1 929 436 2866 US (New York)
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- +1 305 224 1968 US
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- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

Meeting ID: 873 4864 4534

Passcode: 299333

Find your local number: <https://us06web.zoom.us/u/kdJNKs5RvA>

PROOF OF SERVICE

SERVED ON (Print Name)

DATE

PLACE

MANNER OF SERVICE

SERVED BY (Print Name)

TITLE

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

Regardless of his or her county of residence, a witness subpoenaed for examination at a trial or hearing must be properly served with a subpoena at least two days prior to the hearing, or within a shorter time if the court so orders. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the trial or hearing. Ark. R. Civ. Proc. 45(d), Claims Commission Rule 3.2(d).

A witness subpoenaed in connection with a deposition must be properly served with a subpoena at least five business days prior to a deposition, or within a shorter time if the court so orders. The witness is required to attend a deposition at any place within 100 miles of where he or she resides, is employed, or transacts business in person, or at such other convenient place set by court order. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the deposition. Ark. R. Civ. Proc. 45(e), Claims Commission Rule 3.3.

A subpoena may command the person to whom it is directed to produce for inspection any books, papers, documents, or tangible things designated in the subpoena. The person subpoenaed may ask the court to quash or modify the subpoena if it is unreasonable or oppressive or to require that the person on whose behalf the subpoena is issued pay the reasonable cost of such production. Ark. R. Civ. Proc. 45(b). The person subpoenaed may also object in writing to inspection or copying of any or all of the designated materials or seek a protective order from the Claims Commission. If a written objection is made within ten days of service of the subpoena or on or before the time specified for compliance if such time is less than ten days, the party causing the subpoena to be issued is not entitled to inspect the materials unless the court so orders. Ark. R. Civ. Proc. 45(e). When a witness fails to attend in obedience to a subpoena or intentionally evades the service of a subpoena by concealment or otherwise, the Claims Commission may enforce the subpoena pursuant to Ark. Code Ann. § 19-10-207(d).

**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

WILLIE JONES, Claimant

SUBPOENA

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION, Respondent

TO: Captain U. Fields, aka Major U. Fields
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

 X YOU ARE COMMANDED to appear at the Arkansas State Claims Commission at the place, date, and time specified below to testify in the above case.

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November 14, 2023

Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

Date

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- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

Meeting ID: 873 4864 4534

Passcode: 299333

Find your local number: <https://us06web.zoom.us/u/kdJNKs5RvA>

PROOF OF SERVICE

SERVED ON (Print Name) _____

DATE _____

PLACE _____

MANNER OF SERVICE _____

SERVED BY (Print Name) _____

TITLE _____

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____

DATE

SIGNATURE OF SERVER _____

ADDRESS OF SERVER _____

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

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From: [Thomas Burns \(DOC\)](#)
To: [ASCC Pleadings](#)
Subject: Willie Jones v ADC 211057
Date: Wednesday, November 15, 2023 12:35:15 PM
Attachments: [1789_001.pdf](#)
[image001.png](#)

Offer Letter

Thank you,
-TB



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SARAH HUCKABEE SANDERS
GOVERNOR

ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

LEGAL DIVISION

6814 Princeton Pike
Pine Bluff, AR 71602



JOE PROFIRI
SECRETARY

October 15, 2023

Willie Jones ([REDACTED])
[REDACTED]

Re: *Willie Jones v ADC*
Claim No. 211057

Dear Mr. Jones:

After a thorough review of this case and in an attempt to settle this matter, I have been authorized to offer you a settlement of \$50.00. Should you agree to this settlement I can immediately notify the Claims Commission to get you the funds as soon as possible.

Thank you for your time and attention to this matter. I look forward to hearing from you.

Very Truly Yours,


Thomas Burns

TB/
cc: ASCC
File

From: [Thomas Burns \(DOC\)](#)
To: [ASCC Pleadings](#)
Subject: Willie Jones v ADC 211057
Date: Wednesday, November 29, 2023 2:27:02 PM
Attachments: [1929_001.pdf](#)
[image001.png](#)

Witness and Exhibit list

Thank you,
-TB



Confidentiality Notice: This e-mail message and any attachments is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is for the intended recipient only. If an addressing or transmission error has misdirected this e-mail, please notify the author by replying to it. If you are not the intended recipient you may not use, disclose, distribute, copy, print or rely on this email.

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

WILLIE JONES 

CLAIMANT

v

NO. 211057

**ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION**

RESPONDENT

RESPONDENT WITNESS and EXHIBIT LIST

Comes Now the Respondent, Arkansas Department of Correction (ADC), for its Motion,
states:

Witness List

- 1. Claimant
- 2. Any Witnesses of the Claimant.
- 3. Melissa Moore

Exhibit List

- 4. 
- 5. 
- 6. 
- 7. 

¹ Inmate are not allowed copies of their medical records per MHS 1166.00. These will be shown at the hearing. Should the inmate want to review his records he may request from the Warden to review them.

Respectfully submitted,

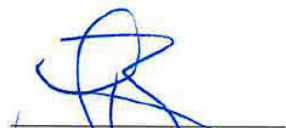


Thomas Burns (02006)
Legal Services Unit
Division of Corrections
6814 Princeton Pike
Pine Bluff, AR 71602
(870) 267-6845 Telephone
(870) 267-6373 Facsimile
thomas.burns@arkansas.gov

CERTIFICATE OF SERVICE

I certify that a copy of the above pleading has been served this 29th day of November 2023, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

Willie Jones ([REDACTED])
[REDACTED]



Thomas Burns

From: [Mika Tucker](#)
To: [Thomas Burns \(DOC\)](#)
Subject: CORRECTED CORR: Willie Jones v. ADC, Claim No. 211057
Date: Tuesday, December 5, 2023 9:22:00 AM
Attachments: [corrected Jones v. ADC -- 211057 -- enclosing subp.pdf](#)
[Jones v. ADC, 211057 -- Fields subpoena.pdf](#)
[Jones v. ADC, 211057 -- Converse subpoena.pdf](#)

Hi, Thomas. Please see the corrected letter attached. Thank you.
-Mika

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

From: Mika Tucker
Sent: Tuesday, November 14, 2023 11:51 AM
To: Thomas Burns (DOC) <Thomas.Burns@arkansas.gov>
Subject: CORR: Willie Jones v. ADC, Claim No. 211057

Hi, Thomas.

Please see attached correspondence. Thank you.

-Mika

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

December 5, 2023

Mr. Wille Jones (ADC [REDACTED])
[REDACTED]

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

RE: *Willie Jones v. Arkansas Division of Correction*
Claim No. 211057

Dear Mr. Jones and Mr. Burns,

This letter corrects and replaces my correspondence to you dated November 14, 2023.

The Claims Commission has issued subpoenas for Captain U. Fields and Stephanie Converse for Mr. Jones to serve upon those individuals. The subpoenas include Zoom details for the January 18 hearing.

Note that there have been no changes made to the enclosed subpoenas previously transmitted on November 14, 2023. Please contact my office with any questions.

Sincerely,

Mika Tucker

ES: mtucker

Enclosures

**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

WILLIE JONES, Claimant

SUBPOENA

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION, Respondent

TO: Captain U. Fields, aka Major U. Fields
6814 Princeton Pike
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November 14, 2023

Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

Date

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Topic: Claims Commission -- hearings

Time: Jan 18, 2024 09:00 AM Central Time (US and Canada)

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- +1 346 248 7799 US (Houston)

Meeting ID: 873 4864 4534

Passcode: 299333

Find your local number: <https://us06web.zoom.us/u/kdJNKs5RvA>

PROOF OF SERVICE

SERVED ON (Print Name)

DATE

PLACE

MANNER OF SERVICE

SERVED BY (Print Name)

TITLE

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

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**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

WILLIE JONES, Claimant

SUBPOENA

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION, Respondent

TO: APN Stephanie L. Converse

[REDACTED]
[REDACTED]

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Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

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Passcode: 299333

Find your local number: <https://us06web.zoom.us/u/kdJNKs5RvA>

PROOF OF SERVICE

SERVED ON (Print Name)

DATE

PLACE

MANNER OF SERVICE

SERVED BY (Print Name)

TITLE

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

Regardless of his or her county of residence, a witness subpoenaed for examination at a trial or hearing must be properly served with a subpoena at least two days prior to the hearing, or within a shorter time if the court so orders. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the trial or hearing. Ark. R. Civ. Proc. 45(d), Claims Commission Rule 3.2(d).

A witness subpoenaed in connection with a deposition must be properly served with a subpoena at least five business days prior to a deposition, or within a shorter time if the court so orders. The witness is required to attend a deposition at any place within 100 miles of where he or she resides, is employed, or transacts business in person, or at such other convenient place set by court order. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the deposition. Ark. R. Civ. Proc. 45(e), Claims Commission Rule 3.3.

A subpoena may command the person to whom it is directed to produce for inspection any books, papers, documents, or tangible things designated in the subpoena. The person subpoenaed may ask the court to quash or modify the subpoena if it is unreasonable or oppressive or to require that the person on whose behalf the subpoena is issued pay the reasonable cost of such production. Ark. R. Civ. Proc. 45(b). The person subpoenaed may also object in writing to inspection or copying of any or all of the designated materials or seek a protective order from the Claims Commission. If a written objection is made within ten days of service of the subpoena or on or before the time specified for compliance if such time is less than ten days, the party causing the subpoena to be issued is not entitled to inspect the materials unless the court so orders. Ark. R. Civ. Proc. 45(e). When a witness fails to attend in obedience to a subpoena or intentionally evades the service of a subpoena by concealment or otherwise, the Claims Commission may enforce the subpoena pursuant to Ark. Code Ann. § 19-10-207(d).

From: [Mika Tucker](#)
To: [Thomas Burns \(DOC\)](#)
Subject: FW: CORRECTED CORR: Willie Jones v. ADC, Claim No. 211057
Date: Thursday, January 11, 2024 3:48:00 PM
Attachments: [corrected Jones v. ADC -- 211057 -- enclosing subp.pdf](#)
[Jones v. ADC, 211057 -- Fields subpoena.pdf](#)
[Jones v. ADC, 211057 -- Converse subpoena.pdf](#)

Hi, Thomas.

Can you confirm whether the individuals listed on the attached subpoenas (if they are ADC employees) will attend the Zoom hearing on January 18th?

Thanks,
Mika

From: Mika Tucker
Sent: Tuesday, December 5, 2023 9:22 AM
To: Thomas Burns (DOC) <Thomas.Burns@arkansas.gov>
Subject: CORRECTED CORR: Willie Jones v. ADC, Claim No. 211057

Hi, Thomas. Please see the corrected letter attached. Thank you.
-Mika

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

From: Mika Tucker
Sent: Tuesday, November 14, 2023 11:51 AM
To: Thomas Burns (DOC) <Thomas.Burns@arkansas.gov>
Subject: CORR: Willie Jones v. ADC, Claim No. 211057

Hi, Thomas.

Please see attached correspondence. Thank you.

-Mika

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

(501) 682-2818

From: [Thomas Burns \(DOC\)](#)
To: [Tyrone Allison \(DOC\)](#)
Cc: [ASCC Pleadings; Mika Tucker](#)
Subject: Willie Jone (090529) v ADC claim 221057
Date: Friday, January 12, 2024 10:24:50 AM
Attachments: [2506_001.pdf](#)
[image001.png](#)

Maj. Allison:

Can you pleas have one of your officers deliver this to inmate Jones. The documents are medical records, so by policy he cant have them. He can make an inmate request to view them.

Thank you,

-TB



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SARAH HUCKABEE SANDERS
GOVERNOR

ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

LEGAL DIVISION

6814 Princeton Pike
Pine Bluff, AR 71602



JOE PROFIRI
SECRETARY

January 12, 2024

Via email ASCCPleadings@arkansas.gov
Arkansas State Claims Commission

Re: *Willie Jones v ADC*
Claim No. 211057

Dear Claims Commission:

Please find enclosed the documents proposed by the ADC exhibit list.

Very Truly Yours,

A handwritten signature in blue ink, appearing to be "TB", written over the text "Very Truly Yours,".

Thomas Burns

TB/
Encs.

cc: Willie Jones [REDACTED]

Arkansas
State Claims Commission

JAN 12 2024

RECEIVED

1-9-24

To Arkansas Claims Commission

This is to inform the Commission that I been
contacted by Mr. Thomas Burns about a Settlement
that I disagree inside you will find a copy of the
letter to Mr. Burns concerning this issue here.

Willie B. Jones



SARAH HUCKABEE SANDERS
GOVERNOR

ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

LEGAL DIVISION

6814 Princeton Pike
Pine Bluff, AR 71602



JOE PROFIRI
SECRETARY

October 15, 2023

Willie Jones ([REDACTED])
[REDACTED]

Re: *Willie Jones v ADC*
Claim No. 211057

Dear Mr. Jones:

After a thorough review of this case and in an attempt to settle this matter, I have been authorized to offer you a settlement of \$50.00. Should you agree to this settlement I can immediately notify the Claims Commission to get you the funds as soon as possible.

Thank you for your time and attention to this matter. I look forward to hearing from you.

Very Truly Yours,

Thomas Burns

TB/
cc: ASCC
File

Arkansas
State Claims Commission

JAN 12 2024


RECEIVED

Mr. Thomas Burns
Arkansas Department of Correction
Division of correction
Legal Division
6814 Princeton Pike
Pine Bluff, Ark 71602

1-9-24

Dear Mr. Burns

This is to let you know that I disagree with your
offer that I receive on 10-15-2023 well I just
wanted to get back with you to let you know,

Willis B. Jones 

From: [Thomas Burns \(DOC\)](#)
To: [ASCC Pleadings](#)
Subject: Willie Jones v ADC 211057
Date: Friday, January 12, 2024 10:21:52 AM
Attachments: [image001.png](#)
[2505_001.pdf](#)

ADC exhibits

Thank you,
-TB



Confidentiality Notice: This e-mail message and any attachments is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is for the intended recipient only. If an addressing or transmission error has misdirected this e-mail, please notify the author by replying to it. If you are not the intended recipient you may not use, disclose, distribute, copy, print or rely on this email.



SARAH HUCKABEE SANDERS
GOVERNOR

ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

LEGAL DIVISION

6814 Princeton Pike
Pine Bluff, AR 71602



JOE PROFIRI
SECRETARY

January 12, 2024

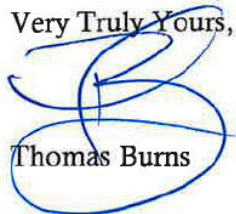
Via email ASCCPleadings@arkansas.gov
Arkansas State Claims Commission

Re: *Willie Jones v ADC*
Claim No. 211057

Dear Claims Commission:

Please find enclosed the documents proposed by the ADC exhibit list.

