

Please read instructions on reverse side of yellow copy

ARKANSAS STATE CLAIMS COMMISSION

D4

Please print in ink or type

NOV 13 2012

RECEIVED

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

- Mr. Mrs. Ms. Miss

Alonzo Gilliam, #098194 Claimant

vs.

State of Arkansas, Respondent Dept. of Correction

Do Not Write in These Spaces Claim No. 13-0408-CC Date Filed November 13, 2012 Amount of Claim \$ 6,500.00 Fund DOC

Personal Injury, Failure to Follow Procedure

COMPLAINT

Alonzo Gilliam, #098194 the above named Claimant, of POB 180, Brickeys, AR 72320

Arkansas 72320 County of Lee represented by Alonzo Gilliam Pro se.

of PO BOX 180 Brickeys Ark. 72320 says: (Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.)

State agency involved: A.D.C. East Ark. Brickeys Regional Unit. Amount sought: \$6,500.00

Month, day, year and place of incident or service: Nov. 13, 2011 5:20 am, Isolation #1 cell-13 and moved to cell #24

Explanation: Claimant was moved after fine was not outside of his cell and placed into cell #24 of Iso #1. During this time I was told to stand outside of cell until I was seen by medical staff. After being seen by medical staff nurse S. Sherman and nurse Jones and cleaned of any injuries and the medical personnel had gone back to their post I was told to step back inside of cell by officer Kevin T. Minor & Lt. Allen. After stepping into cell I claimant Alonzo Gilliam was pushed into the bars where the left side of my face struck the bars head and held around my neck. Where I received injuries to my face and the inside of my mouth. Other officers ran into cell Iso #1-24 and claimant was struck repeatedly, shortly there after doors officers ran out of cell leaving officer K.T. Minor and Lt. Allen there. Claimant was not allowed to receive medical treatment after this incident had taken place, and was left in restraints for sometime until Capt. McNary came to remove restraints. Claimant does not know which officers had repeatedly struck him but I was injured and denied medical treatment. Here is a list of officers that was in or around cell during that time: K.T. Minor, Lt. Allen, Co. J.D. Dar, Co. A.J. Warren, Co. L. Butler, Co. Hamilton, Sgt. Cole, Sgt. H. Williams, Co. Merrill, Co. Harris, Nurse Jones & Sherman. Capt. McNary See Grievance # BAM 12-00997, 12-00796, [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? Nov. 16, 11 and Feb. 13, 12 to whom? To Grievance Office, [redacted]

and that the following action was taken thereon: None that I know of, but said to have been look into.

and that \$ 0 was paid thereon: (2) Has any third person or corporation an interest in this claim? NO; if so, state name and address

None (Name) (Street or R.F.D. & No.) (City) (State) (Zip Code)

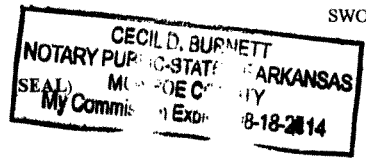
and that the nature thereof is as follows: Before The State Claims Commission

and was acquired on Personal Injury & Not Following Policy, 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.

Alonzo Gilliam Pro Se (Print Claimant/Representative Name) Alonzo Gilliam (Signature of Claimant/Representative)

SWORN TO and subscribed before me at Brickey Ark on this 11 day of October 2012 (Date) (Month) (Year) C. Burnett (Notary Public)



SF1-R7/99 My Commission Expires: 8 18 2014 (Month) (Day) (Year)

[Handwritten initials]

A. D. C.

NOV _____

I, Alonzo Gilliam. Hereby Certify That On This 06 Day Of Nov. 2012. I Mailed The Following Documents By The United States Postal Service To The Said Address.

Documents

Mailed To: Ark. State Claims Commission
101 E. Capitol Ave, Suite 410
Little Rock, Ark 72201-3823

*1- Grievance EAM 12-00796
*1- Grievance EAM 12-00797
*1- State Claims Form

Mailed To: _____

Mailed To: _____

Pursuant To 28 U.S.C § 1746 I Declare Under Perjury That The Foregoing IS TRUE AND CORRECT.