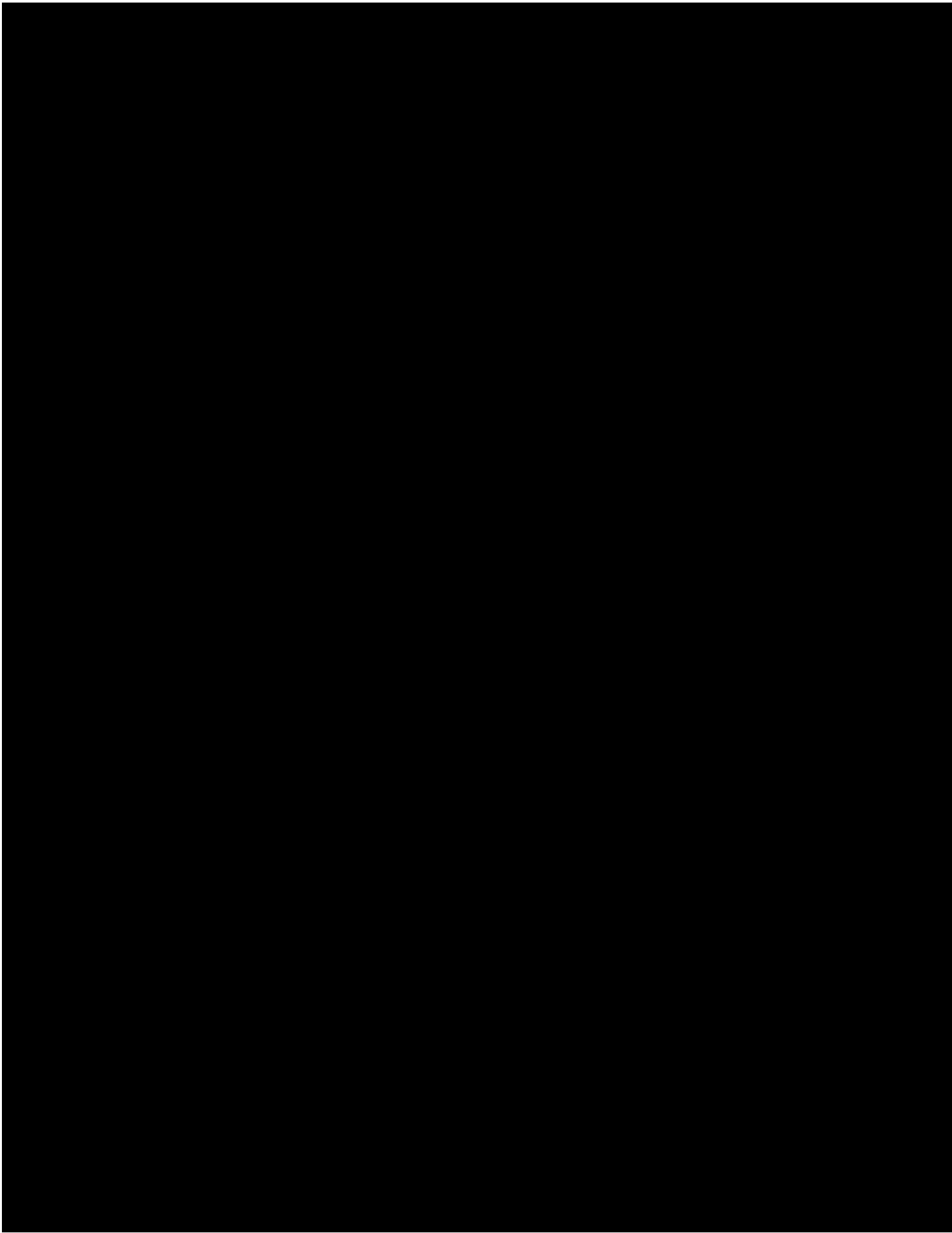
Very Truly Yours,

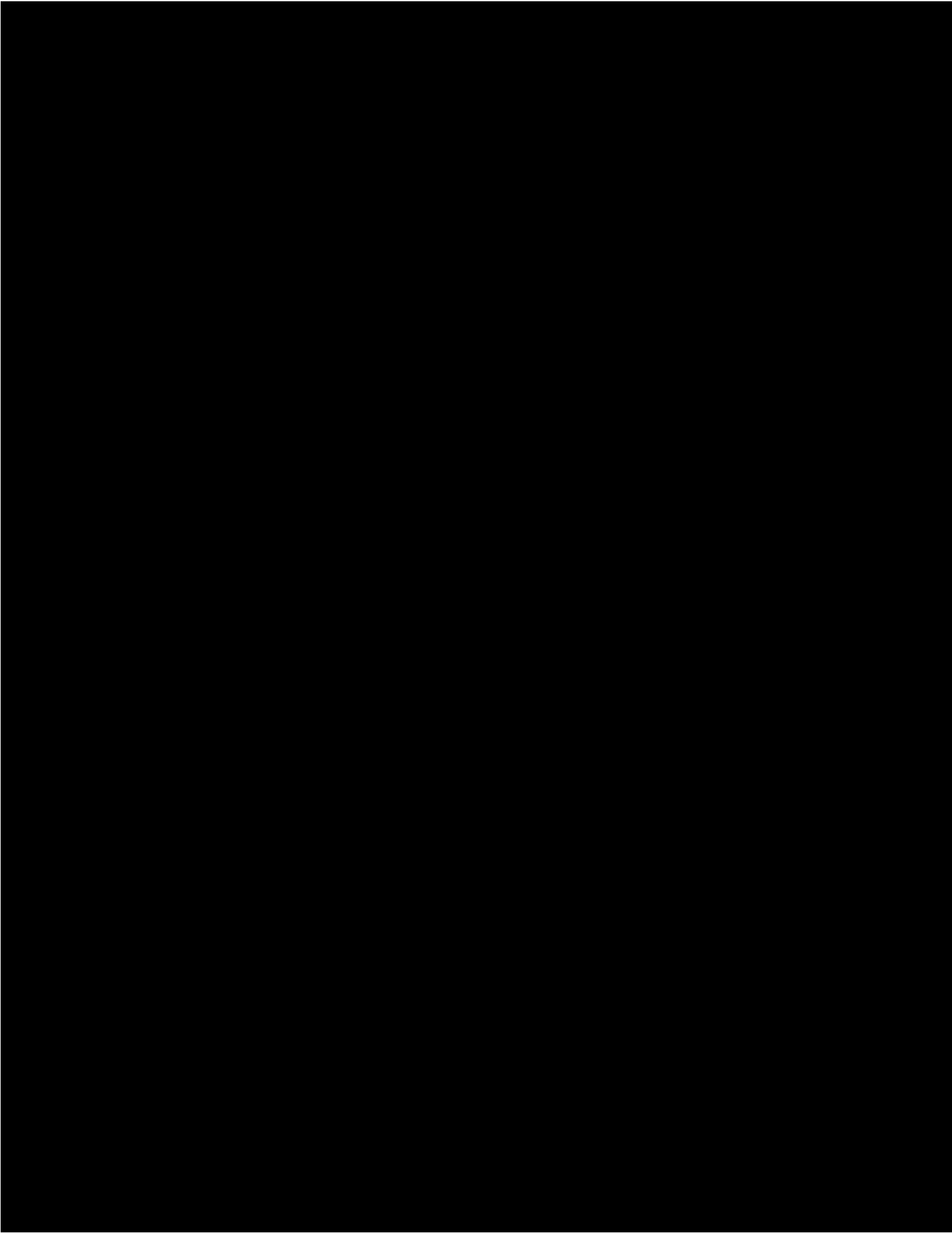


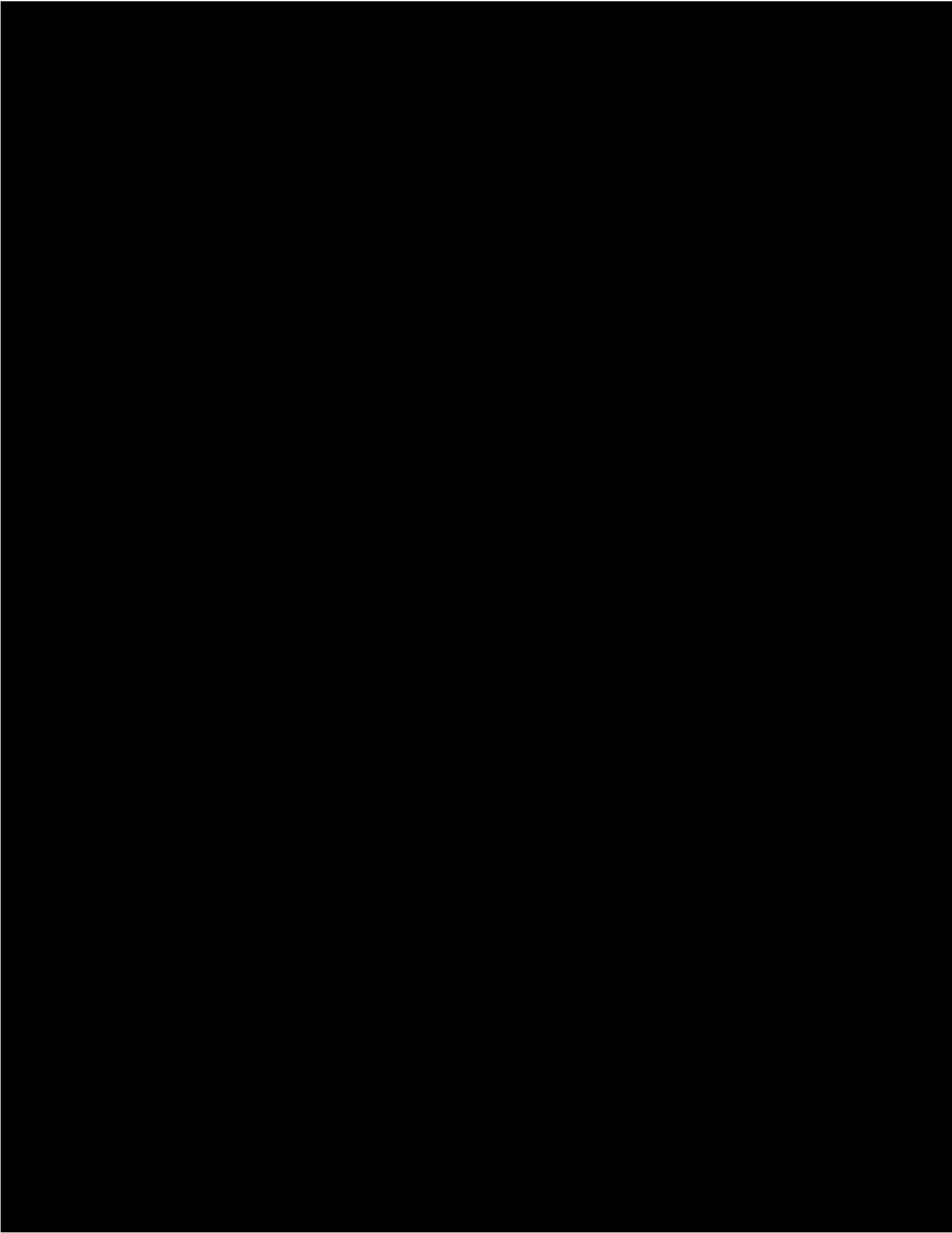
Thomas Burns

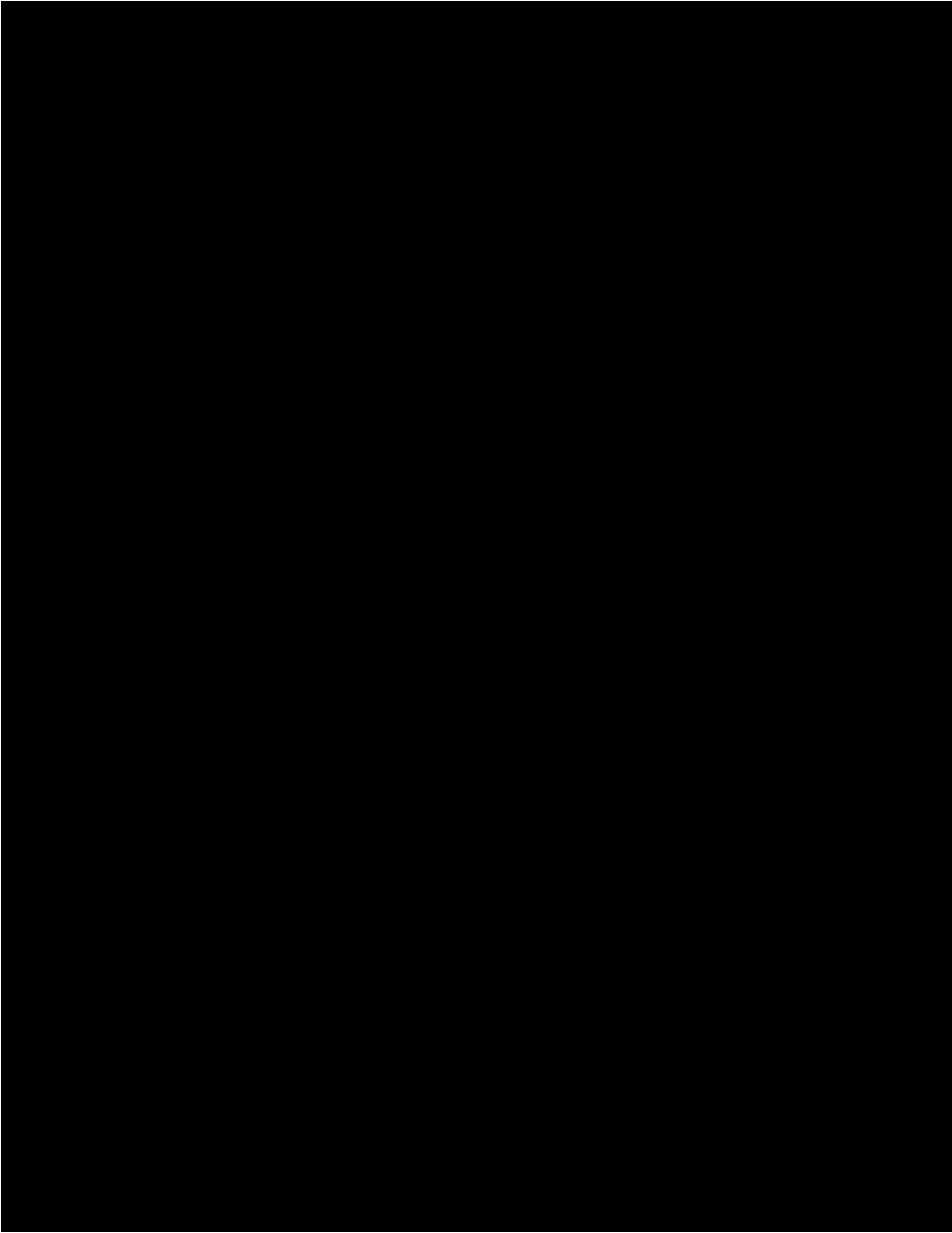
TB/
Encs.

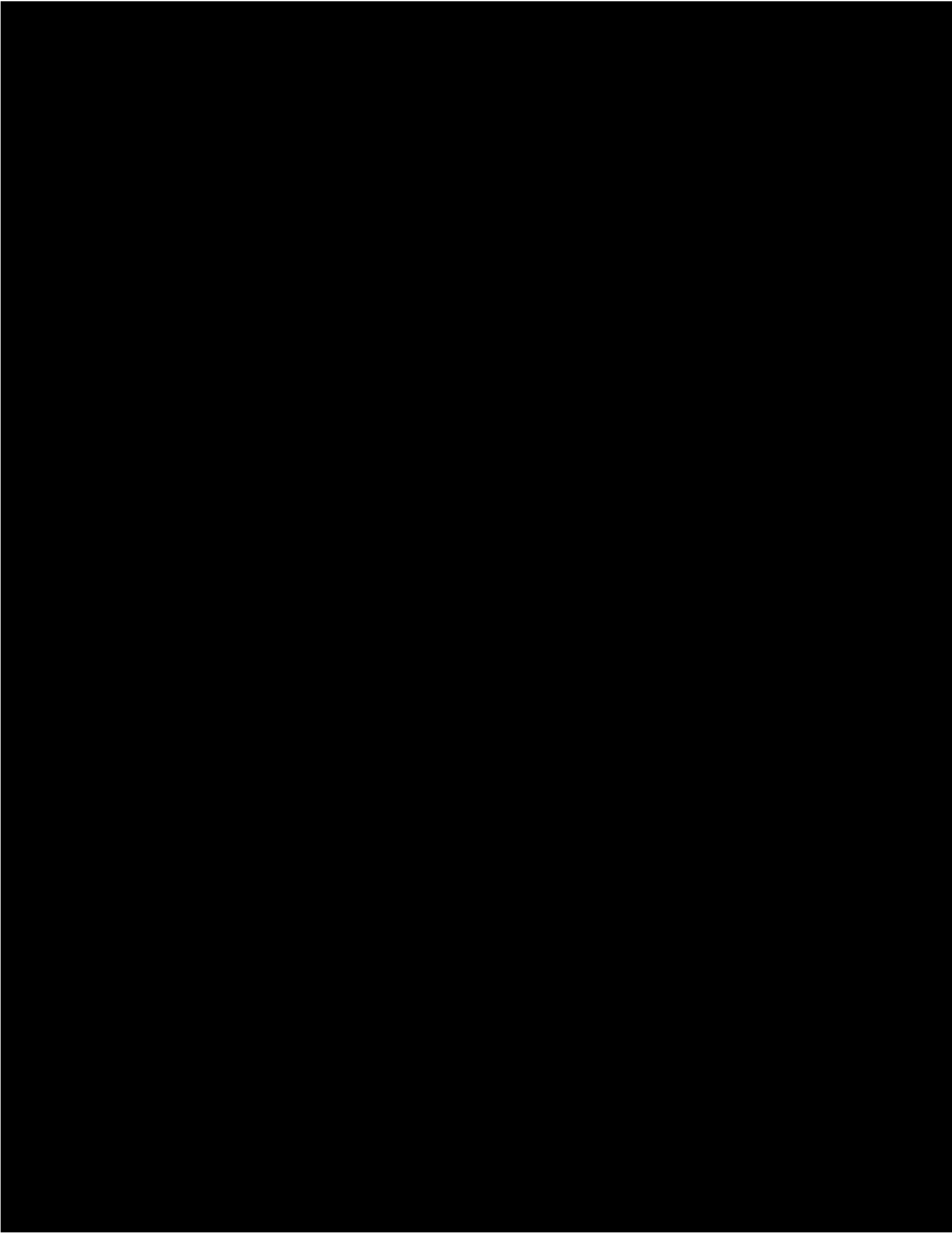
cc: Willie Jones ([REDACTED])

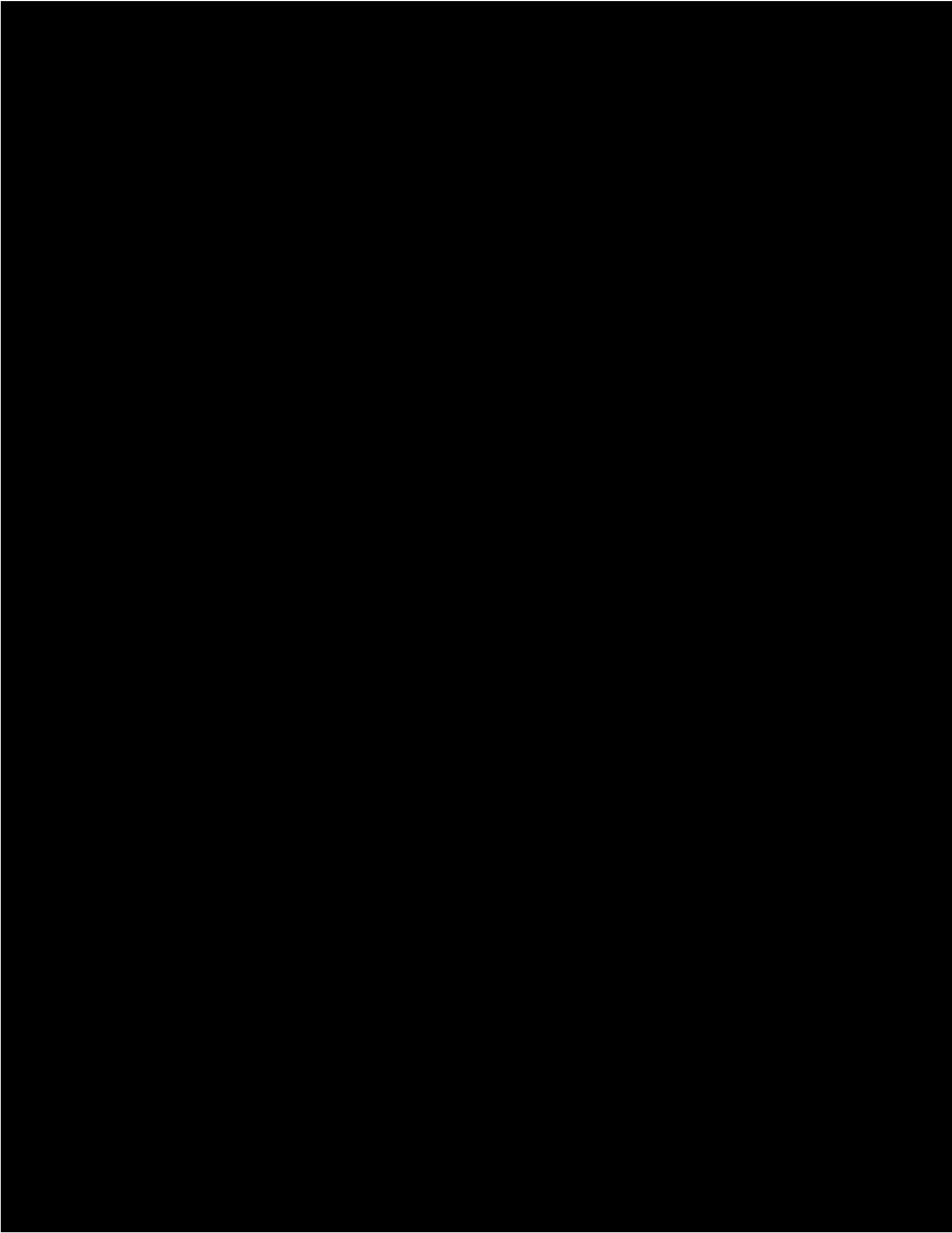


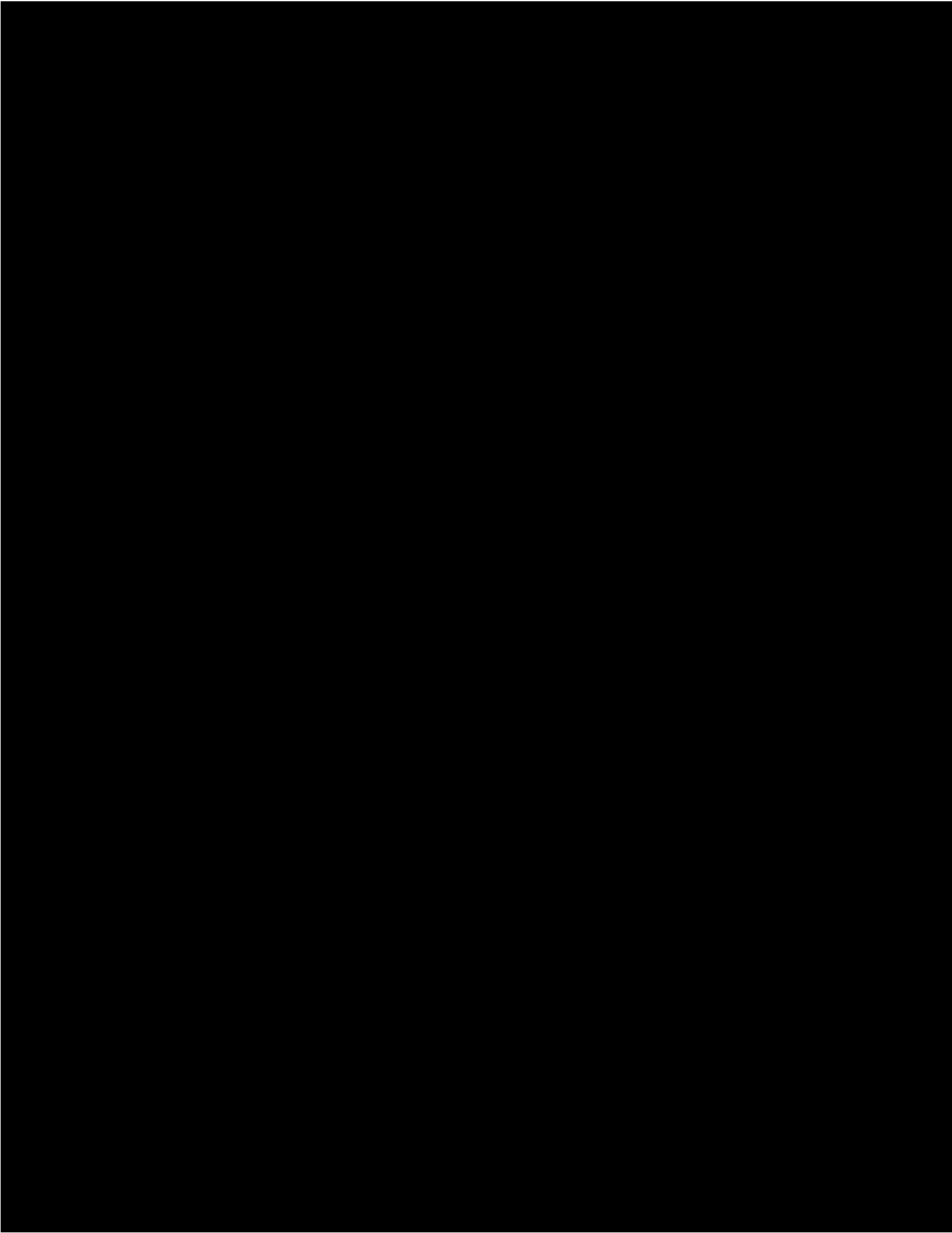


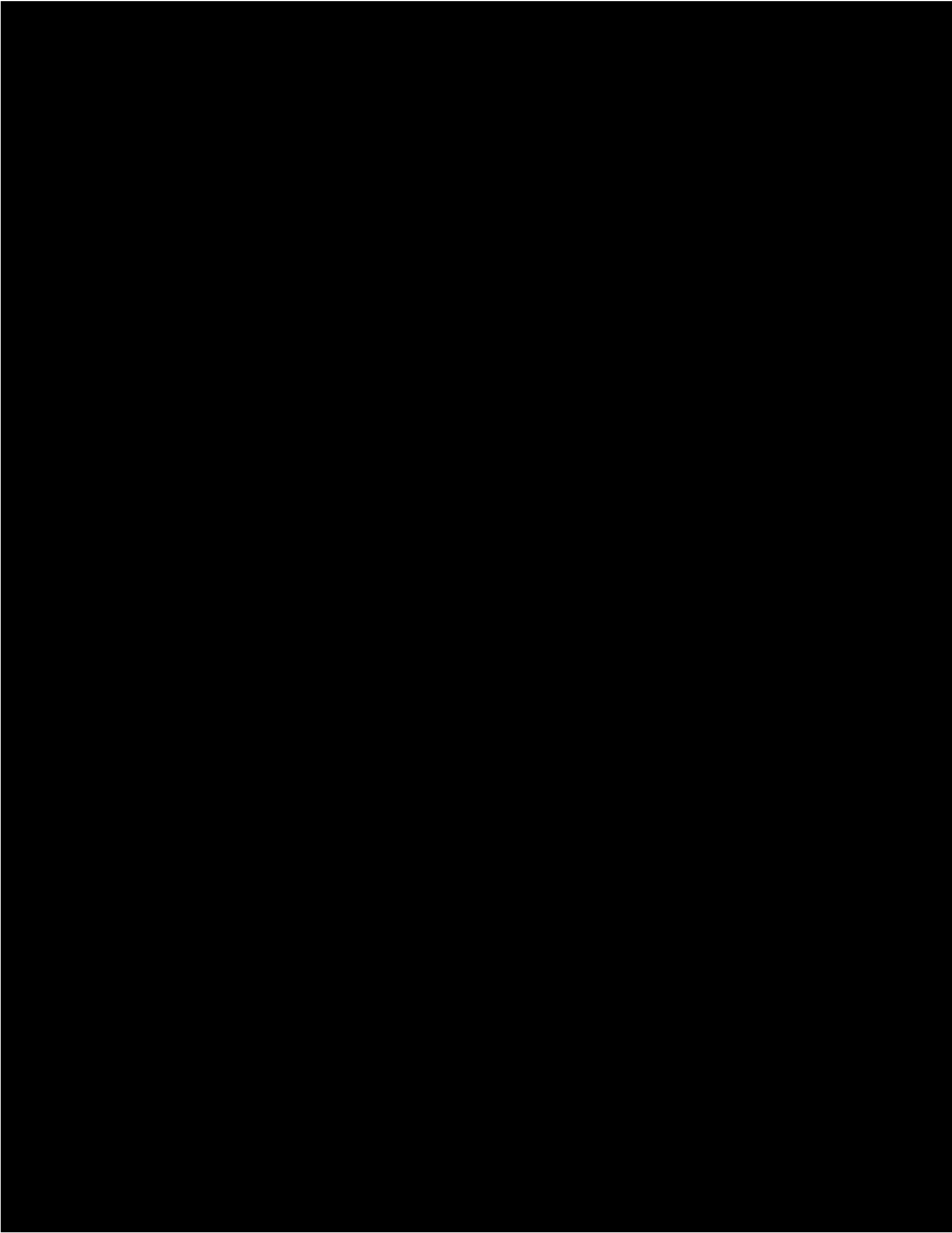


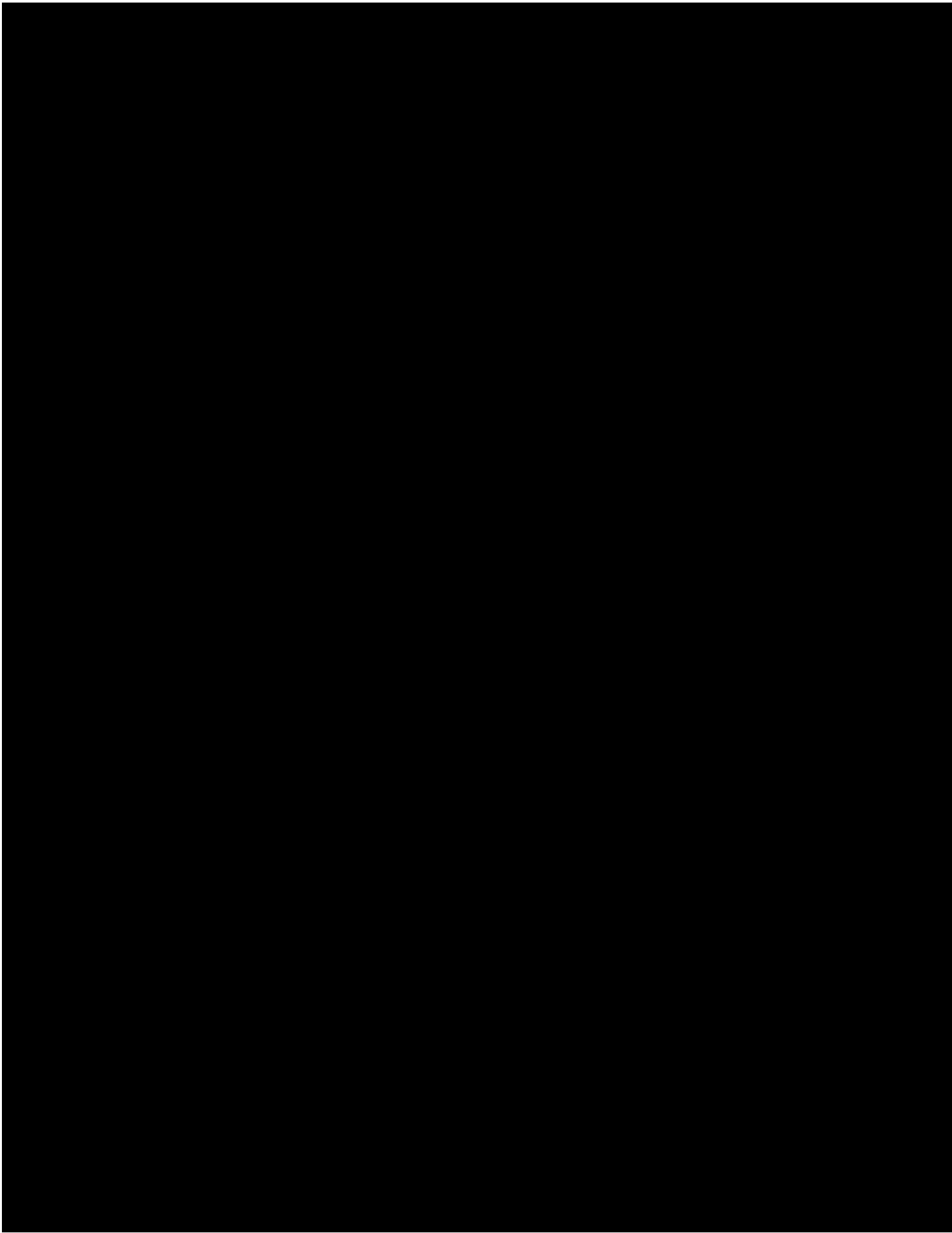


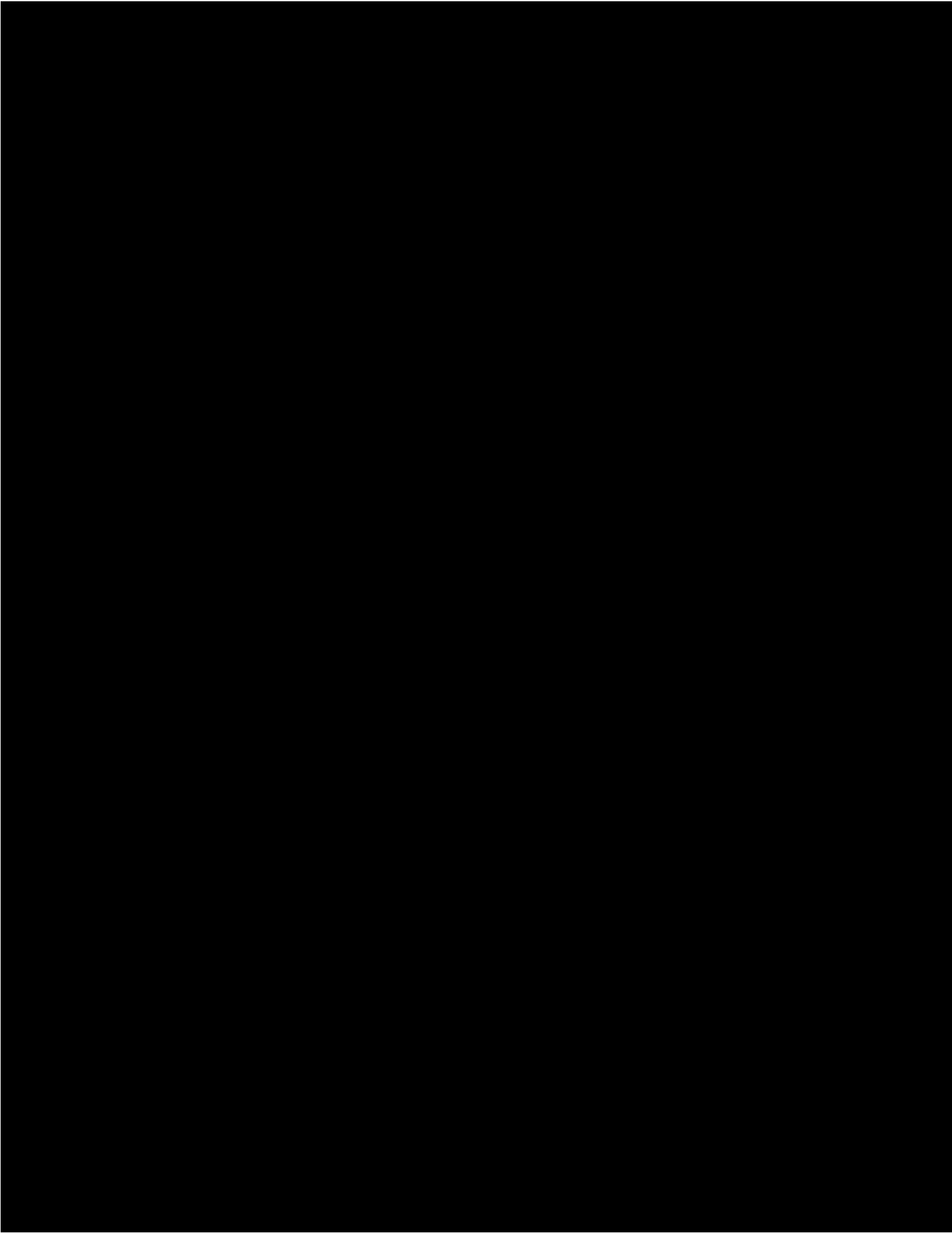


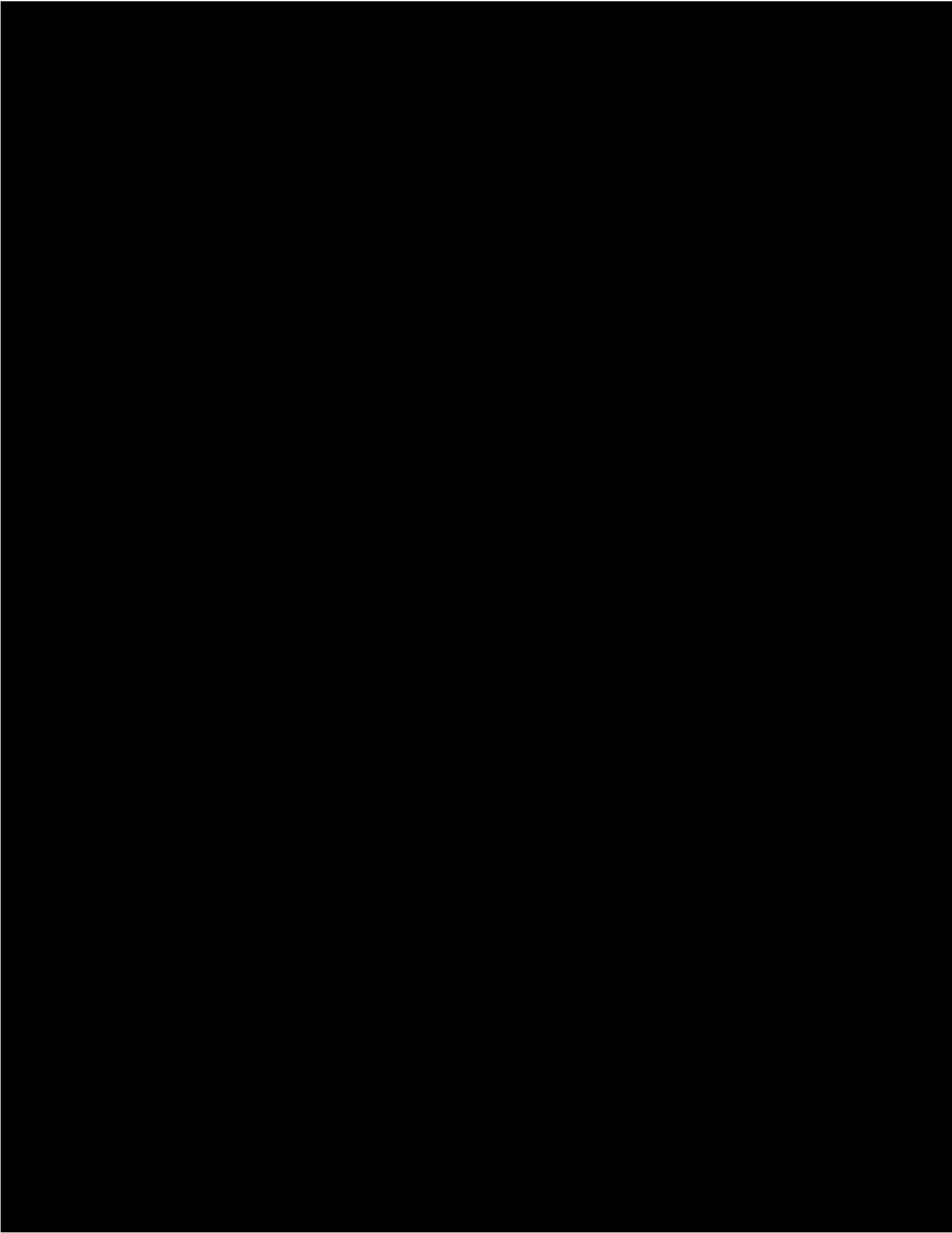


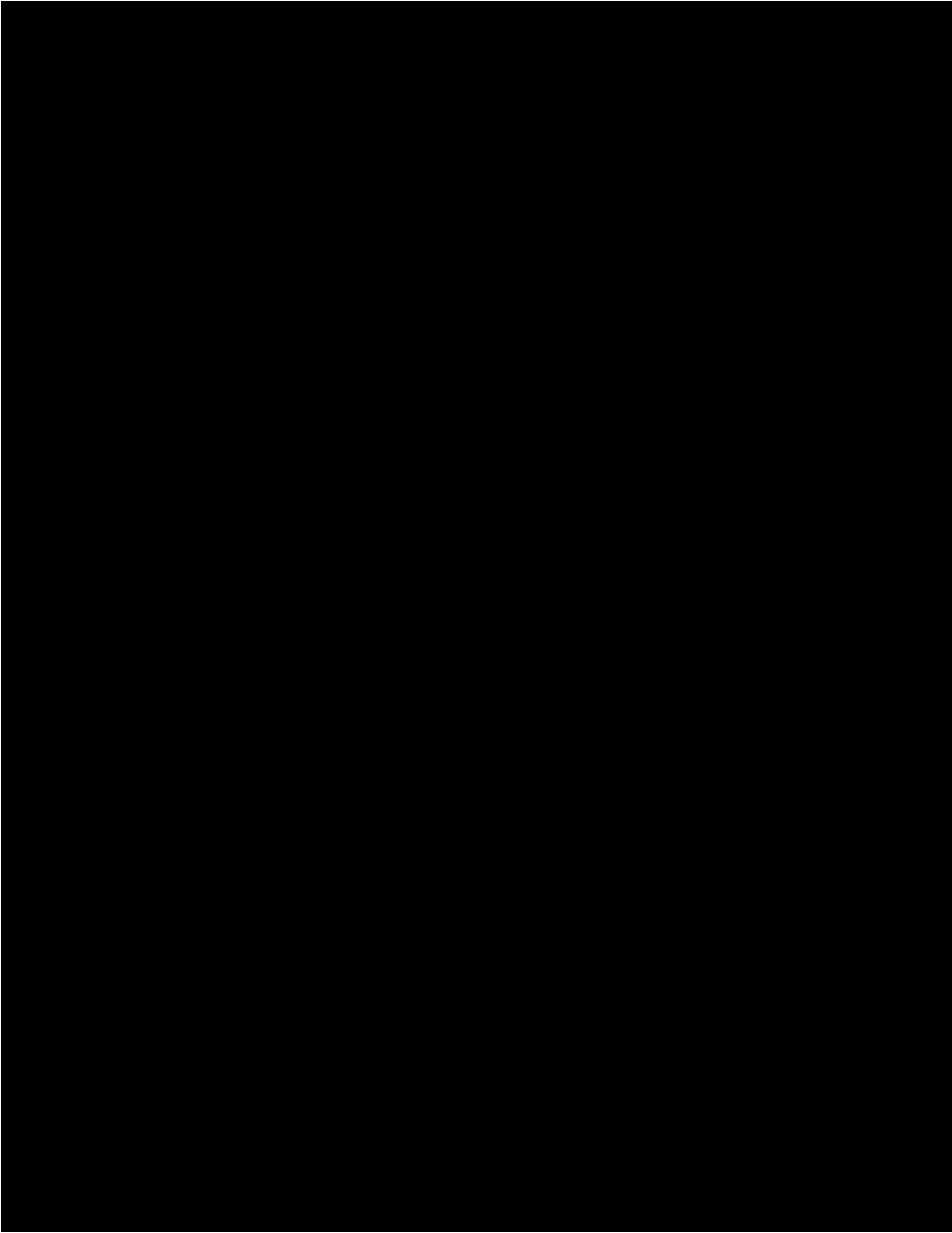


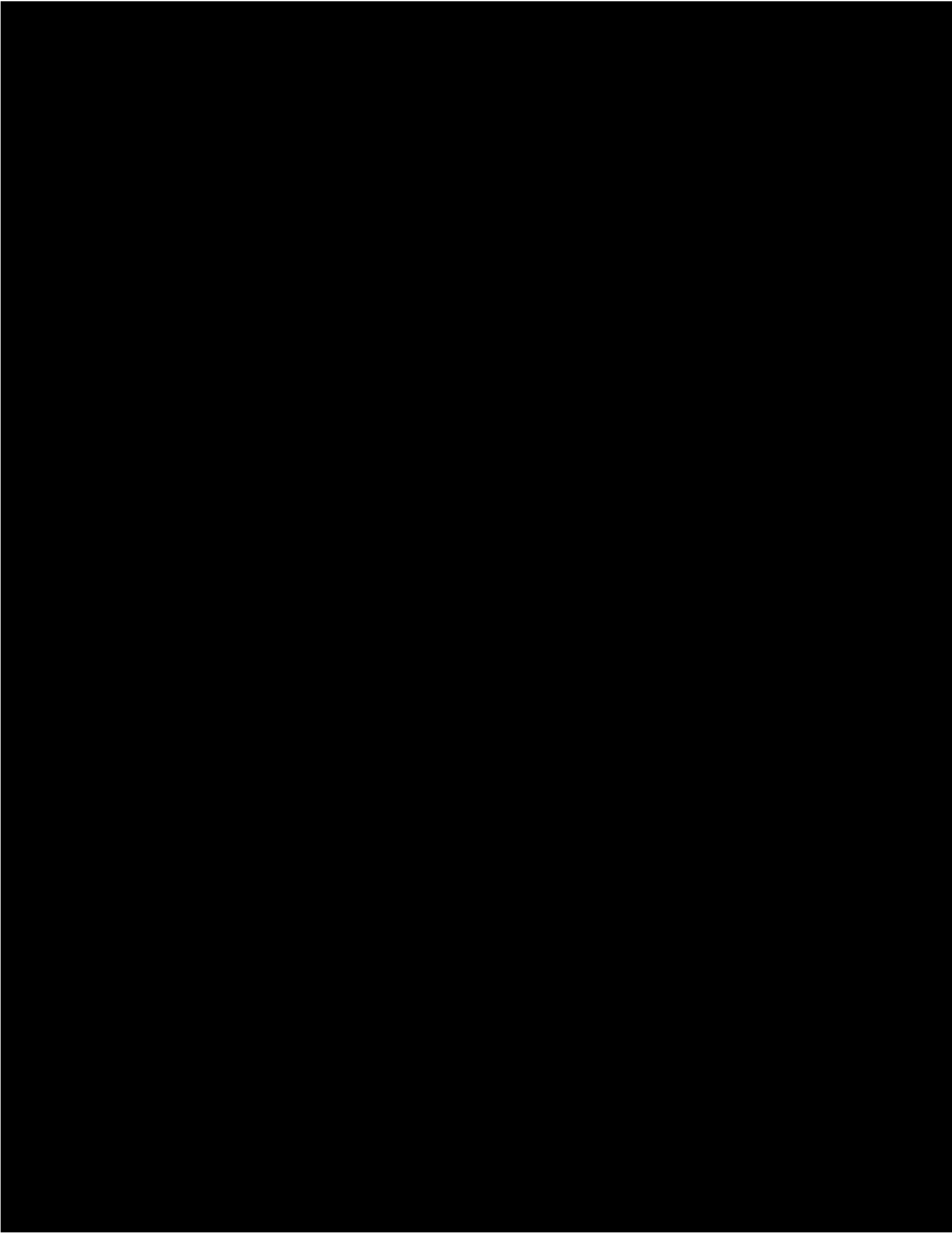


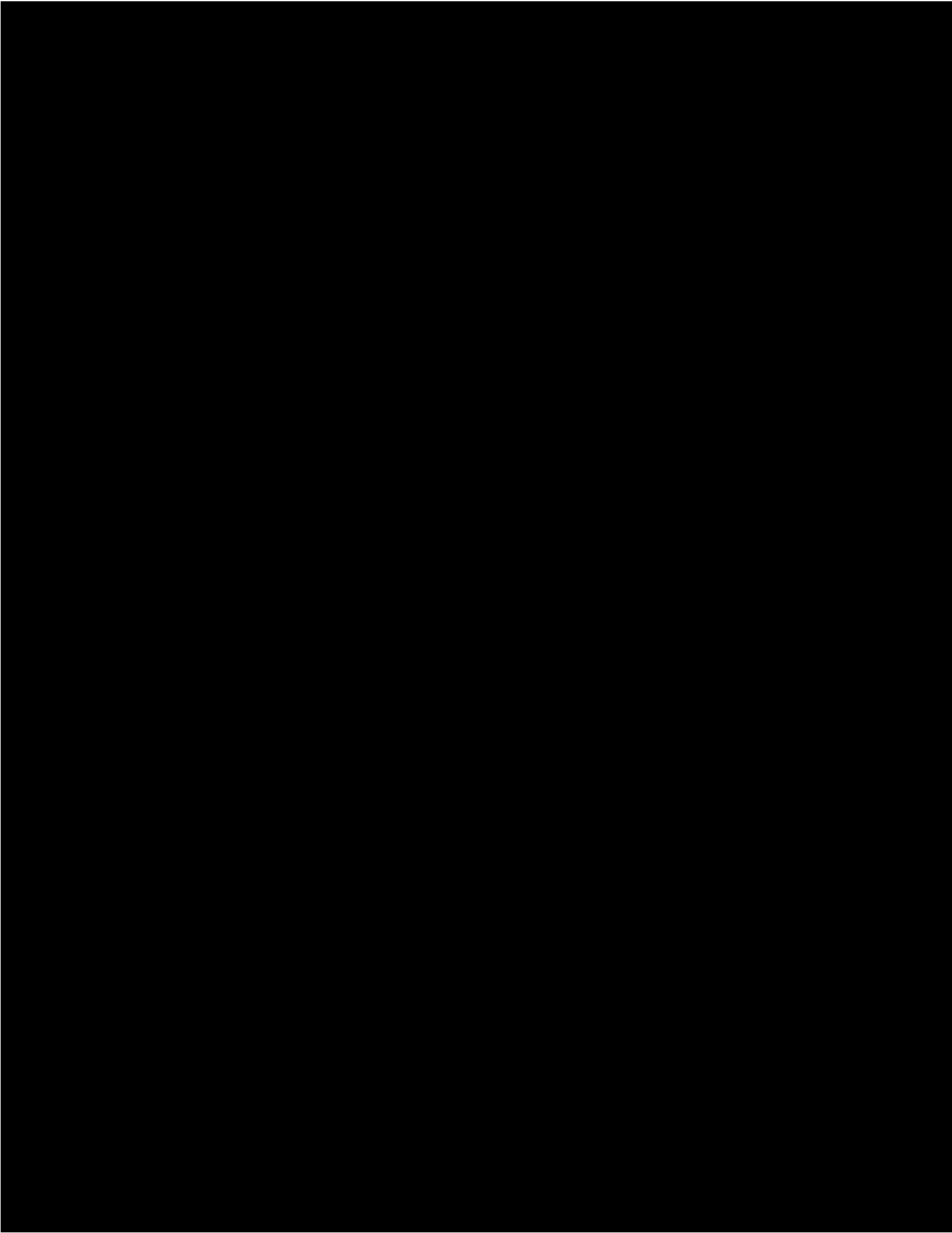


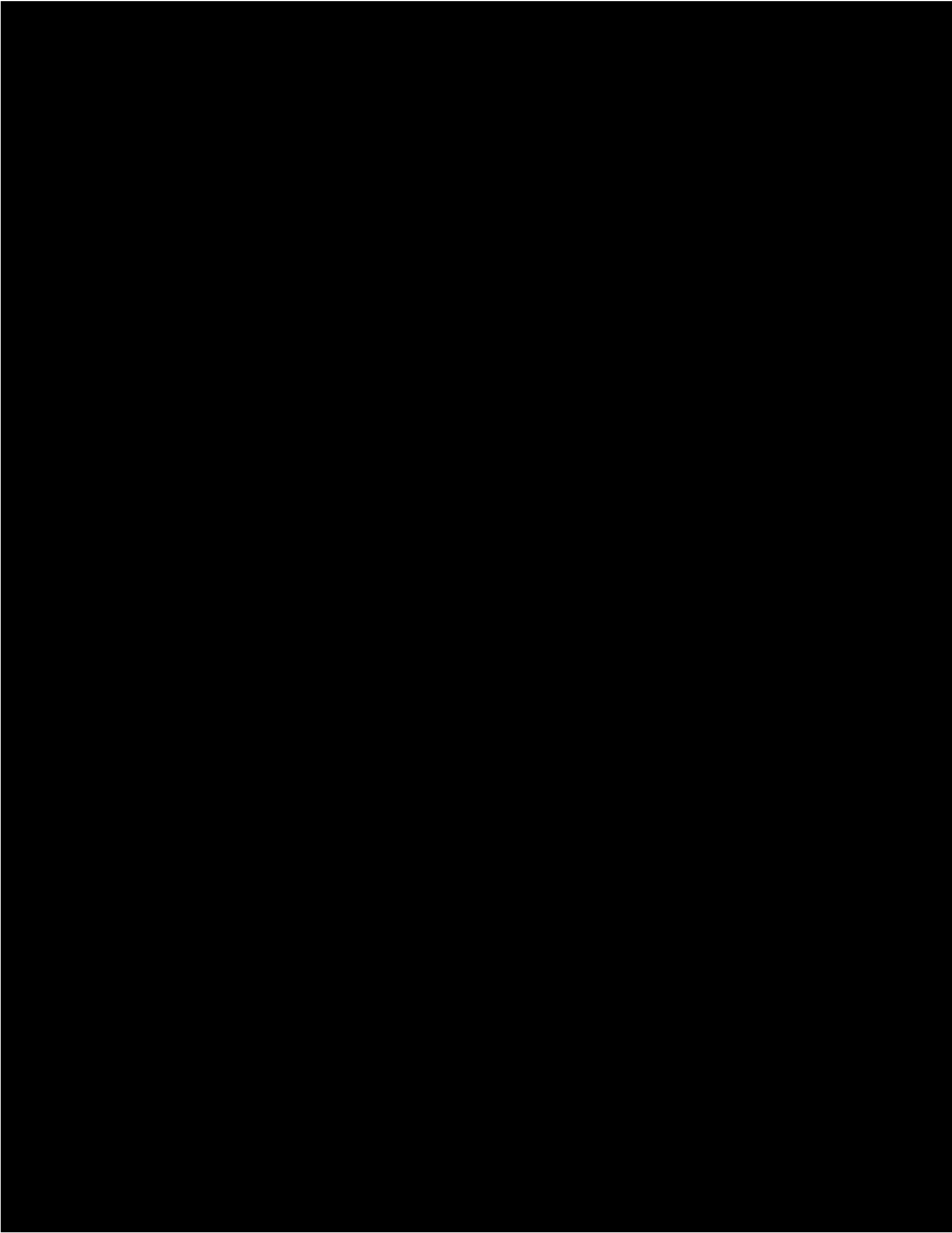


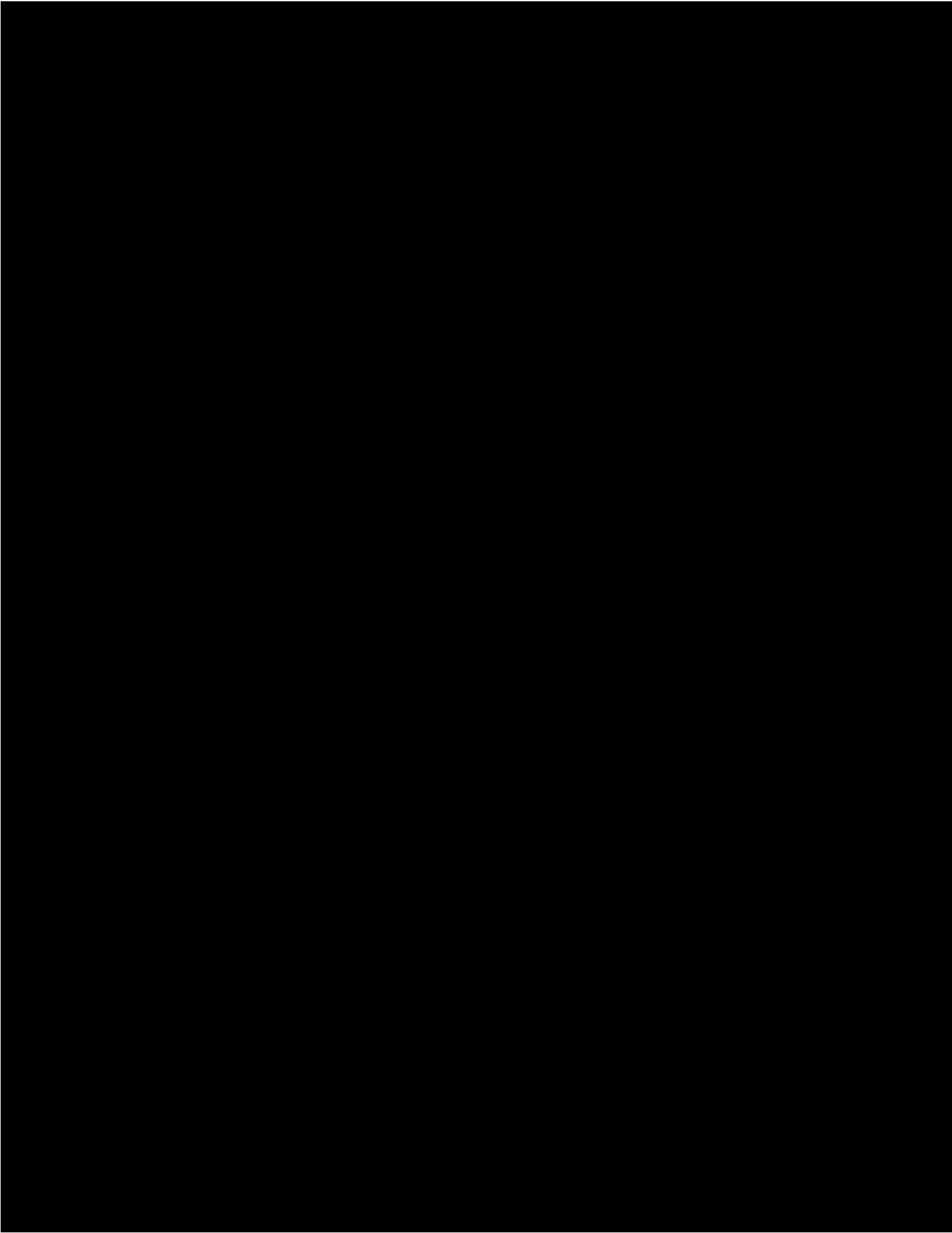


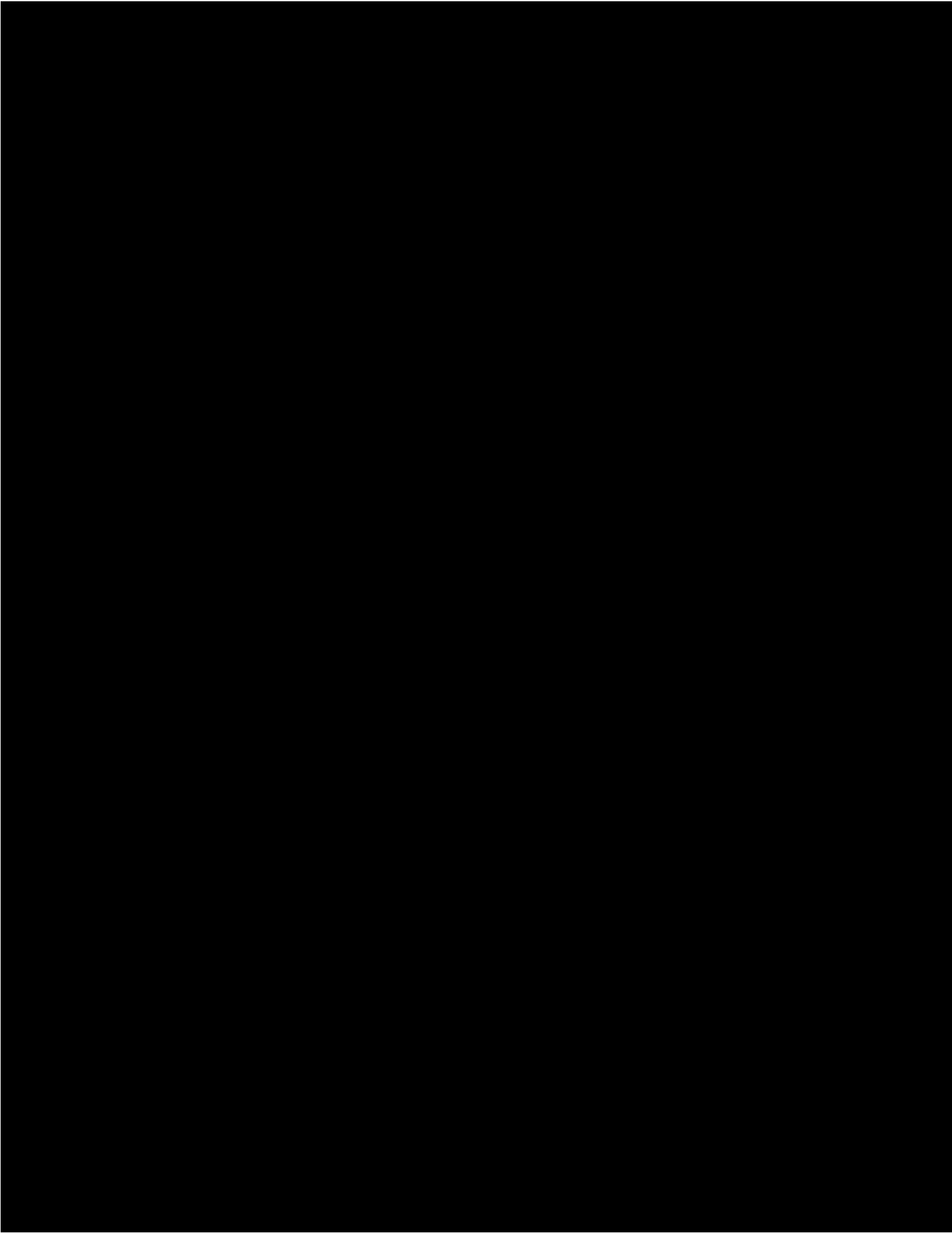


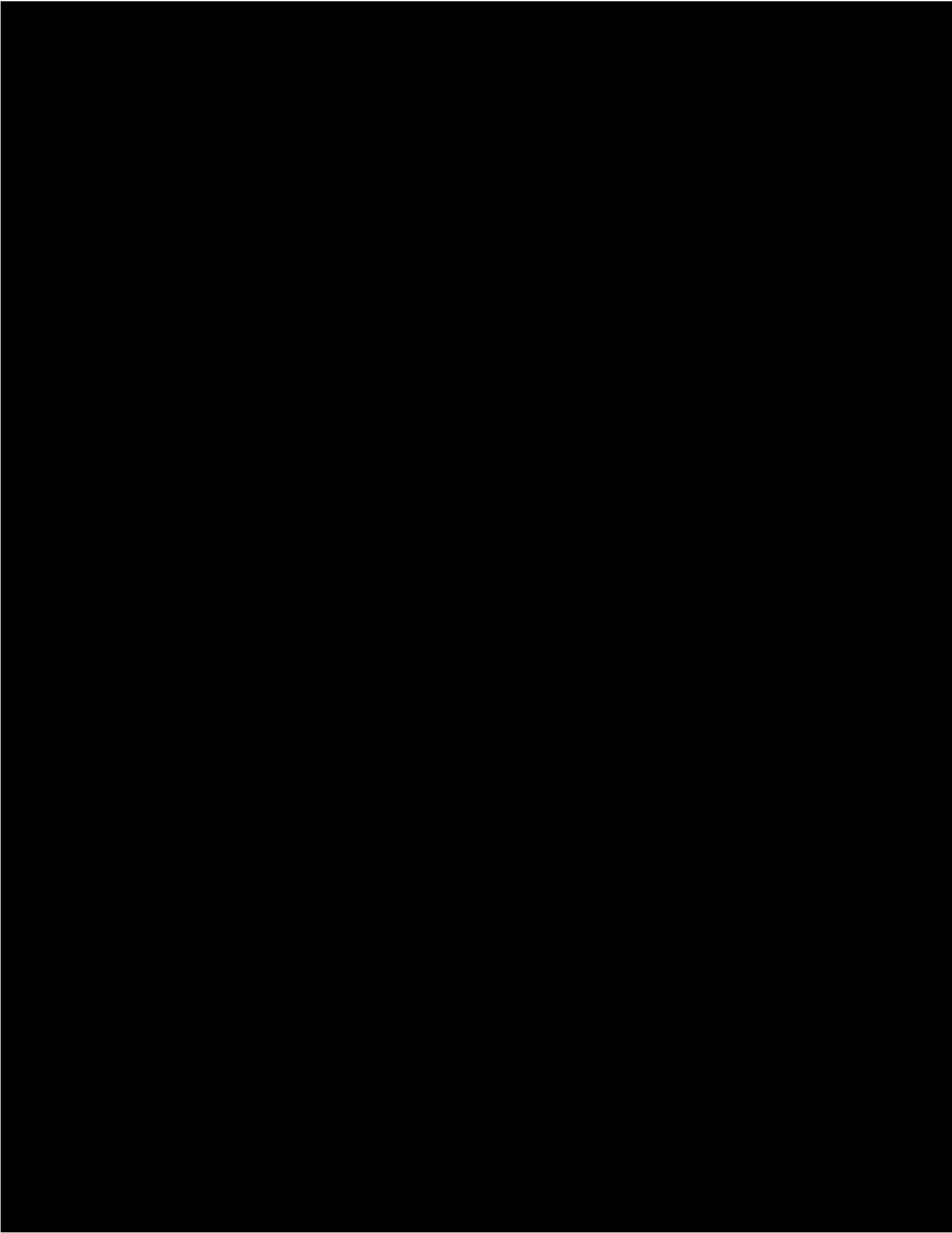












Arkansas
State Claims Commission

JAN 26 2024

RECEIVED

WILLIE JONES

KATHRYN IRBY, DIRECTOR
ARKANSAS STATE CLAIMS COMMISSION
101 EAST CAPITOL AVENUE, SUITE 410
LITTLE ROCK, ARKANSAS 72201

RE: WILLIE JONES v. ARKANSAS DIVISION OF
CORRECTION, CLAIM NO. 211057

DEAR DIRECTOR;

THE CLAIMS COMMISSION PREVIOUSLY ISSUED
SUBPOENAS FOR MAJOR U. FIELDS AND APIN
STEPHANIE CONVERSE FOR THE CLAIMANT TO
SERVE UPON THE ABOVE NAMED INDIVIDUALS.
PRIOR TO THE SCHEDULED HEARING THAT WAS
POSTPONED ON JANUARY 18, 2024, DUE TO THE
SUBPOENAS NOT BEING SERVED

THE CLAIMANT JONES RESPECTFULLY REQUESTS
THE CLAIM COMMISSION TO RE-ISSUE THE
SUBPOENAS TO:

MAJOR U. FIELDS
6814 PRINCETON PIKE
PINE BLUFF, ARKANSAS 71602-9411

APN STEPHANIE L. CONVERSE

[REDACTED]

271 [REDACTED] ROAD

[REDACTED] D

THE CLAIMANT ALSO REQUESTS A CHANGE OF ADDRESS TO HIS CURRENT ADDRESS TO:

MR. WILLIE JONES, ADC # [REDACTED] A [REDACTED]

[REDACTED] ST [REDACTED]

[REDACTED] D

[REDACTED]

THANKING YOU IN ADVANCED.

SINCERELY,

W/ Willie Jones 90529

Date - 1-24-24

From: [Misty Scott](#) on behalf of [ASCC Pleadings](#)
To: [Thomas Burns \(DOC\)](#)
Cc: [ASCC Pleadings](#); [Mika Tucker](#)
Subject: ORDER: Willie Jones v. ADC, Claim No. 211057
Date: Monday, February 5, 2024 9:08:00 AM
Attachments: [Willie Jones v. ADC..pdf](#)
[Willie Jones-order2.pdf](#)

Thomas:

Please see attached. Contact Mika Tucker with any questions.

Thank you,

Misty

Misty Scott
Arkansas State Claims Commission

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

February 5, 2024

Mr. Willie Jones (ADC [REDACTED])
[REDACTED]

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