Date: NOV. / 06 / 2012.

Alonzo Gilliam #98194
PO BOX 180
Brickeys Ar. 72320

I Do Hereby State That I Have Witnessed The Stated Documents Was Mailed On The Date of NOV 06 2012.
Witness BY: [Signature]

WARDEN/CENTER SUPERVISOR'S DECISION

Inmate Gilliam, you grieve you have been threatened. You do not provide detailed information about this allegation such as when this incident took place or who has acted this way towards you. Without further evidence, I may find no merit in your complaint.

AU Bar

Signature of Warden/Supervisor or Designee

Warden

Title

3/21/12

RECEIVED Date

MAR 30 2012

INMATE'S APPEAL

INMATE GRIEVANCE SUPERVISOR
ADMINISTRATION BUILDING

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? See Grv. Number EAM 12-00795
And 12-00796 It's all one long incident and I was mistreated
the day of the fire by Lt. Allen.

a. Gilliam

Inmate Signature

98194

ADC#

3/23/12

Date

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

Inmate Gilliam, you allege you are being mentally and physically harassed by officers for no apparent reason.

After reviewing your appeal and documentation, I find you have failed to provide any evidence to substantiate your allegations. Therefore, I concur with the Warden's response in which he states in part, "You have not provided detailed information about this allegation such as when this incident took place or who has acted this way towards you. Without further evidence, I find no merit in your complaint."

Appeal denied

LJM7

5/8/12

Director

Date

Inmate Gilliam, your complaint is against Lt. Allen. You wrote your complaint on February 16, 2012 and Lt. Allen's last day of work prior to the submission of your complaint was January 4, 2012. Therefore, your complaint could not have been submitted within 15 days of the incident, and your complaint is not in accordance with AD 10-32 Inmate Grievance Procedure submission requirements.

[Handwritten Signature]

Signature of Warden/Supervisor or Designee

[Handwritten Title]

Title

[Handwritten Date]

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? Please See Grievance EAM 12-0079

and you'll see that I did file A Grievance about this problem on Nov-16-2011, But never received A response. And if it was not against the Grievance Procedure I could send Attached copies to prove it. But if I attach anything it will only be sent back to me for not following procedures. So please see Grievance EAM 12-795 and EAM 12-00797 This is all about the mistreatment Abuse, Harassment that was taken place, And I should not have this problem anyway, and if someone take the time they'll see this mistreatment taken place.

[Handwritten Signature]

Inmate Signature

[Handwritten ADC#]

ADC#

[Handwritten Date]

Date

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

Inmate Gilliam, you allege Lt. Allen held up his balled up hand in what appeared to be a threat of physically harm.

After reviewing your appeal and statement gathered from staff, I find Lt. Allen states in part, "My last day of work was the morning of 1/4/2012. I do not recall this incident. I am still on medical leave." You have failed to submit any evidence to substantiate your allegations. Therefore, I concur with the Warden's response in which he states in part, "You wrote your complaint on February 16, 2012 and Lt. Allen's last day of work prior to the submission of your complaint was January 4, 2012. Therefore, your complaint could not have been submitted within 15 days of the incident, and your complaint is not in accordance with AD 10-32 Inmate Grievance Procedure submission requirements."

Appeal denied

L. M. M.

5.1.12

Director

Date

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

ALONZO GILLIAM (ADC 098194)

CLAIMANT

V.

NO. 13-0408-CC

ARKANSAS DEPARTMENT OF CORRECTION

RESPONDENT


ANSWER

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

1. Respondent denies liability in this claim and asserts it will hold the Claimant to strict proof on each allegation unless admitted by Respondent. Respondent reserves the right to plead further upon completion of the investigation by internal affairs and requests the matter be held in abeyance until the investigation is complete.
2. The applicable account information required by the Commission is:
 - a. Agency number: 0480
 - b. Cost Center: HCA0100
 - c. Internal Order: 340301
 - d. Fund Center: 509

WHEREFORE, for the reasons cited above the Respondent prays that the claim be dismissed with prejudice and that Claimant take nothing, or in the alternative that the matter be held in abeyance until completion of the investigation by internal affairs.