Re: *Willie Jones v. Arkansas Division of Correction*
Claim No. 211057

Dear Mr. Jones and Mr. Burns:

Enclosed please find an Order entered on February 1, 2024, by the Arkansas State Claims Commission. If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: msscott

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

WILLIE JONES (ADC [REDACTED])

CLAIMANT

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF
CORRECTION

RESPONDENT

ORDER

Now before the Arkansas State Claims Commission (the “Claims Commission”) is the claim of Willie Jones (the “Claimant”) against the Arkansas Division of Correction (the “Respondent”). At the hearing held on January 18, 2024, Claimant appeared *pro se*, and Thomas Burns appeared on behalf of Respondent.

At the outset of the hearing, the chair commissioner noted that Claimant requested and received subpoenas for Major Fields¹ and Stephanie Converse. The chair commissioner noted that Ms. Converse was not an employee of Respondent and that Respondent was not responsible for delivering the subpoena to her. The chair commissioner also noted that the Commission had been informed by Respondent that Major Fields is no longer employed at the Claimant’s unit, is believed to work at Respondent’s Wrightsville unit and was not present at the hearing because the subpoena was not delivered to the correct location.

The chair commissioner asked Claimant if he wanted to proceed with his claim hearing without Major Fields and Ms. Converse present to testify or if he would like to postpone the hearing so that the witnesses could be available. The chair commissioner noted that Claimant was responsible for making arrangements to serve Ms. Converse with a subpoena because she was not an employee of Respondent. Claimant stated that he needed the witnesses and indicated that he

¹ Major Fields is identified as Captain U. Fields in Claimant’s subpoena request and in the Commission’s subpoena.

would like to postpone his claim hearing. Claimant asked if he could have an attorney, and the chair commissioner informed him that he was free to obtain an attorney, but the Commission could not appoint an attorney for him.

Respondent argued that it was Claimant's responsibility to serve the subpoenas and that the claim hearing should not be continued. The chair commissioner noted that generally the Commission has worked with Respondent in the past to make Respondent's employees available at hearings when Claimant had requested subpoenas for those individuals. The chair commissioner noted that the Commission will make future correspondence regarding the subpoenas of Respondent's employees clearer to avoid similar issues.

Upon a question from a commissioner, Respondent's counsel stated that he was uncertain whether he could make Ms. Converse available as she was a Wellpath employee but that he would attempt to make her available. The chair commissioner instructed Claimant that it was Claimant's responsibility to make arrangements to serve her with the subpoena if he wanted her to be present at the hearing. Claimant asked how he would know whether Respondent could make Ms. Converse available. The chair commissioner stated that the Commission would include instructions in the hearing letter for Respondent to notify Claimant and the Commission by a certain date if Respondent was unable to make Ms. Converse available for the hearing. The chair commissioner further noted that Respondent would make Major Fields available for the claim hearing.

As such, the Commission will reschedule the claim hearing in this matter as soon as practicable.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow



ARKANSAS STATE CLAIMS COMMISSION
Paul Morris, Chair



ARKANSAS STATE CLAIMS COMMISSION
Sylvester Smith

DATE: February 1, 2024

Notice(s) which may apply to your claim

- (1) A party has forty (40) days from the date of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the date of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a)(3).
- (2) If a Claimant is awarded less than \$15,000.00 by the Claims Commission at hearing, that claim is held forty (40) days from the date of disposition before payment will be processed. *See* Ark. Code Ann. § 19-10-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of \$15,000.00 or more are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 19-10-215(b).

From: [Mika Tucker](#)
To: [Thomas Burns \(DOC\)](#)
Subject: RE: CORRECTED: HEARING: Willie Jones v. ADC, Claim No. 211057
Date: Monday, February 12, 2024 12:35:00 PM
Attachments: [CORRECTED Jones v. ADC, 211057 hearing ltr \(claim\) 4-12 v2.pdf](#)

Thanks for catching, Thomas. The corrected letter is attached.

-Mika

From: Thomas Burns (DOC) <Thomas.Burns@arkansas.gov>
Sent: Monday, February 12, 2024 12:05 PM
To: Mika Tucker <Mika.Tucker@arkansas.gov>
Subject: RE: CORRECTED: HEARING: Willie Jones v. ADC, Claim No. 211057

This letter has the wrong claim number

-TB

Legal Division
Arkansas Department of Corrections
Division of Correction
870 267-6845-telephone

From: Mika Tucker <Mika.Tucker@arkansas.gov>
Sent: Monday, February 12, 2024 10:12 AM
To: Thomas Burns (DOC) <Thomas.Burns@arkansas.gov>
Subject: CORRECTED: HEARING: Willie Jones v. ADC, Claim No. 211057

Please see the corrected correspondence attached. Thank you.

-Mika

From: Mika Tucker
Sent: Monday, February 12, 2024 9:48 AM
To: Thomas Burns (DOC) <Thomas.Burns@arkansas.gov>
Subject: HEARING: Willie Jones v. ADC, Claim No. 211057

Hi, Thomas.

Please see the attached correspondence.

Thanks,
Mika

Mika Tucker
Arkansas State Claims Commission

101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

February 12, 2024

Mr. Willie Jones (ADC [REDACTED])
[REDACTED]

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

RE: *Willie Jones v. Arkansas Division of Correction*
Claim No. 211057

Dear Mr. Jones and Mr. Burns,

The Claims Commission has scheduled this claim for hearing on **Friday, April 12, 2024**, beginning at 8:45 a.m. All parties will attend via Zoom. The Zoom invitation is enclosed. The Claims Commission requests that Mr. Burns transmit the Zoom invitation and hearing details to Claimant's unit.

The Claims Commission notes that prehearing materials for this hearing have already been submitted by the parties as this claim hearing was originally scheduled for January 18, 2024. The Claims Commission issued subpoenas for Major Fields and Wellpath employee Stephanie Converse for that claim hearing, which was continued. As noted in the Claims Commission's February 1, 2024, order, Respondent has agreed to make Major Fields available for the claim hearing in this matter. Furthermore, pursuant to the Commission's February 1, 2024, order, the Claims Commission asks that Respondent notify Claimant and the Claims Commission by February 16, 2024, whether it will make Ms. Converse available, as well.

Any revised or additional prehearing materials, including witness lists, exhibit lists, exhibits or prehearing briefs are due by March 4, 2024.

If Claimant would like to call other inmates or ADC employees as witnesses, Claimant will need to submit subpoena requests by March 4, 2024. The subpoena requests must include the witnesses' names and addresses. If ADC objects to issuance of any subpoena, ADC will have until March 10, 2024, to file a motion to quash or detailed objections to the witness's proposed testimony. If the Commission issues subpoenas to ADC's current employees or inmates currently housed with ADC, the Commission asks ADC to make these individuals available for the Zoom hearing.

If Claimant would like to call a witness outside of ADC, Claimant will need to arrange for that witness's virtual attendance at the hearing. Claimant can direct the witness to contact the Claims Commission for the Zoom invitation. If a subpoena will be necessary to compel a witness's testimony, Claimant will need to submit a subpoena request by March 4, 2024. The subpoena request must include the witness's name and address. Once the Claims Commission issues the subpoena, Claimant will need to have the subpoena served upon the witness pursuant to Rule 45 of the Arkansas Rules of Civil Procedure.

If Respondent will require subpoenas in order to compel the testimony of any of its witnesses, those subpoena requests are also due on March 4, 2024.

Absent good cause shown, any subpoena requests received after March 4, 2024, will be denied.

To the extent that either party intends to file a motion of any kind, absent a showing of good cause, the motion must be submitted in sufficient time to allow the motion to be fully briefed by March 4, 2024.

Please note that a copy of any subpoena requests, witness lists, exhibit lists, and exhibits must be served upon the opposing party via U.S. Mail in accordance with the Arkansas Rules of Civil Procedure.

If you have any questions, please do not hesitate to contact my office.

Sincerely,
Mika Tucker

ES: mtucker

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Commission hearings

Time: Apr 12, 2024 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/82782163487?pwd=5TCq8oMYHTLbXd3r8t5pM1bWFVC7Ue.1>

Meeting ID: 827 8216 3487

Passcode: HN5va3

One tap mobile

+13052241968,,82782163487#,,,,*818416# US

+13092053325,,82782163487#,,,,*818416# US

Dial by your location

• +1 305 224 1968 US

• +1 309 205 3325 US

• +1 312 626 6799 US (Chicago)

• +1 646 931 3860 US

• +1 929 436 2866 US (New York)

• +1 301 715 8592 US (Washington DC)

• +1 719 359 4580 US

• +1 253 205 0468 US

• +1 253 215 8782 US (Tacoma)

• +1 346 248 7799 US (Houston)

• +1 360 209 5623 US

• +1 386 347 5053 US

• +1 507 473 4847 US

• +1 564 217 2000 US

• +1 669 444 9171 US

• +1 669 900 6833 US (San Jose)

• +1 689 278 1000 US

Meeting ID: 827 8216 3487

Passcode: 818416

Find your local number: <https://us06web.zoom.us/u/kg62m2q3R>

From: [Mika Tucker](#)
To: [Thomas Burns \(DOC\)](#)
Subject: CORR: HEARING: Willie Jones v. ADC, Claim No. 211057
Date: Monday, February 26, 2024 1:10:00 PM
Attachments: [Jones v. ADC -- 211057 -- ext of prehearing deadlines.pdf](#)

Hi, Thomas.

Please see the attached correspondence.

Thanks,
Mika

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

February 26, 2024

Mr. Willie Jones (ADC [REDACTED])
[REDACTED]

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

Re: ***Willie Jones v. Arkansas Division of Correction***
Claim No. 211057

Dear Mr. Jones and Mr. Burns,

Counsel for Respondent has notified the Commission of medical circumstances that could prevent Respondent from meeting the deadline set forth in the hearing letter for revised or additional witness lists, exhibit lists, exhibits and prehearing briefs. As such, the Commission extends the deadline for these materials until March 8, 2024, for both parties.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: mtucker

From: [Mika Tucker](#)
To: [Thomas Burns \(DOC\)](#)
Subject: CORR: Jones v. ADC, Claim No. 211057
Date: Wednesday, March 6, 2024 9:06:00 AM
Attachments: [Jones v. ADC -- 211057 -- corr re witness availability.pdf](#)

Hi, Thomas.

Please see the attached correspondence.

Thanks,
Mika

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

March 6, 2024

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

Re: ***Willie Jones v. Arkansas Division of Correction***
Claim No. 211057

Dear Mr. Burns,

During the January 18, 2024, hearing in this matter, Respondent indicated that it would attempt to make Wellpath employee Stephanie Converse available for the rescheduled claim hearing. As such, the Commission's February 1, 2024, order provided that Respondent would notify the Commission and Claimant by a certain date if it was unable to make Ms. Converse available for the hearing. The Commission sent correspondence on February 12, 2024, setting the claim hearing for this matter for April 12, 2024. This correspondence set the deadline for the notice regarding Ms. Converse's availability as February 16, 2024.

To date, the Commission has no record of notice to the Commission or Claimant regarding whether Respondent will make Ms. Converse available during the hearing. Therefore, the Commission asks that Respondent notify the Commission and Claimant by March 8, 2024, whether it can make Ms. Converse available for the April 12, 2024, hearing.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: mtucker

Cc: Willie Jones (ADC [REDACTED])

From: [Thomas Burns \(DOC\)](#)
To: [ASCC Pleadings](#)
Cc: [Mika Tucker](#)
Subject: Willie Jones v ADC 211057
Date: Wednesday, March 6, 2024 10:23:43 AM
Attachments: [3151_001.pdf](#)
[image001.png](#)

Letter regarding Ms. Converse

Thank you,
-TB



Confidentiality Notice: This e-mail message and any attachments is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is for the intended recipient only. If an addressing or transmission error has misdirected this e-mail, please notify the author by replying to it. If you are not the intended recipient you may not use, disclose, distribute, copy, print or rely on this email.



SARAH HUCKABEE SANDERS
GOVERNOR

ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

LEGAL DIVISION

6814 Princeton Pike
Pine Bluff, AR 71602



JOE PROFIRI
SECRETARY

March 6, 2024

Via email

Ms. Mika Tucker
101 East Capitol Ave. Suite 410
Little Rock, Arkansas 72201


Re: *Willie Jones v ADC*
Claim No. 211057

Dear Ms. Tucker:

Ms. Converse is not an employee of the Arkansas Department of Corrections. She is an employee of a wholly owned company, Wellpath, that has a contract with the ADC to provide medical services. As such the ADC does not have the capability to compel her to attend any hearings or Court proceedings. Well path has their own counsel and policies.


If Mr. Jones would like Ms. Converse to testify, he will need to subpoena her and have her served pursuant to the Rules of Civil Procedure.

Very Truly Yours,



Thomas Burns

TB/

cc: Willie Jones (ADC )

From: [Mika Tucker](#)
To: [Thomas Burns \(DOC\)](#)
Subject: CORR: Jones v. ADC, Claim No. 211057
Date: Friday, March 8, 2024 12:38:00 PM
Attachments: [Jones v. ADC -- 211057 -- ltr enclosing subp.pdf](#)
[Jones, W v. ADC, 211057 -- subpoena Fields.pdf](#)
[Jones, W v. ADC, 211057 -- subpoena- Converse.pdf](#)

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

March 8, 2024

Mr. Willie Jones (ADC [redacted])
[redacted]

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

RE: *Willie Jones v. Arkansas Division of Correction*
Claim No. 211057

Dear Mr. Jones and Mr. Burns,

Enclosed please find subpoenas issued by the Claims Commission for Major U. Fields and Stephanie Converse per Mr. Jones's request. As Ms. Converse is not an employee of the ADC, Mr. Jones is responsible for serving her with the subpoena.

As indicated in the hearing letter and the Commission's February 1, 2024, order, the Commission asks the ADC to make its employee Major Fields available during the hearing.

Please contact my office with any questions.

Sincerely,

Mika Tucker

ES: mtucker

Enclosures

**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

WILLIE JONES, Claimant

SUBPOENA

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION, Respondent

TO: Major U. Fields
6814 Princeton Pike
Pine Bluff, Arkansas 71602

X YOU ARE COMMANDED to appear at the Arkansas State Claims Commission at the place, date, and time specified below to testify in the above case.

Friday, April 12, 2024
8:45 a.m.
Attendance will be via Zoom (Zoom invitation attached)

_____ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the taking of a deposition in the above case.

_____ YOU ARE COMMANDED, at the time of trial, hearing, or deposition described above, to produce and permit inspection and copying of the following documents or objects (list documents or objects):

_____ YOU ARE COMMANDED, no more than 3 business days after receiving this subpoena, to produce and permit inspection and copying of the following documents or objects (list documents or objects):



March 8, 2023

Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

Date

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Commission hearings

Time: Apr 12, 2024 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/82782163487?pwd=5TCq8oMYHTLbXd3r8t5pM1bWFVC7Ue.1>

Meeting ID: 827 8216 3487

Passcode: HN5va3

Dial by your location

- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US

Meeting ID: 827 8216 3487

Passcode: 818416

Find your local number: <https://us06web.zoom.us/j/82782163487?pwd=5TCq8oMYHTLbXd3r8t5pM1bWFVC7Ue.1>

PROOF OF SERVICE

SERVED ON (Print Name)

DATE

PLACE

MANNER OF SERVICE

SERVED BY (Print Name)

TITLE

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

Regardless of his or her county of residence, a witness subpoenaed for examination at a trial or hearing must be properly served with a subpoena at least two days prior to the hearing, or within a shorter time if the court so orders. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the trial or hearing. Ark. R. Civ. Proc. 45(d), Claims Commission Rule 3.2(d).

A witness subpoenaed in connection with a deposition must be properly served with a subpoena at least five business days prior to a deposition, or within a shorter time if the court so orders. The witness is required to attend a deposition at any place within 100 miles of where he or she resides, is employed, or transacts business in person, or at such other convenient place set by court order. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the deposition. Ark. R. Civ. Proc. 45(e), Claims Commission Rule 3.3.

A subpoena may command the person to whom it is directed to produce for inspection any books, papers, documents, or tangible things designated in the subpoena. The person subpoenaed may ask the court to quash or modify the subpoena if it is unreasonable or oppressive or to require that the person on whose behalf the subpoena is issued pay the reasonable cost of such production. Ark. R. Civ. Proc. 45(b). The person subpoenaed may also object in writing to inspection or copying of any or all of the designated materials or seek a protective order from the Claims Commission. If a written objection is made within ten days of service of the subpoena or on or before the time specified for compliance if such time is less than ten days, the party causing the subpoena to be issued is not entitled to inspect the materials unless the court so orders. Ark. R. Civ. Proc. 45(e). When a witness fails to attend in obedience to a subpoena or intentionally evades the service of a subpoena by concealment or otherwise, the Claims Commission may enforce the subpoena pursuant to Ark. Code Ann. § 19-10-207(d).

**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

WILLIE JONES, Claimant

SUBPOENA

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION, Respondent

TO: APN Stephanie L. Converse

[Redacted]
[Redacted]

X YOU ARE COMMANDED to appear at the Arkansas State Claims Commission at the place, date, and time specified below to testify in the above case.

**Friday, April 12, 2024
8:45 a.m.
Attendance will be via Zoom (Zoom invitation attached)**

____ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the taking of a deposition in the above case.

____ YOU ARE COMMANDED, at the time of trial, hearing, or deposition described above, to produce and permit inspection and copying of the following documents or objects (list documents or objects):

____ YOU ARE COMMANDED, no more than 3 business days after receiving this subpoena, to produce and permit inspection and copying of the following documents or objects (list documents or objects):



March 8, 2023

Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

Date

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Commission hearings

Time: Apr 12, 2024 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/82782163487?pwd=5TCq8oMYHTLbXd3r8t5pM1bWFVC7Ue.1>

Meeting ID: 827 8216 3487

Passcode: HN5va3

Dial by your location

- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US

Meeting ID: 827 8216 3487

Passcode: 818416

Find your local number: <https://us06web.zoom.us/j/82782163487>

PROOF OF SERVICE

SERVED ON (Print Name) _____

DATE _____

PLACE _____

MANNER OF SERVICE _____

SERVED BY (Print Name) _____

TITLE _____

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____

DATE

SIGNATURE OF SERVER _____

ADDRESS OF SERVER _____

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

Regardless of his or her county of residence, a witness subpoenaed for examination at a trial or hearing must be properly served with a subpoena at least two days prior to the hearing, or within a shorter time if the court so orders. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the trial or hearing. Ark. R. Civ. Proc. 45(d), Claims Commission Rule 3.2(d).

A witness subpoenaed in connection with a deposition must be properly served with a subpoena at least five business days prior to a deposition, or within a shorter time if the court so orders. The witness is required to attend a deposition at any place within 100 miles of where he or she resides, is employed, or transacts business in person, or at such other convenient place set by court order. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the deposition. Ark. R. Civ. Proc. 45(e), Claims Commission Rule 3.3.

A subpoena may command the person to whom it is directed to produce for inspection any books, papers, documents, or tangible things designated in the subpoena. The person subpoenaed may ask the court to quash or modify the subpoena if it is unreasonable or oppressive or to require that the person on whose behalf the subpoena is issued pay the reasonable cost of such production. Ark. R. Civ. Proc. 45(b). The person subpoenaed may also object in writing to inspection or copying of any or all of the designated materials or seek a protective order from the Claims Commission. If a written objection is made within ten days of service of the subpoena or on or before the time specified for compliance if such time is less than ten days, the party causing the subpoena to be issued is not entitled to inspect the materials unless the court so orders. Ark. R. Civ. Proc. 45(e). When a witness fails to attend in obedience to a subpoena or intentionally evades the service of a subpoena by concealment or otherwise, the Claims Commission may enforce the subpoena pursuant to Ark. Code Ann. § 19-10-207(d).

From: [Thomas Burns \(DOC\)](#)
To: [Mika Tucker](#)
Subject: RE: CORR: Jones v. ADC, Claim No. 211057
Date: Friday, March 8, 2024 2:19:01 PM

I will get Maj. Fields subpoena to him

-TB

Legal Division
Arkansas Department of Corrections
Division of Correction
870 267-6845-telephone

From: Mika Tucker <Mika.Tucker@arkansas.gov>
Sent: Friday, March 8, 2024 12:39 PM
To: Thomas Burns (DOC) <Thomas.Burns@arkansas.gov>
Subject: CORR: Jones v. ADC, Claim No. 211057

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

From: [Thomas Burns \(DOC\)](#)
To: [Undray Fields \(DOC\)](#)
Cc: [Mika Tucker](#)
Subject: Willie Jones v ADC Claim 211057
Date: Friday, March 8, 2024 2:22:13 PM
Attachments: [Jones, W v. ADC, 211057 -- subpoena Fields.pdf](#)
[image001.png](#)

Maj. Fields:

Attached please find a subpoena for the hearing on this claim April 12, 2024. The ZOOM instructions are on the second page. Please call if you have any questions.

Thank you,
-TB



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From: [Thomas Burns \(DOC\)](#)
To: [Mika Tucker](#)
Cc: [Kathryn Irby](#)
Subject: RE: Willie Jones v ADC 211057
Date: Friday, March 8, 2024 10:50:28 AM
Attachments: [image001.png](#)

Division of Correction
Central Office
6814 Princeton Pike
Pine Bluff Arkansas 71602

-TB
Legal Division
Arkansas Department of Corrections
Division of Correction
870 267-6845-telephone

From: Thomas Burns (DOC)
Sent: Friday, March 8, 2024 9:57 AM
To: Mika Tucker <Mika.Tucker@arkansas.gov>
Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: Willie Jones v ADC 211057

Please issue a subpoena for

Melissa Moore

A copy of this email is being sent to inmate Willie Jones ADC# [REDACTED]

Thank you,
-TB



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From: [Mika Tucker](#)
To: [Thomas Burns \(DOC\)](#)
Subject: SUBPOENA: Jones v. ADC, Claim No. 211057
Date: Tuesday, March 12, 2024 12:30:00 PM
Attachments: [Jones v. ADC -- 211057 -- enclosing subp.pdf](#)
[Jones, W v. ADC, 211057 -- Moore subpoena.pdf](#)

Hi, Thomas.

Please see the attached correspondence.

Thanks,
Mika

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

March 12, 2024

Mr. Willie Jones (ADC [redacted])
[redacted]

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

RE: *Willie Jones v. Arkansas Division of Correction*
Claim No. 211057

Dear Mr. Jones and Mr. Burns,

Enclosed please find subpoenas issued by the Claims Commission for Ms. Moore per the ADC's request.

Please contact my office with any questions.

Sincerely,

Mika Tucker

ES: mtucker

Enclosures

**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

WILLIE JONES, Claimant

SUBPOENA

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION, Respondent

TO: Melissa Moore
6814 Princeton Pike
Pine Bluff, Arkansas 71602

 X YOU ARE COMMANDED to appear at the Arkansas State Claims Commission at the place, date, and time specified below to testify in the above case.

**Friday, April 12, 2024
8:45 a.m.
Attendance will be via Zoom (Zoom invitation attached)**

 YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the taking of a deposition in the above case.