Respectfully submitted,
Department of Correction Office of Counsel


LISA MILLS WILKINS Ark. Bar #87190
Attorney Supervisor
Post Office Box 8707
Pine Bluff, AR 71611
(870)267-6844 Office
(870)267-6373 Facsimile

**ARKANSAS STATE
CLAIMS COMMISSION**

DEC 12 2012

RECEIVED

CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been served this 10 day of December, 2012, on the Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

Alonzo Gilliam (ADC 098194)
East Arkansas Max Unit
PO Box 180
Brickeys, AR 72320-0180


LISA MILLS WILKINS Ark. Bar #87190

ARKANSAS STATE CLAIMS COMMISSION

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



NORMAN L. HODGES, JR.
DIRECTOR

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

December 12, 2012

Mr. Alonzo Gilliam, #098194
P. O. Box 180
Brickeys, AR 72320

Re: Alonzo Gilliam
Claim #13-0408-CC
Vs.
Department of Corrections

Dear Mr. Gilliam:

Please be advised that the Respondent in the above-styled claim is disputing liability in an "answer" filed on your claim. This letter does not deal with any motions, discovery request or other matters related to this claim.

When liability is contested by the Respondent, the only alternative available to the Claimant is to appear before the Arkansas State Claims Commission at an oral hearing so testimony and evidence may be presented to refute the position of the Respondent. If you wish to attend a hearing on this claim, please notify this office in writing within fifteen (15) calendar days from the date of this letter and a hearing will be arranged.

If you fail to respond to this letter, or do not wish to pursue this claim at a hearing, this claim will be dismissed at the next meeting of the Claims Commission.

Sincerely,

A handwritten signature in black ink that reads "N. L. Hodges, Jr." with a stylized flourish at the end.

Norman L. Hodges, Jr.
Director

NLH/es

cc: Ms. Lisa Wilkins, Attorney Supervisor, DOC

State Claims Commission

State Claims Commission
101 East Capitol Avenue
Suite 410
Little Rock Ar. 72201

Claim # 13-0408-CC

Alonzo Gilliam
vs.
Department of Correction

Re: Please Be Advised That I Would Like To Appear Before
The Claims Commission To Give Testimony And Show
Evidence Of The Above Small Claims. Thank You For
Your Time With This Matter.

Sincerely

Dec / 18 / 2012.

Alonzo Gilliam *98194
PO Box 180
Brickeys Ar. 72320

Late response

ARKANSAS STATE
CLAIMS COMMISSION

JAN 07 2013

RECEIVED

STATE CLAIMS COMMISSION DOCKET
OPINION

Amount of Claim \$ 6,500.00

Claim No. 13-0408-CC

Alonzo Gilliam #098194 Claimant Pro se Claimant
vs. Attorneys
AR Department of Corrections Respondent Lisa Wilkins, Attorney Respondent
State of Arkansas
Date Filed November 13, 2012 Type of Claim Personal injury, failure to follow procedure

FINDING OF FACTS

This claim was filed for loss of property in the amount of \$6,500.00 against Arkansas Department of Corrections.

The Claims Commission hereby unanimously denies and dismisses this claim for Claimant's failure to respond to a Claims Commission letter dated December 12, 2012.

Therefore, this claim is hereby unanimously denied and dismissed.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

Upon consideration of all the facts, as stated above, **the Claims Commission hereby unanimously denied and dismissed this claim for Claimant's failure to respond.**

Date of Hearing January 11, 2013

Date of Disposition January 11, 2013

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

**Appeal of any final Claims Commission decision is only to the Arkansas General Assembly as provided by Act #33 of 1997 and as found in Arkansas Code Annotated 2013-10-211.

STATE COMMISSION
JAN 28 2013

RECEIVED

State Claims Commission

Gilliam V. D.O.C / Respondents

No. 13-0408-CC

Motion For Reconsideration

Under Rule 7.1

Come Now Claimant With This Motion For Reconsideration Under Rule 7.1, Asking That The Claims Commission Re-submit This Above Style Claim For The Reasons Stated And The Evidence Exhibits Provided Here/In.