 YOU ARE COMMANDED, at the time of trial, hearing, or deposition described above, to produce and permit inspection and copying of the following documents or objects (list documents or objects):

 YOU ARE COMMANDED, no more than 3 business days after receiving this subpoena, to produce and permit inspection and copying of the following documents or objects (list documents or objects):



March 8, 2023

Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

Date

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Commission hearings

Time: Apr 12, 2024 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/82782163487?pwd=5TCq8oMYHTLbXd3r8t5pM1bWFVC7Ue.1>

Meeting ID: 827 8216 3487

Passcode: HN5va3

Dial by your location

- +1 305 224 1968 US
- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US

Meeting ID: 827 8216 3487

Passcode: 818416

Find your local number: <https://us06web.zoom.us/j/82782163487>

PROOF OF SERVICE

SERVED ON (Print Name)

DATE

PLACE

MANNER OF SERVICE

SERVED BY (Print Name)

TITLE

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

Regardless of his or her county of residence, a witness subpoenaed for examination at a trial or hearing must be properly served with a subpoena at least two days prior to the hearing, or within a shorter time if the court so orders. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the trial or hearing. Ark. R. Civ. Proc. 45(d), Claims Commission Rule 3.2(d).

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Arkansas
State Claims Commission

3-25-24

MAR 29 2024

Please send me file mark copy

RECEIVED

Thank you
Will Jones

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

WILLIE JONES, ADC# [REDACTED]

CLAIMANT

vs.

NO. 211057

Arkansas
State Claims Commission

MAR 29 2024

RECEIVED

ARKANSAS DEPARTMENT
OF CORRECTION,

RESPONDENT

AMENDED SUBPOENA REQUEST LIST OF CLAIMANT

(1) ADC MAJOR U. FIELDS
6814 PRINCETON PIKE
PINE BLUFF, AR 71602-9411

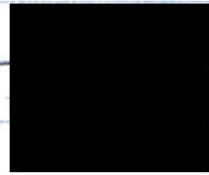
(2) APN MRS. CONVERSE, STEPHANIE
[REDACTED]

COMES NOW, CLAIMANT WILLIE JONES AND FOR
HIS REQUEST FOR SUBPOENA APPEARANCE OF THE
HEREIN STATED WITNESSES ABOVE IN THE ABOVE
STYLED MATTER STATES:

MR. WILLIE JONES, CLAIMANT IN THE ABOVE
STYLED MATTER REQUESTS BY SUBPOENA, THE

APPEARANCE OF ALL, AND EACH SEPARATE WITNESS'S APPEARANCE ON FRIDAY, APRIL 12, 2024 BEGINNING AT 8:45 A.M., BY A ZOOM HEARING AS WITNESS UPON THE ABOVE STYLED CLAIM. THE AFOREMENTIONED WITNESSES, ADC MAJOR FIELDS, AND APN MRS. CONVERSE ARE REQUESTED BY CLAIMANT, AT ADDRESSED NOTED.

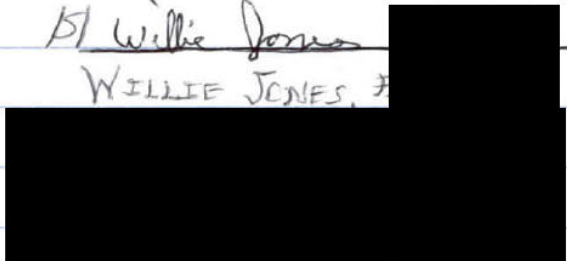
By Willie Jones
WILLIE JONES,



CERTIFICATE OF SERVICE

I, WILLIE JONES, CLAIMANT HEREIN CERTIFY, THAT THE REQUESTS APPEARANCE OF THE FOREGOING PERSONS STATED BY SUBPOENA TO TESTIFY IN THE ABOVE STYLED MATTER, THAT A COPY OF THE AMENDED SUBPOENA LIST HAS BEEN SENT POSTAGE PAID ON THIS 23 DAY OF March, 2024, TO RESPONDENT, ARKANSAS DEPARTMENT OF CORRECTIONS, 6814 PRINCETON PIKE, PINE BLUFF, ARKANSAS 71602-9411.


By Willie Jones
WILLIE JONES, #

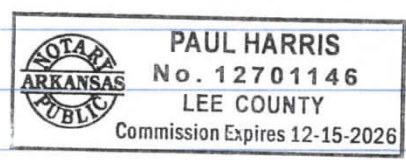


STATE OF ARKANSAS)
)
COUNTY OF Lee)

CLAIMANT, WILLIE JONES, BEING FIRST DULY SWORN UNDER OATH, PRESENTS THAT HE HAS READ AND SUBSCRIBED TO THE ABOVE AND STATES THAT THE INFORMATION THEREIN IS TRUE AND CORRECT.

SUBSCRIBED AND SWORN TO BEFORE ME, A NOTARY PUBLIC ON THIS 23 DAY OF March 2024.


NOTARY PUBLIC



Could you please send me A file marked copy

thanks

Willie Jones

Arkansas
State Claims Commission

APR 29 2024

RECEIVED

Arkansas
State Claims Commission

APR 29 2024

RECEIVED

Before the
Arkansas State Claims Commission

Willie Jones

CLAIMANT

v. No 211057

Arkansas Department
of Correction

RESPONDENT

Petition For Additional Hearing
to hear additional testimony

Willie Jones, Pro Se



To those whose presence this shall come,
let there be understood that, the claimant,
Willie Jones, presents his petition for an
Additional Hearing to present testimony from his
witness, Stephanie Converse, APN does herein
state and verify:

1) That the testimony of Stephanie
Converse, APN is crucial to his claim before
this Commission.

2) That the subpoena to compel Stephanie
Converse, APN was not provided to Mr Jones
until 15 April 2024 for the hearing
scheduled for 12 April 2024. (See Exhibits)

3) That additionally the Envelope that the Subpoena was sent from this Commission was incorrectly addressed. (SEE Exhibits.)

4) That all previous correspondence from this Commission had been previously correct. (SEE Exhibits) which necessitate an explanation.

5) That by, intentional or otherwise, not providing Mr. Jones with the Subpoena until after the scheduled hearing prevented him from having adequate time to serve Stephanie Converse, MPM to compel her presence at the scheduled hearing.

b) That MR. JONES Request that an additional hearing be scheduled before this Committee renders its opinion on MR. JONES' claim.

WHEREFORE PREMISE CONSIDERED, MR. JONES respectfully Request and believes that this Honorable committee will find it reasonable, Ruling on the Square and by the Compass, to: schedule an additional hearing for the presentation of testimony of Stephanie Converse, AKA; to provide the proper subpoena at least thirty (30) days prior to the scheduled hearing to MR. JONES at

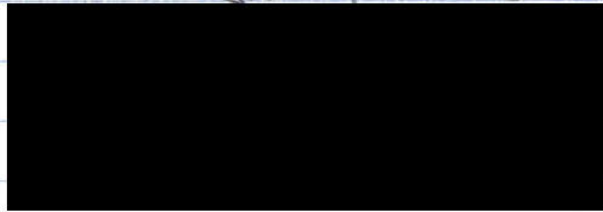
his correct address so that he has adequate
time to serve Stephanie Converse, APRN by
mail; plus any and all other relief and
exemption that may be available, just, and
proper.

Respectfully Submitted

P Willie Jones

~~Willie Jones~~

Willie Jones, Pro SE



Certificate of Service

I, WILLIE JONES, do hereby CERTIFY AND VERIFY
that on this 24th day of April 2024 C.E.,
I SERVED ON ALL PARTIES LISTED BELOW BY DEPOSITING
AN ENVELOPE CONTAINING TRUE AND CORRECT COPIES OF THE
ABOVE DOCUMENT IN THE UNITED STATES MAIL,
PROPERLY ADDRESSED TO EACH OF THEM WITH SUFFICIENT
FIRST CLASS POSTAGE.

ARKANSAS STATE CLAIMS COMMISSION
101 E. CAPITOL AVE
SUITE 410
LITTLE ROCK, ARKANSAS 72201-3823

THOMAS BURNS
ARKANSAS DEPARTMENT OF CORRECTIONS
LEGAL DIVISION

6814 Princeton Pike
PINE BLUFF, ARKANSAS 71602

x Willie Jones
WILLIE JONES DRUSE




7

Certification of Institutional Filing

I, Willie Jones, certify that on this 24th of
April 2024 C.E., I delivered the above
documents into the possession of prison officials
for the purpose of mailing said documents via
the United States Postal Service pursuant to the
institute's legal mail procedure with first class
postage being paid either by me or on my behalf
by the institution

x Willie Jones
Willie Jones, Prisoner



Declaration / Verification

I, Willie Jones, do hereby declare and verify,
under penalty of Perjury in accordance with
29 U.S.C. § 1746 and 18 U.S.C. § 1621, that the above
statements contained herein are true and correct
to the best of my knowledge and belief as executed
by my hand on this 24th day of April 2020.

X Willie Jones
Willie Jones ADA Sr

3-06-2028
Expires

Alicia Williams
Notary



State of ARKANSAS)

County of LEE) § NOTARIZATION

Subscribed and sworn to before me,

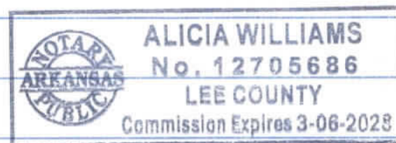
a Notary Public in and for the ABOVE

State and County on this 24th day of

April 2024 C.E..

My Commission Expires 3-06-2028

Alicia Williams
Notary Public



ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

March 6, 2024

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

Re: ***Willie Jones v. Arkansas Division of Correction***
Claim No. 211057

Dear Mr. Burns,

During the January 18, 2024, hearing in this matter, Respondent indicated that it would attempt to make Wellpath employee Stephanie Converse available for the rescheduled claim hearing. As such, the Commission's February 1, 2024, order provided that Respondent would notify the Commission and Claimant by a certain date if it was unable to make Ms. Converse available for the hearing. The Commission sent correspondence on February 12, 2024, setting the claim hearing for this matter for April 12, 2024. This correspondence set the deadline for the notice regarding Ms. Converse's availability as February 16, 2024.

To date, the Commission has no record of notice to the Commission or Claimant regarding whether Respondent will make Ms. Converse available during the hearing. Therefore, the Commission asks that Respondent notify the Commission and Claimant by March 8, 2024, whether it can make Ms. Converse available for the April 12, 2024, hearing.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: mtucker

Cc: Willie Jones (ADC 0 [REDACTED])

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

March 12, 2024

Mr. Willie Jones (ADC [REDACTED])
[REDACTED]

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

RE: ***Willie Jones v. Arkansas Division of Correction***
Claim No. 211057

Dear Mr. Jones and Mr. Burns,

Enclosed please find subpoenas issued by the Claims Commission for Ms. Moore per the ADC's request.

Please contact my office with any questions.

Sincerely,

Mika Tucker

ES: mtucker

Enclosures

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

March 8, 2024

Mr. Willie Jones (ADC [REDACTED])
[REDACTED]

Mr. Thomas Burns
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

RE: ***Willie Jones v. Arkansas Division of Correction***
Claim No. 211057

Dear Mr. Jones and Mr. Burns,

Enclosed please find subpoenas issued by the Claims Commission for Major U. Fields and Stephanie Converse per Mr. Jones's request. As Ms. Converse is not an employee of the ADC, Mr. Jones is responsible for serving her with the subpoena.

As indicated in the hearing letter and the Commission's February 1, 2024, order, the Commission asks the ADC to make its employee Major Fields available during the hearing.

Please contact my office with any questions.

Sincerely,

Mika Tucker

ES: mtucker

Enclosures

From: [Misty Scott](#) on behalf of [ASCC Pleadings](#)
To: [Tawnie Rowell \(DOC\)](#)
Cc: [ASCC Pleadings](#); [Mika Tucker](#)
Subject: ORDER: Willie B. Jones v. ADC, Claim No. 211057
Date: Thursday, May 2, 2024 9:08:11 AM
Attachments: [Willie B. Jones v. ADC.pdf](#)
[Willie Jones-order3.pdf](#)

Ms. Rowell:

Please see attached. Contact Mika Tucker with any questions.

Thank you,

Misty

Misty Scott
Arkansas State Claims Commission

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

May 2, 2024

Mr. Willie B. Jones (ADC 0 [REDACTED])
[REDACTED]

Ms. Tawnie Rowell
Arkansas Division of Correction
6814 Princeton Pike
Pine Bluff, Arkansas 71602-9411

(via email)

Re: *Willie B. Jones v. Arkansas Division of Correction*
Claim No. 211057

Dear Mr. Jones and Ms. Rowell:

Enclosed please find an Order entered on April 26, 2024, by the Arkansas State Claims Commission. If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: msscott

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

WILLIE JONES (ADC [REDACTED])

CLAIMANT

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION

RESPONDENT

ORDER

Now before the Arkansas State Claims Commission (the “Commission”) is the claim filed by Willie Jones (the “Claimant”) against the Arkansas Division of Correction (the “Respondent”). At the hearing on April 12, 2024¹, Claimant proceeded *pro se*, and Thomas Burns appeared on behalf of Respondent. Based upon a review of the testimony and evidence presented, as well as the arguments of the parties and the law of the State of Arkansas, the Commission hereby finds as follows:

1. Claimant filed his claim on April 1, 2021, seeking \$10,000.00 in damages, alleging that Respondent did not [REDACTED]

2. Respondent denied liability.

3. Respondent filed a motion to dismiss, which the Commission denied on March 29, 2022.

4. At the hearing, Claimant testified that he was [REDACTED]

[REDACTED] Claimant testified that Respondent moved him to where there were stairs. Claimant testified [REDACTED]

¹ This hearing was previously set for January 18, 2024, but continued pursuant to the Commission’s order dated February 1, 2024.

since. Claimant testified that the only thing that “they said” [REDACTED]
[REDACTED]

[REDACTED] Claimant testified that, when he fell, Captain Fields came to him and got him off the floor and into the barracks.

5. On cross-examination, Claimant testified that [REDACTED] of his fall. Claimant testified that his [REDACTED], and that he fell on “the 4th.” Claimant testified that, if his [REDACTED]
[REDACTED]

6. Claimant declined to question his subpoenaed witness, Major U. Fields.

7. Respondent then called Maj. Fields as a witness. Maj. Fields testified that she knew about the incident. Maj. Fields testified that [REDACTED] at the time he fell down the stairs and that is why he was housed where he was at the time.

8. On cross-examination, Maj. Fields testified that she was familiar with Claimant’s [REDACTED] Maj Fields testified that the reason Claimant was moved from “he north end to the south end” was [REDACTED]. Maj. Fields testified she did not recall the exact date that Claimant was moved.

9. Respondent then called Melissa Moore as a witness. Ms. Moore testified that she was the medical administrator for Respondent. Ms. Moore testified that she had reviewed the [REDACTED] in this matter and that she reviews these records all of the time. Ms. Moore testified that Claimant [REDACTED] the day that he fell. Ms. Moore testified that C [REDACTED] and [REDACTED]
[REDACTED]

[REDACTED] Ms. Moore testified that, from “January 20th,” Claimant did not have [REDACTED]. Ms. Moore testified that EOMIS was “the same place a classification officer

would look to see if [an inmate] had [REDACTED] or not.” Ms. Moore testified that Claimant fell on “February 4th.” Ms. Moore testified that Claimant [REDACTED]

10. On cross-examination, Ms. Moore testified that, when Claimant was [REDACTED] [REDACTED] ” [REDACTED]. Ms. Moore testified that, just because [REDACTED]

11. To establish a claim for negligence, the evidence must show “(1) the existence of a duty on the part of the [respondent] to conform to a specific standard of conduct to protect the [claimant]; (2) breach of that duty by the [respondent]; (3) injury to the [claimant] actually and proximately caused by the [respondent]’s breach; and (4) resulting damages to [claimant]...” *Peregrine Trading, LLC v. Rowe*, 2018 Ark. App. 176, 17, 546 S.W.3d 518, 529 (2018).

12. The Commission finds that Claimant did not present sufficient evidence of negligence. As such, Claimant’s claim is DENIED and DISMISSED.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Dee Holcomb



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow, Chair



ARKANSAS STATE CLAIMS COMMISSION
Sylvester Smith

DATE: April 26, 2024

Notice(s) which may apply to your claim

- (1) A party has forty (40) days from transmission of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the transmission of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a)(3).
- (2) If a Claimant is awarded less than \$15,000.00 by the Claims Commission at hearing, that claim is held forty (40) days from the date of disposition before payment will be processed. *See* Ark. Code Ann. § 19-10-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of \$15,000.00 or more are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 19-10-215(b).

Arkansas
State Claims Commission

MAY 13 2024

RECEIVED

Before the
Arkansas State Claims Commission

Willie Jones

claimant

v. claim No 211057

Arkansas Division of
Correction

Respondent

Claimant's motion for
Reconsideration

Willie Jones PRO SE

[Redacted signature block]

Dear Commission or Clerk
Would you please send me a file mark
copy of the Motion Thanks
Willie Jones

To Those whose PRESENCE this shall come,
Let there be understanding that WILLIE JONES
PRESENTS his timely Motion FOR RECONSIDERATION
of this COMMISSION'S decision on 26 April 2024
being RECEIVED on 04 May 2024 For this
COMMISSION to ACCEPT, PASS, AND RAISE does hereon
state and verify:

1) That this COMMISSION PERMITTED HEARSAY
testimony to be PRESENTED in the FORM of
testimony FROM MELISSA MOORE speaking
SECOND HAND on what GARY KERSTEIN did AND
did NOT say to MR. JONES ON 30 JANUARY 2020.

in violation of the Rules of Evidence,

That this Commission furthered this violation by giving the testimony of Melissa Moore credence and weight in its decision making without the support of any physical evidence or documentation.

2) That even if Gary Kerstein had terminated Mr. Jones' script on 20 January 2020, it was done without any logical, legitimate, or justifiable medical interest, but at the behest of security staff for the purpose of inflicting cruel and unusual punishment on

MR. JONES

3) This is further confirmed by the
reaffirmation and ongoing continuation of

Mr.

after

being moved to a housing location that required
the use of stairs without any substantial
penological interest.

4) That this commission gave no credence
and no weight to the physical evidence and
documentation presented by Mr. Jones during
the course of this claim in support of his
claim, including grievance responses from

the Unit Warden and Assistant Director of
ADC stating that [REDACTED]

effect and valid at the time of his injury
as a result of being required to use stairs.

5) Proceedings such as these are not events,
that reset without lasting effect where the
parties are expected to enter the arena with
near matching skills, neither are they to be a
sacrifice of the unarmed prisoner to the Gladiator.

6) The perceptions are always weighed
heavily in favor of the authorities who are
keen to use the outcomes as propaganda in

THE SCORING OF POINTS FOR PERSONAL GAIN.

7) MR. JONES HAS BROUGHT FORTH SPECIFIC
FACTS AND DOCUMENTATION BEYOND META PHYSICAL
DOUBT IN SUPPORT OF HIS CLAIM.

WHEREFORE PREMISES CONSIDERED, MR. JONES
RESPECTFULLY REQUEST AND BELIEVES THAT THIS
COMMISSION WILL FIND IT REASONABLE, RULING ON
THE SQUARE AND BY THE COMPASS, TO: RECONSIDER ITS
RULING USING THE RULE, LAWS, AND PRECEDENCES;
TO REVERSE IT FINDINGS AND RULE INFARION OF
MR. JONES; PLUS ANY AND ALL OTHER RELIEF AND
EXPIRATION THAT MAY BE AVAILABLE, JUST, AND PROPER.

Respectfully Submitted
D May 8th 2024
X Willie Jones
WILLIE JONES PRASE



Declaration/Verification

I, Willie Jones, do hereby declare and verify,
under penalty of perjury in accordance with
28 U.S.C. § 1746 and 18 U.S.C. § 1621, that the
above statements contained herein are true
and correct to the best of my knowledge and
belief as executed by my hand on this 8th

Day of May 2021 C.E..

Declarant

X Willie Jones

WILLIE JONES PRO SE



Arkansas
State Claims Commission

MAY 13 2024

RECEIVED

CERTIFICATE OF SERVICE

I, Willie Jones, do hereby certify and verify,
that on this 8th day of May 2024, i.e.,
I served on all parties listed below by
depositing an envelope containing a true and correct
copy of the above documents in the United States
mail, properly addressed to each of them with
sufficient first class postage

Arkansas State Claims Commission (4 copies)
101 E. Capitol Avenue
Suite 410
Little Rock, Arkansas
72201-3823

Thomas Burns
Arkansas Department of Correction
Legal Division

6814 PRINCETON PIKE
PINE BLUFF, ARKANSAS
71604-9411


x Willie Jones
WILLIE JONES PRO SE



Certification of Institutional Filing

I, Willie Jones, certify that on this 8th day of
May 2024 C.E., I delivered the above
Documents into the possession of Prison officials
for the purpose of mailing said Documents via the
United States Postal Service pursuant to the
Institutes legal mail procedure with First class
Postage being paid either by me or on my
behalf by the institution.

X Willie Jones
WILLIE JONES PRO SE



State of Arkansas)
County of Lee) SS Notarization

Subscribed and sworn to before me,

a Notary Public on this 7 day of

May 2024, C.E.,

Cowanda T. Graham

Notary Public

My Commission Expires: 12-28-26



Attachment Exhibit 1

IGT 410
3GS

Attachment III

INMATE NAME: Jones, Willie B.

ADC # [REDACTED]

GRIEVANCE #: [REDACTED] 9-00928

WARDEN/CENTER SUPERVISOR'S DECISION

Inmate Jones, you grieved "I were move from a barrack that meet my [REDACTED] to a barrack that don't because my [REDACTED] d could be straighten out."

[REDACTED] in barracks 19-22L from 10/22/19 until 12/16/19 when you were moved to Barracks 2 cell 17L. This should resolve this compla'nt.

RECEIVED

JAN 30 2020

[Signature]
Signature of Warden/Supervisor or Designee

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING
Title

1-21-20
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? As the warden confirms I am Presently housed in 2 bks. Rack 17. In addition, I still have to walk down some stairs to get to my assigned Rack

[REDACTED] knowingly violating ADC policy and procedures, when its comes to violating and inmate's medical restrict
End of Statement.

Willie B. Jones

ADC# [REDACTED]

1-23-2020
Date

Inmate Signature

"claimant Exhibit 1"

IGTT430
3GD

Attachment VI

INMATE NAME: Jones, Willie B.

ADC #: [REDACTED]

GRIEVANCE# [REDACTED] 19-00928

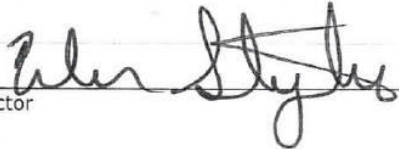
CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

In your grievance dated 12/17/20, you grieved, "I were move from a barrack that meet [REDACTED] and I were move from 19-22 to 2-17 that is [REDACTED]"

On 1/21/20 the warden responded, "In response to this complaint, according to your Health Classification and restriction you [REDACTED] Your bed assignments reflect you were housed in barracks 19-22L from 10/22/19 until 12/16/19 when you were moved to Barracks 2 cell 17L. This should resolve this complaint."

Your appeal was received on 1/30/20. In review of your appeal and supporting documentation, I find that you have been moved again. I consider this matter resolved at the unit level and find no merit in your appeal.

Appeal denied.


Director

2/12-20
Date

" CLAIMANT'S EXHIBIT 3 "

DLJ 2/4/5
Attachment III

IGTT410
3GS

INMATE NAME: Jones, Willie B.

ADC #: [REDACTED]

GRIEVANCE #: [REDACTED] 19-00950

WARDEN/CENTER SUPERVISOR'S DECISION

Inmate Jones, you stated in your grievance that, "On December 16, 2019 I were move from 19-22 to 2-17 in violation of [REDACTED]

[REDACTED] It is the duty of classification Supervisor Ms. Westbrook to make sure all barracks assignments stay in compliance with ADC policy concerning medical restrictions. I am asking that Ms. Westbrook and Mr. Warden G. Lay move me to a proper barrack that will comply with my [REDACTED] s in compliance with ADC policy."

Ms. Westbrook, Classification Supervisor, states you will be moved upon available bed space. This should address your concern.

[Signature Box]

Signature of Warden/Supervisor or Designee

Title

1-29-20
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? *The warden clearly states that I'm being violate but nothing being done yet.*

[Signature Box]

Inmate Signature

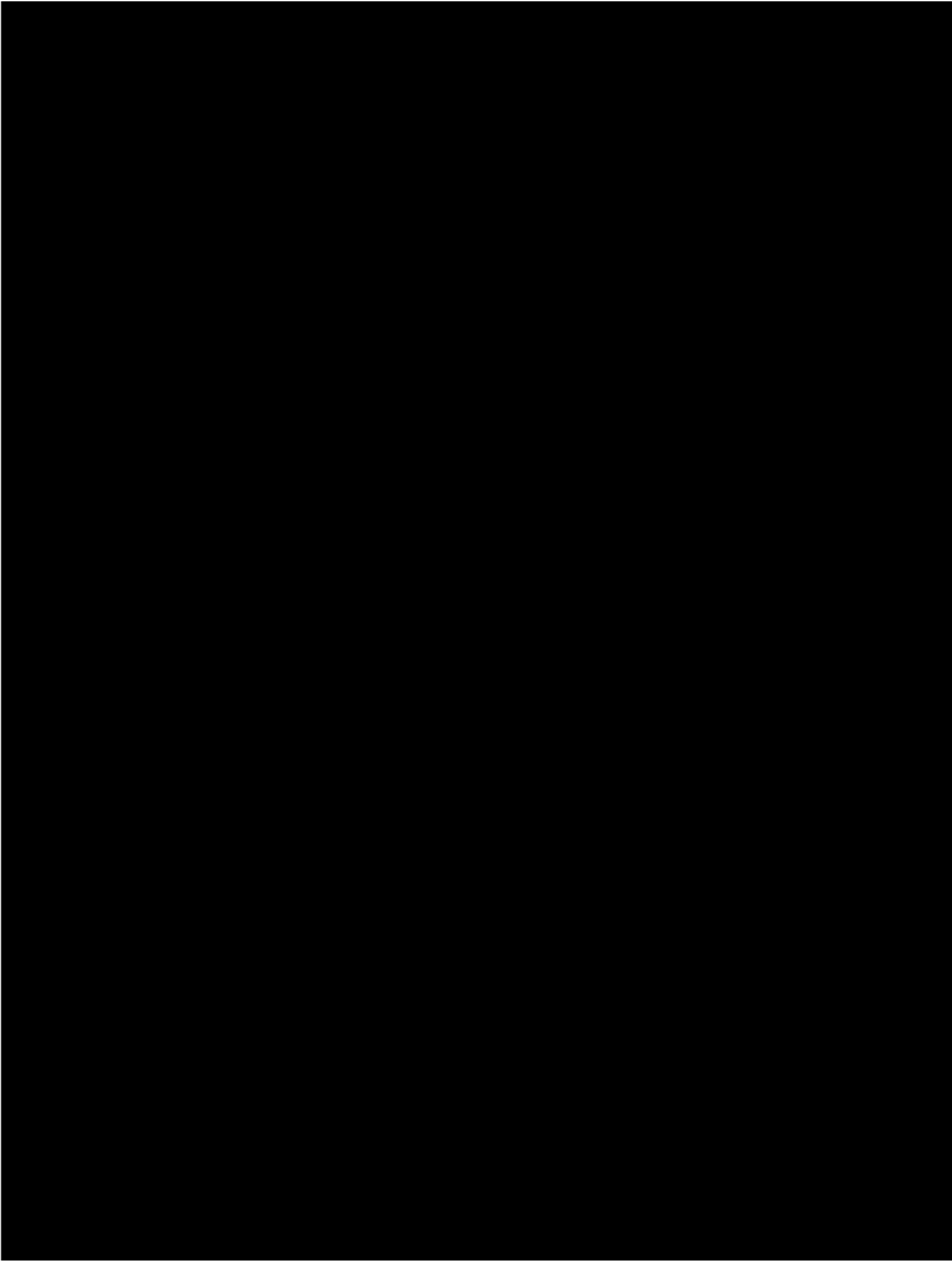
ADC# [REDACTED]

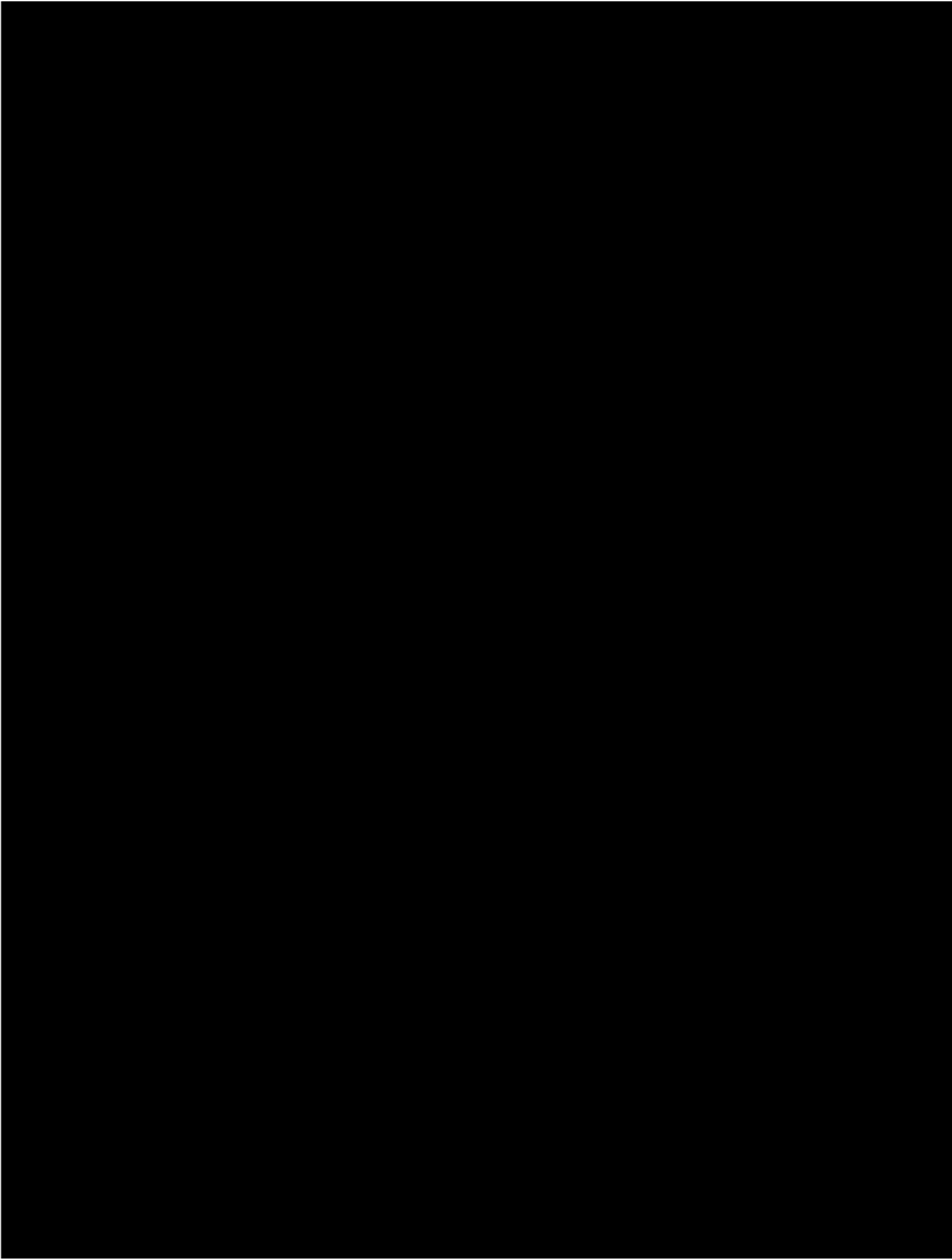
Date

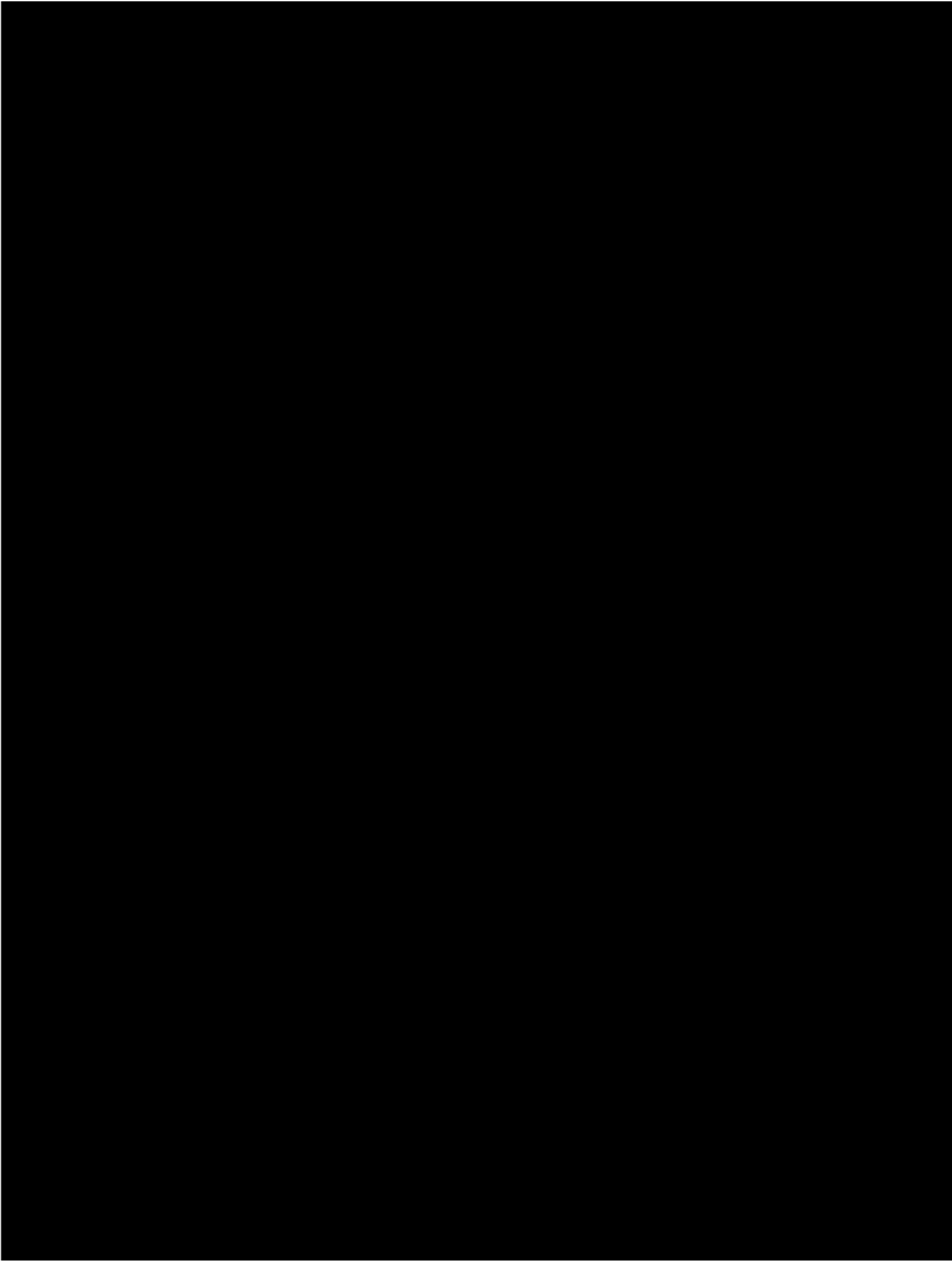
RECEIVED

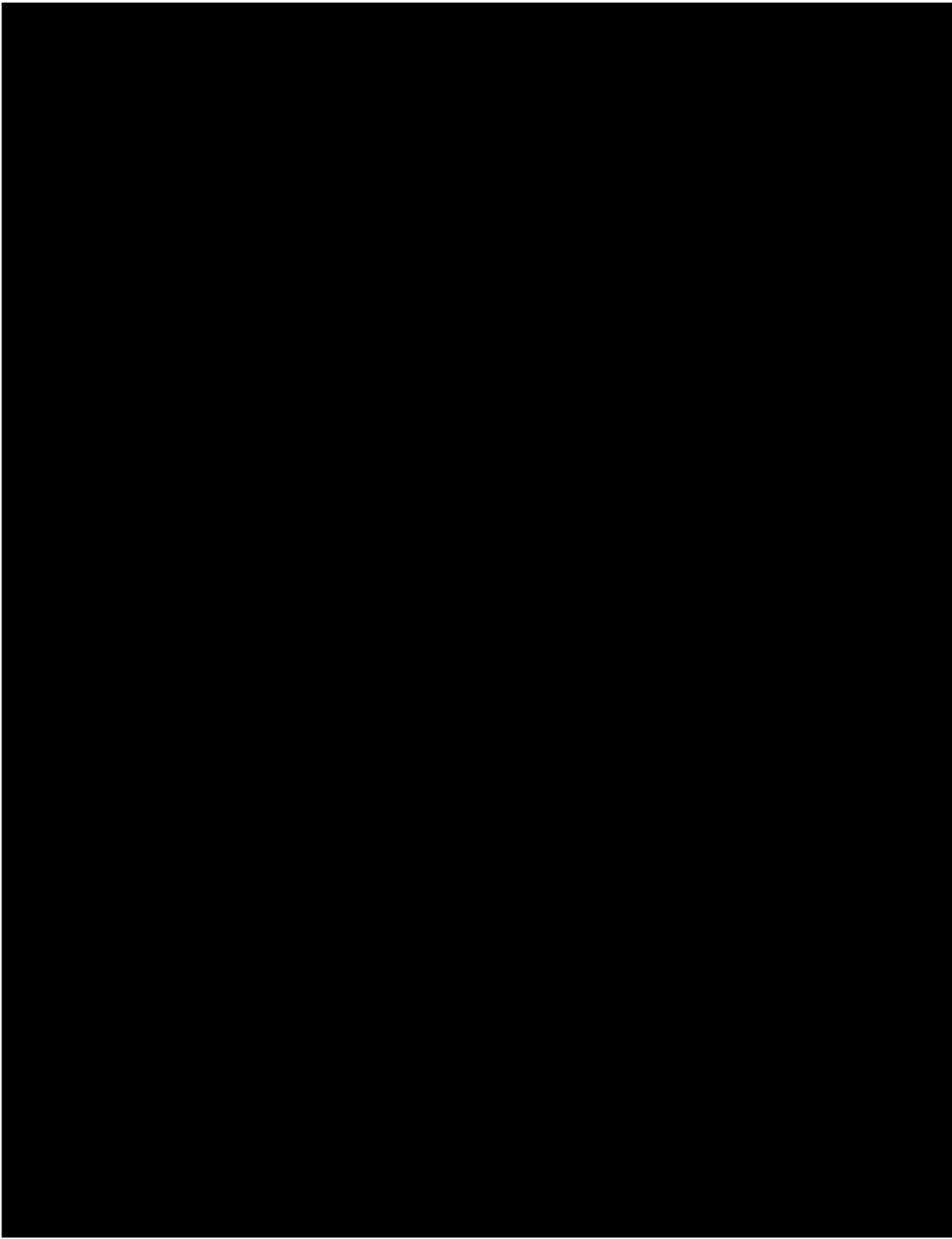
FEB 03 2020

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING









From: [Kris Higdon \(DOC\)](#)
To: [ASCC Pleadings](#)
Cc: [Miles S. Morgan](#); [Tawnie Rowell \(DOC\)](#)
Subject: Willie Jones v. ADC 211057
Date: Friday, June 28, 2024 7:38:16 AM
Attachments: [letter to claimant-090529.pdf](#)

Please see attached letter mailed to Claimant.

Thank you,

Kris Alan Higdon



SARAH HUCKABEE SANDERS
GOVERNOR

ARKANSAS DEPARTMENT OF CORRECTIONS

1302 Pike Avenue, Suite C
North Little Rock, AR 72114



OFFICE OF THE
SECRETARY

June 25, 2024

Willie Jones [REDACTED]
[REDACTED]

Re: Future correspondence

Dear Mr. Jones:

Please address all future correspondence, discovery, and pleadings in cases before the Arkansas Claims Commission to:

Legal Department
Arkansas Department of Corrections
1302 Pike Ave., Suite C
North Little Rock, AR 72114

Thank you for your cooperation on this matter.

Warm regards,

Kris Alan Higdon
Attorney at Law

03 September 2024

Willie B. Jones

[Redacted]
[Redacted]

Arkansas
State Claims Commission

SEP 05 2024

RECEIVED

Arkansas State Claims Commission
101 East Capitol Avenue
Suite 400
Little Rock, Arkansas 72201-3823

RE: Request for update on Claim No. 211057

Greetings,

I have not received any communication
from the Claims Commission since confirmation
of receipt of my motion for reconsideration on
04 June 2024, and confirmation of receipt of my
petition for additional hearing on 17 July 2024


The Mail Room at this unit is

UN-RELIABLE AND I WISH TO MAKE SURE THAT
THERE HAS NOT BEEN ANY COMMUNICATION FROM
THE CLAIMS COMMISSION THAT I HAVE NOT RECEIVED.

IN ADDITION I DESIRE TO KNOW WHEN I
MIGHT RECEIVE A DECISION ON MY MOTION AND
PETITION FROM THE CLAIMS COMMISSION.

THANK YOU FOR SEEING TO MY REQUEST AT
YOUR FIRST OPPORTUNITY, W

Respectfully
Willie B. Jones
Willie B. Jones



ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

October 8, 2024

Mr. Willie B. Jones (ADC [REDACTED])
[REDACTED]

RE: ***Willie B. Jones v. Arkansas Division of Correction***
Claim No. 211057

Dear Mr. Jones,

This office received your correspondence on September 5, 2024, requesting a copy of any filings filed after your motion for reconsideration and requesting the status of your claim. Please find ADC's correspondence to you that was filed on June 28, 2024. There have been no other filings in this matter made by the ADC since your motion for reconsideration. Once the Commission enters an order on your motions, you will receive a copy by mail. The Commission will consider these motions as soon as possible.

Sincerely,

Mika Tucker

ES: msscott

Enclosure: ADC's June 28, 2024, correspondence

From: [Mika Tucker](#)
To: [Kris Higdon \(DOC\)](#)
Cc: [Yolanda Charles \(DOC\)](#)
Subject: HEARING: Jones v. ADC, Claim No. 211057
Date: Tuesday, February 4, 2025 12:43:00 PM
Attachments: [Jones -- 211057 - hearing letter \(motion\) 3-5 - subp enclosed.pdf](#)

Hi, Kris.

Please see the attached correspondence.