On Jan. 14. 2013 Claimant Received A Finding Of Facts And Conclusion Sheet Stating That My Claim Was Dis-missed For Failure To Respond To A Letter From The Commission Dated Dec. 12. 2012.

Reason For Consideration

*1. On Dec. 3. 2012 Claimant Sent A Letter Informing The State Claims Commission That He Would Like To Appear Before The Board On Both Of His Claims. In Which The Commion Stamped As Being Received On Dec. 6. 2012.

*2. In Response To My Letter The Comission Sent My Letter Back To Me With A Hand Written Note Stating The Following.

— The Claims Commission Did Receive Your Letter Requesting A Hearing, We Are Enclosing Copies Of Both

Of Your Claims. SEE Exhibit (A) , Copy Of My Letter Received By The Commission And Sent Back To Me With A Hand Written Note And Also Exhibits (B) & (C) Copies Of Both Of My Filed Marked Claims.

*3. On Dec. 18. 2012 Claimant Sent Another Letter To The Commission Board Informing Your Office That I Wanted To Appear Before The Commission Board For A Hearing On Both Of My Claims Again Because I Had Not Received Any Kind Of Response From The Respondents OR The Commission SEE Exhibit (D).

*4. On Jan. 1. 2013 Claimant Placed In The Mailbox A Motion Asking That The Commission Board Award Him Relief In This Claim Because Claimant Had Not Received Any Response Back From The Respondents In According With Rule 2.2 SEE Exhibit (E).

Alonzo Gilliam #98194

Date Mailed: 1 / 24 / 2013, PO BOX 180
Brickeys AR. 72320
Alonzo Gilliam

Sworn To & subscribed Before Me ON This 16 Day
Of JAN 2013.

Beccer coli
NOTARY
Expires: Dec-01-2017

* The Claims Commission did receive your letter requesting a hearing. We are enclosing copies of both of your claims.

Arkansas Claims Commission

DEC 06 2012

RECEIVED

To: State Claims Commission
101 E. Capitol Ave. Suite 410
Little Rock, Arkansas 72201

Date 12/3/12

From: Alonzo Gilliam #98194
PO BOX 180
Brickeys Ar. 72320-0180

Re. I'm writing to you inform you that I have sent in two State Claims Form #1. For my Missing Property Claim, in which I have already answered your letters letting it be known that I wanted to appear before the Commission for the hearing.

Re. #2. You also have a personal injury claim that I have not received a reply back on and it's been around (30) days since the date that I mailed it which was mailed on the date of Nov. 6, 2012. And I have not received a reply back from respondents. So I'm writing in request of a case number for the injury claim and to inform you that I would like to appear before the Commission of both the injury & property claim.

P.S. Will you also send something showing which number is for each one of my claims. Thank you.

Exhibit

A

Alonzo Gilliam #98194

20

Alonzo Gilliam
V.
A.D.C

NO# 13-0408-CC

I, Alonzo Gilliam Hereby Certify That On This
3rd Day Of Dec. 2012. I Mailed The
Following Documents By The United States Postal Service
To The Said Address.

Documents

Mailed To: A.S.C.C
101 East Capital Ave
Suite 410
Little Rock AR. 72201

#1. Letter To State Claims Commission
About Hearing ~~Set~~ On Both
Property And Personal Injury
Claims.

Mailed To: _____

Mailed To: _____

Pursuant To 28 U.S.C § 1746 I Declare Under Perjury That The
Foregoing IS True And Correct.

Date: Dec / 3rd / 2012.