Thanks,

Mika

Mika Tucker

Arkansas State Claims Commission

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

(501) 682-2818

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

February 4, 2025

Mr. Willie Jones (ADC [REDACTED])
[REDACTED]

Mr. Kris Higdon
Arkansas Division of Correction
1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114

(via email)

RE: *Willie Jones v. Arkansas Division of Correction*
Claim No. 211057

Dear Mr. Jones and Mr. Higdon,

The Claims Commission has scheduled a hearing on the pending motions in this claim for **Wednesday, March 5, 2025**, beginning at 8:45 a.m. All parties will attend via Zoom. The Zoom invitation is enclosed. The Claims Commission requests that Mr. Higdon transmit the Zoom invitation and hearing details to Claimant's unit.

I am also enclosing a subpoena issued for Stephanie Converse so that she may be available to testify in the event that the Commission grant Mr. Jones's petition for additional testimony. It is Mr. Jones's responsibility to serve Ms. Converse with the subpoena.

Sincerely,

Mika Tucker

ES: mtucker

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Hearings

Time: Mar 5, 2025 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/83468046520?pwd=bRF0knobUNMdsug8OdQiDH7N5a78tq.1>

Meeting ID: 834 6804 6520

Passcode: 3zr2tT

One tap mobile

+13092053325,,83468046520#,,,,*450284# US

+13126266799,,83468046520#,,,,*450284# US (Chicago)

Dial by your location

- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 929 436 2866 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US

Meeting ID: 834 6804 6520

Passcode: 450284

Find your local number: <https://us06web.zoom.us/u/kcsibKYPVB>

**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

WILLIE JONES, Claimant

SUBPOENA

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION, Respondent

TO: APN Stephanie L. Converse APN Stephanie L. Converse
[Redacted] [Redacted]
[Redacted] [Redacted]

 X YOU ARE COMMANDED to appear at the Arkansas State Claims Commission at the place, date, and time specified below to testify in the above case.

Wednesday, March 5, 2025
8:45 a.m.
Attendance will be via Zoom (Zoom invitation attached)

 YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the taking of a deposition in the above case.

 YOU ARE COMMANDED, at the time of trial, hearing, or deposition described above, to produce and permit inspection and copying of the following documents or objects (list documents or objects):

 YOU ARE COMMANDED, no more than 3 business days after receiving this subpoena, to produce and permit inspection and copying of the following documents or objects (list documents or objects):



Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

February 4, 2025

Date

Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Hearings

Time: Mar 5, 2025 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/83468046520?pwd=bRF0knobUNMdsug8OdQiDH7N5a78tq.1>

Meeting ID: 834 6804 6520

Passcode: 3zr2tT

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- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US

Meeting ID: 834 6804 6520

Passcode: 450284

PROOF OF SERVICE

SERVED ON (Print Name)

DATE

PLACE

MANNER OF SERVICE

SERVED BY (Print Name)

TITLE

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

Regardless of his or her county of residence, a witness subpoenaed for examination at a trial or hearing must be properly served with a subpoena at least two days prior to the hearing, or within a shorter time if the court so orders. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the trial or hearing. Ark. R. Civ. Proc. 45(d), Claims Commission Rule 3.2(d).

A witness subpoenaed in connection with a deposition must be properly served with a subpoena at least five business days prior to a deposition, or within a shorter time if the court so orders. The witness is required to attend a deposition at any place within 100 miles of where he or she resides, is employed, or transacts business in person, or at such other convenient place set by court order. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the deposition. Ark. R. Civ. Proc. 45(e), Claims Commission Rule 3.3.

A subpoena may command the person to whom it is directed to produce for inspection any books, papers, documents, or tangible things designated in the subpoena. The person subpoenaed may ask the court to quash or modify the subpoena if it is unreasonable or oppressive or to require that the person on whose behalf the subpoena is issued pay the reasonable cost of such production. Ark. R. Civ. Proc. 45(b). The person subpoenaed may also object in writing to inspection or copying of any or all of the designated materials or seek a protective order from the Claims Commission. If a written objection is made within ten days of service of the subpoena or on or before the time specified for compliance if such time is less than ten days, the party causing the subpoena to be issued is not entitled to inspect the materials unless the court so orders. Ark. R. Civ. Proc. 45(e). When a witness fails to attend in obedience to a subpoena or intentionally evades the service of a subpoena by concealment or otherwise, the Claims Commission may enforce the subpoena pursuant to Ark. Code Ann. § 19-10-207(d).

From: [Mika Tucker](#)
To: [Kris Higdon \(DOC\)](#)
Cc: [Tawnie Rowell \(DOC\)](#)
Subject: RE: HEARING: Jones v. ADC, Claim No. 211057
Date: Tuesday, February 18, 2025 9:00:00 AM
Attachments: [Jones 4-29-24.pdf](#)
[Jones 5-13-24.pdf](#)

Hi, Kris.

The March 5 hearing is related to the attached motions filed by Mr. Jones.

Thanks,
Mika

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

From: Kris Higdon (DOC) <Kris.A.Higdon@doc.arkansas.gov>
Sent: Friday, February 14, 2025 8:26 AM
To: Mika Tucker <Mika.Tucker@arkansas.gov>
Cc: Tawnie Rowell (DOC) <Tawnie.Rowell@doc.arkansas.gov>
Subject: RE: HEARING: Jones v. ADC, Claim No. 211057

Mika, you sent letter setting this matter for hearing on March 5, 2025. I have attached the Commission's order from April 26, 2024 dismissing this case. I have not received any motions or other pleadings since that date. Please advise what the Commission anticipates being heard that day.

Kris Alan Higdon (Mr.)
Deputy General Counsel
1302 Pike Ave., Suite C
North Little Rock, AR 72114
Cell: (870) 643-1364
Kris.a.higdon@doc.arkansas.gov

From: Mika Tucker <Mika.Tucker@arkansas.gov>
Sent: Tuesday, February 4, 2025 12:43 PM
To: Kris Higdon (DOC) <Kris.A.Higdon@doc.arkansas.gov>
Cc: Yolanda Charles (DOC) <Yolanda.Charles@doc.arkansas.gov>
Subject: HEARING: Jones v. ADC, Claim No. 211057

Hi, Kris.

Please see the attached correspondence.

Thanks,
Mika

Mika Tucker
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-2818

Arkansas
State Claims Commission

FEB 24 2025

Willie B. James

14 February 2025 RECEIVED



Arkansas State Claims Commission
101 East Capitol Avenue
Suite 410
Little Rock, Arkansas 72201-3823

RE: Willie James v. Arkansas Division of Correction
Claim No. 211057

Greetings,

Please find enclosed copies of the three (3)

Subpoenas I sent by first class U.S.P.S. mail to
the last known addresses I have access to. I have

Requested tracking numbers for all of these mailings

and will provide them to the Commission when I

receive them.

Arkansas
State Claims Commission

FEB 24 2025

RECEIVED

If there is any thing additional that
you need from me prior to the scheduled
Hearing on 05 March 2025 at 08:45 hours,
Please let me know as soon as possible.

Respectfully

x

Willie B. Jones



**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

WILLIE JONES, Claimant

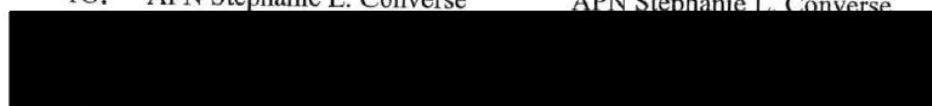
SUBPOENA

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION, Respondent

TO: APN Stephanie L. Converse APN Stephanie L. Converse



 X YOU ARE COMMANDED to appear at the Arkansas State Claims Commission at the place, date, and time specified below to testify in the above case.

**Wednesday, March 5, 2025
8:45 a.m.
Attendance will be via Zoom (Zoom invitation attached)**

 YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the taking of a deposition in the above case.

 YOU ARE COMMANDED, at the time of trial, hearing, or deposition described above, to produce and permit inspection and copying of the following documents or objects (list documents or objects):

 YOU ARE COMMANDED, no more than 3 business days after receiving this subpoena, to produce and permit inspection and copying of the following documents or objects (list documents of objects):

Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

February 4, 2025

Date

PROOF OF SERVICE

Stephanie L. Converse
SERVED ON (Print Name)

14 February 2025
DATE

By first class U.S. mail
PLACE



Willie B. Jones
SERVED BY (Print Name)

Claimant
TITLE

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

Executed on 14 February 2025
DATE

Willie B. Jones
SIGNATURE OF SERVER



ADDRESS OF SERVER

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

Regardless of his or her county of residence, a witness subpoenaed for examination at a trial or hearing must be properly served with a subpoena at least two days prior to the hearing, or within a shorter time if the court so orders. The subpoena must be accompanied by a witness fee calculated at the rate of \$30.00 per day for attendance and \$0.25 per mile for travel from the witness' residence to the place of the trial or hearing. Ark. R. Civ. Proc. 45(d), Claims Commission Rule 3.2(d).

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Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Hearings

Time: Mar 5, 2025 09:00 AM Central Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/83468046520?pwd=bRFOknobUNMdsug8OdQiDH7N5a78tq.1>

Meeting ID: 834 6804 6520

Passcode: 3zr2tT

One tap mobile

+13092053325,,83468046520#,,,,*450284# US

+13126266799,,83468046520#,,,,*450284# US (Chicago)

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Passcode: 450284

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**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

WILLIE JONES, Claimant

SUBPOENA

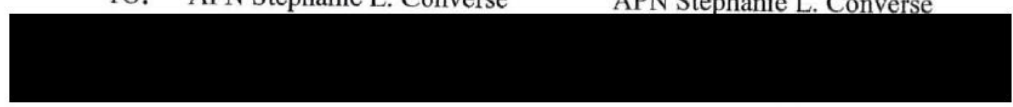
V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION, Respondent

TO: APN Stephanie L. Converse

APN Stephanie L. Converse



 X YOU ARE COMMANDED to appear at the Arkansas State Claims Commission at the place, date, and time specified below to testify in the above case.

Wednesday, March 5, 2025

8:45 a.m.

Attendance will be via Zoom (Zoom invitation attached)

 YOU ARE COMMANDED to appear at the place, date, and time specified below to testify in the taking of a deposition in the above case.

 YOU ARE COMMANDED, at the time of trial, hearing, or deposition described above, to produce and permit inspection and copying of the following documents or objects (list documents or objects):

 YOU ARE COMMANDED, no more than 3 business days after receiving this subpoena, to produce and permit inspection and copying of the following documents or objects (list documents of objects):

February 4, 2025

Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

Date

PROOF OF SERVICE

Stephanie L. Converse
SERVED ON (Print Name)

14 February 2025
DATE

By first class U.S. mail
PLACE

[REDACTED]
MANNER OF SERVICE

Willie B. Jones
SERVED BY (Print Name)

Claimant
TITLE

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

Executed on 14 Feb 2025
DATE

Willie B. Jones
SIGNATURE OF SERVER

[REDACTED]
ADDRESS OF SERVER

NOTICE TO PERSONS SUBJECT TO SUBPOENAS

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Kathryn Irby -- Claims Commission is inviting you to a scheduled Zoom meeting.

Topic: Hearings

Time: Mar 5, 2025 09:00 AM Central Time (US and Canada)

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Meeting ID: 834 6804 6520

Passcode: 450284

Find your local number: <https://us06web.zoom.us/u/kcsibKYPVB>

**Issued by the
ARKANSAS STATE CLAIMS COMMISSION**

WILLIE JONES, Claimant

SUBPOENA

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF CORRECTION, Respondent

TO: APN Stephanie L. Converse
[Redacted]

APN Stephanie L. Converse
6
P [Redacted]

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8:45 a.m.
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Kathryn Irby, Director
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201

February 4, 2025

Date

PROOF OF SERVICE

Stephanie L. Converse
SERVED ON (Print Name)

14 February 2025
DATE

By first class U.S. mail
PLACE



Willie B. Jones
SERVED BY (Print Name)

Claimant
TITLE

DECLARATION OF SERVER

I declare, under penalty of perjury under the laws of the State of Arkansas, that the foregoing information contained in the Proof of Service is true and correct.

Executed on 14 Feb 2025
DATE

Willie B. Jones
SIGNATURE OF SERVER



ADDRESS OF SERVER

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- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US

Meeting ID: 834 6804 6520

Passcode: 450284

From: [Misty Scott](#) on behalf of [ASCC Pleadings](#)
To: [Tawnie Rowell \(DOC\)](#); [Miles S. Morgan](#); [Trent Rigdon \(DOC\)](#)
Cc: [ASCC Pleadings](#); [Yolanda Charles \(DOC\)](#); [Mika Tucker](#)
Subject: ORDER: Willie B. Jones, Claim No. 211057
Date: Thursday, March 20, 2025 9:27:52 AM
Attachments: [Willie B. Jones v. ADC .pdf](#)
[Willie Jones-order211057.pdf](#)

Dear Counselors:

Please see attached. Contact Mika Tucker with any questions.

Thank you,

Misty

Misty Scott
Arkansas State Claims Commission

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

March 20, 2025

Mr. Willie B. Jones (ADC [REDACTED])
[REDACTED]

Ms. Tawnie Rowell
Mr. Miles Morgan
Mr. Trent Rigdon
Arkansas Division of Community Correction
1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114

(via email)

Re: ***Willie B. Jones v. Arkansas Division of Community Correction***
Claim No. 211057

Dear Mr. Jones, Ms. Rowell, Mr. Morgan, and Mr. Rigdon:

Enclosed please find an Order entered on March 17, 2025, by the Arkansas State Claims Commission. If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: msscott

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

WILLIE JONES (ADC [REDACTED])

CLAIMANT

V.

CLAIM NO. 211057

ARKANSAS DIVISION OF
CORRECTION

RESPONDENT

**ORDER ON CLAIMANT'S
MOTION FOR RECONSIDERATION**

Now before the Arkansas State Claims Commission (the "Commission") is a motion filed by Willie Jones (the "Claimant") for reconsideration of the Commission's April 26, 2024, order dismissing his claim against the Arkansas Division of Correction (the "Respondent"). Also pending is Claimant's petition for additional hearing testimony. At the motion hearing on March 5, 2025, Claimant proceeded *pro se*, and Miles Morgan appeared on behalf of Respondent. Based upon a review of the filings, as well as the argument of the parties and the law of the State of Arkansas, the Commission hereby finds as follows:

1. Claimant filed his claim on April 1, 2021, seeking \$10,000.00 in damages, alleging that Respondent did not [REDACTED]

2. Respondent filed a motion to dismiss, which the Commission denied on March 29, 2022.¹

3. The Commission set a hearing on the claim for April 12, 2024. The Commission issued subpoenas for Major U. Fields and Stephanie Converse, APN, as requested by Claimant and a subpoena for Melissa Moore as requested by Respondent. As Ms. Converse was not an

¹ The Commission also entered an order in this claim on February 1, 2024.

employee of Respondent, the Commission instructed Claimant that he was responsible for serving Ms. Converse's subpoena.

4. Maj. Fields and Ms. Moore were present at the April 12, 2024, hearing. During the hearing, Claimant declined to call Maj. Fields as a witness and did not mention Ms. Converse's absence. Claimant conducted a cross-examination of Maj. Fields and Ms. Moore.

5. Following the hearing, the Commission entered an order on April 26, 2024, finding that Claimant did not present sufficient evidence of negligence. The April 26, 2024, order denied and dismissed Claimant's claim.

6. On April 29, 2024, Claimant filed a petition for additional hearing testimony, arguing that he did not receive the subpoena issued by the Commission for Ms. Converse until after the claim hearing.

7. Claimant then filed a motion for reconsideration of the Commission's April 26, 2024, order, arguing, *inter alia*, that the Commission allowed hearsay testimony from Ms. Moore and did not consider the physical evidence provided by Claimant.

8. Respondent did not respond to Claimant's petition for additional hearing testimony or Claimant's motion for reconsideration.

9. The Commission reissued a subpoena for Ms. Converse to appear at the March 5, 2025, hearing.

10. At the March 5, 2025, motion hearing, the Commission granted Claimant's petition for additional hearing testimony and allowed Claimant to call Ms. Converse as a witness. After being sworn in, Ms. Converse provided the following testimony:

- Ms. Converse conducted a [REDACTED]

- After Ms. Converse's [REDACTED]
[REDACTED]
- Ms. Converse was not aware of [REDACTED] prior to Claimant's fall.

11. Respondent declined to cross-examine Ms. Converse.

12. Respondent argued that Claimant's motion for reconsideration did not raise any new or additional evidence as required by Rule 7.1 of the Commission Rules and Regulations. Respondent also argued that the Commission previously found that Claimant did not present sufficient evidence of negligence.

13. The Commission will consider Claimant's motion for reconsideration in light of the arguments made in Claimant's petition for additional hearing testimony, as well as the testimony of Ms. Converse during the March 5, 2025, hearing.

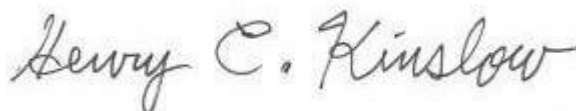
14. In analyzing a motion for reconsideration, Rule 7.1 of the Commission Rules and Regulations states that motions for reconsideration "will only be entertained if they set forth new or additional evidence which was not [previously] available"

15. The Commission finds that, even considering the testimony of Ms. Converse during the March 5, 2025, hearing, Claimant failed to present sufficient evidence of negligence. Moreover, the Commission notes that Claimant's motion for reconsideration did not otherwise set forth new or additional evidence. As such, Claimant's motion for reconsideration is DENIED, and the April 26, 2024, Commission order remains in effect.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Dee Holcomb



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow, Chair



ARKANSAS STATE CLAIMS COMMISSION
Sylvester Smith

DATE: March 17, 2025

Notice(s) which may apply to your claim

- (1) A party has forty (40) days from transmission of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the transmission of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a)(3).
- (2) If a Claimant is awarded less than \$15,000.00 by the Claims Commission at hearing, that claim is held forty (40) days from the date of disposition before payment will be processed. *See* Ark. Code Ann. § 19-10-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of \$15,000.00 or more are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 19-10-215(b).

Willie B. James

31 March 2025

Arkansas
State Claims Commission

APR 07 2025

RECEIVED

ARKANSAS STATE CLAIMS COMMISSION
101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS 72201-3823

RE: Notice of Appeal

Greetings,

ENCLOSED, PLEASE FIND THE FOUR (4) REQUIRED
COPIES OF MY NOTICE OF APPEAL AND DESIGNATION OF
THE RECORD FOR FILING. THERE IS AN ADDITIONAL
COPY, FOR A TOTAL OF FIVE (5) COPIES, THAT I
REQUEST BE FILE MARKED AND RETURNED TO
ME AT THE ABOVE ADDRESS.

Thank you for Addressing this Request
At your first opportunity.

Respectfully Submitted

Willie B. Jones

Willie B. Jones



Arkansas
State Claims Commission

APR 07 2025

RECEIVED

Before the
ARKANSAS State Claims Commission

Willie B. Jones

Claimant

v. Claim No: 211057

Arkansas Division of Correction Respondent

Notice of Appeal and Designation of the Record

To those whose presence this shall come,
Let there be understanding that Willie B. Jones,
Proceeding Pro-se, hereby gives notice that
he appeals to the Arkansas General Assembly
the order in favor of the Arkansas Division
of Correction against him by Arkansas State
Claims Commission in the matter of Mr Jones'

Claim of NEGLIGENCE, Failure to follow Policy,
AND failure to protect from harm Responsibilities,
filed for the RECORD on 17 March 2025.

MR. JONES Designates the ENTIRE RECORD,
Including but not limited to; all Pleadings,
PROCEEDINGS, Exhibits, EVIDENCE, filings, orders,
CORRESPONDENCES, AND Docket to be compiled and
Docketed with the Clerk of the ARKANSAS
GENERAL Assembly.

MR. JONES Request that the ARKANSAS
State Claims Commission cause the designated
RECORD to be ordered, certified, and
transmitted to the Clerk of the ARKANSAS

GENERAL ASSEMBLY FOR SILING AND DUCKETING

WITH A COPY THEREOF BEING MAILED TO

MR. JONES AT NO COST.

Respectfully submitted

D 31 March 2025

X Willie B. Jones

Willie B. Jones Pro-SE



Certificate of Service

I, Willie B. JONES do hereby certify, and verify that on this 31st Day of March 2025 C.E., I served on all parties listed below by depositing an envelope containing a true and correct copy of the above documents in the United States Mail, properly addressed to each of them with sufficient first class postage

ARKANSAS STATE CLAIMS COMMISSION (4 COPIES)
101 EAST CAPITAL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS 72201-3823

MR. TAWNIE ROWELL
MR. MILES MORGAN
MR. TRENT RIGON
ARKANSAS DIVISION OF CORRECTION
LEGAL DEPARTMENT
1302 PIKE AVENUE
SUITE C
NORTH LITTLE ROCK, ARKANSAS 72214

BUREAU of Legislative Research
Claims REVIEW / Litigation Reports Oversight Subcommittee
500 Wood Lane Street
Room 315
Little Rock, Arkansas 72201

X Willie B. Jones
Willie B. JONES, PRO-SE



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Certification of Institutional Filing

I, WILLIE B. JONES, certify that on the
31st DAY of March 2025 C.E., I Delivered
the Above Documents into the Possessions of Prison
Officials for the purpose of mailing said Documents
via the United States Postal Service pursuant to
the Institutes Legal mail procedure with First
Class postage being paid either by me or on
my behalf by the Institution.

x Willie B. Jones
Willie B. Jones Pro Se