Alonzo Gilliam #98194
PO Box 180
Brickley's Ar. 72201
Alonzo Gilliam

I Do Hereby State That I Have Witnessed The Stated
Documents Was Mailed On The Date of Dec 3, 2012.
Witness BY: St Henry Williams

State Claims Commission

State Claims Commission
101 East Capitol Avenue
Suite 410
Little Rock, AR. 72201

Claim # 13-0408-CC
and
Claim # 13-0329-CC

Re: Alonzo Gilliam
V3
Department of Correction

Commission

Please Be Advised That I would like to Appear Before The
Claims Commission To Give Testimony And Show Evidence Of
In The Above Small Claims. Thank You For Your Time With
This Matter, On Both The Above Claims.

Sincerely Requested

Dec / 18 / 2012
Date

Exhibit
D

Alonzo Gilliam #98194
PO Box 180
Brickeys Ar. 72320

Sworn To Before Me A Notary Public on this
17 day of December 12.

CECIL D. BURNETT
NOTARY PUBLIC-STATE OF ARKANSAS
MONROE COUNTY
My Commission Expires **08-18-2014**

8-18-14
My Commission Expires

C. Burnett
Notary

Date: 1/1/2013

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

Gilliam v. Department of Correction NO. 13-0408-CC

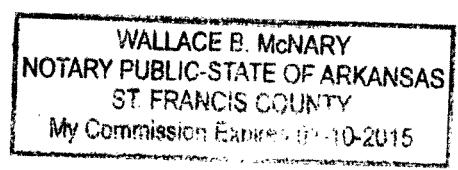
Re: Rule 2.2 Of The Arkansas State Claims Commission

Commission, I'm writing concerning The Personal Injury
And Policy & Procederies Claim That Was Filed On
Nov. 13th 2012. The time Allowed By The Commission
Has Expired And Claimant Did Not Receive A Respond From
Respondents Within Their Time Allowed. Therefore
Claimant Ask That The Commission Board Hold Respondents
Accountable And Award Claimant Relief In This Claim.
For The Stated Reason And In According With Rule 2.2 Of
The State Commission. Respectfully Submitted.

#98194

Alonzo Gilliam
PO Box 180
Brickeys AR. 72320

Exhibit
E



(seal)

Subscribed And Sworn To Before Me, A Notary Public, On This
01 Day Of Jan 2013.

Wallace B. McNary
Notary

My Commission Expires: 01-10-2015

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center E.A.D.R

Name Alonzo Gillian

ADC# 98194 Brks # 360.05 Job Assignment Ad/Sec Pen

12/17/12 (Date) STEP ONE: Informal Resolution

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

_____ (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: _____

Is this Grievance concerning Medical or Mental Health Services? NO 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): So there will be NO-misunderstanding on me send these documents out to be mailed later, I sending the Follow Documents listed to the Addressee stated below. *1. Letter of A Hearing on Both Personal Injury and Property Claim, *1. Notice To The Commission, *1. Affidavit 12/14/11, *1. Memorandum dated 1/10/12, *1. Affidavit Dated 1/16/12, *1 Inmate Grievance Appeal Dated 2/12/12 *1. Memorandum Date 2/23/12 All Going To 101 E. Capital Ave suite 410 L.B. AR. 72221 And Also *1. Grv. Appeal Dated 12/13/12 Going To PO Box 8707 Pine Bluff AR 71661
EAM 12-84798 (END OF GRIEVANCE)

PLACED IN THE HANDS OFF OFFICER

Signing GRIEVANCE

Alonzo Gillian
Inmate Signature

12/17/12
Date

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

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on 12/17/12 (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 12/17/12

Sgt. WBrown 7427 Sgt. WBrown
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: Mail was placed in mail box for delivery.

Exhibit

F

Staff Signature & Date Returned Sgt. WBrown Inmate Signature & Date Received _____

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

Staff Who Received Step Two Grievance: _____ Date: _____

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

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

Max 8/CB13
Attachment II

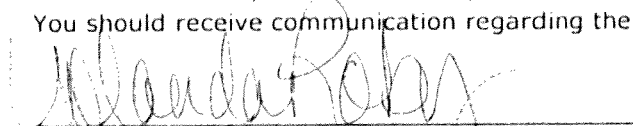
IGTT400
3GR

ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE

TO: Inmate Gilliam, Alonzo III
FROM: Roby, Yolanda R
DATE: 12/19/2012

ADC #: 098194B
TITLE: ADC Inmate Grievance Coord
GRIEVANCE #: EAM12-05024

Please be advised, I have received your Grievance dated 12/17/2012 on 12/19/2012.
You should receive communication regarding the Grievance by 01/22/2013



Signature of ADC Inmate Grievance Coord

CHECK ONE OF THE FOLLOWING

- This Grievance will be addressed by the Warden/Center Supervisor or designee.
- This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- This Grievance has been determined to be an emergency situation, as you so indicated.
- This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
- This Grievance was REJECTED because it was either non-grievable (), untimely, was a duplicate of , or was frivolous or vexatious.

INMATE'S APPEAL

If you disagree with a rejection, 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. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a 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.

Inmate Signature

ADC #

Date

↓
Exhibit
6

20

ACKNOWLEDGMENT OR REJECTION OF UNIT LEVEL GRIEVANCE

TO: Inmate Gilliam, Alonzo III
FROM: McKnight, Donna B
DATE: 12/28/2012

ADC #: 098194B
TITLE: Administrative Specialist I
GRIEVANCE #: EAM12-05061

Please be advised, I have received your Grievance dated 12/18/2012 on 12/28/2012.
You should receive communication regarding the Grievance by 01/29/2013



Signature of Administrative Specialist I

CHECK ONE OF THE FOLLOWING

- This Grievance will be addressed by the Warden/Center Supervisor or designee.
 - This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
 - This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
 - This Grievance has been determined to be an emergency situation, as you so indicated.
- This Grievance has been determined to not be an emergency situation because you would not be subject to
- a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
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Inmate Signature

ADC #

Date



Exhibit

6

Please read Instructions on Reverse Side of Yellow copy

Please print in ink or type

ARKANSAS STATE CLAIMS COMMISSION

NOV 13 2012

RECEIVED

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

- Mr. Mrs. Ms. Miss

Alonzo Gilliam, #098194, Claimant

vs.

State of Arkansas, Respondent Dept. of Correction

Do Not Write in These Spaces Claim No. 13-0408-CC Date Filed November 13, 2012 Amount of Claim \$ 6,500.00 Fund DOC

Personal Injury, Failure to Follow Procedure

COMPLAINT

Alonzo Gilliam, #098194, the above named Claimant, of POB 180, Brickeys, AR 72320

Arkansas 72320 County of Lee represented by Alonzo Gilliam Pro Se

of PO Box 180 Brickeys Ark. 72320 (Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.)

State agency involved: A.D.C. East Ark. Brickeys Regional Unit. Amount sought: \$6,500.00

Month, day, year and place of incident or service: Nov. 13, 2011 5:20 am Institution #1 cell 13 and moved to cell #24

Explanation: Claimant was moved after fire was out outside of his cell and placed into cell #24 of Iso #1. During this time I was told to stand outside of cell until I was seen by medical staff. After being seen by medical staff Nurse S. Sherman and Nurse Jones and cleaned of any injuries and the medical personnel had gone back to their post I was told to step back inside of cell by Officer Kevin T. Minor & Lt. Allen. After stepping into cell I claimant Alonzo Gilliam was pushed into the bars where the left side of my face struck the bars head and held around my neck. When I received injury to my face and the inside of my mouth, other officers ran into cell Iso #1-24 and claimant was struck repeatedly, shortly thereafter officers ran out of cell leaving off Lt. Minor and Lt. Allen. Claimant was not allowed to receive medical treatment after this incident had taken place, and was left in restraints for sometime until Capt. McCome came to remove restraints. Claimant does not know which officers had repeatedly struck him but I was injured and denied medical treatment. Here is a list of officers that was in or around cell during that time: K.T. Minor, Lt. Allen, Co. J.D. Dan, Co. A.F. Wain, Co. L. Butler, Co. Hamilton, Sgt. Cole, Sgt. Williams, Co. Merrill, Co. Harris, Nurse Jones & Sh Capt. McNamey See Grievance # BAM 12-00997, 12-00796, [redacted]

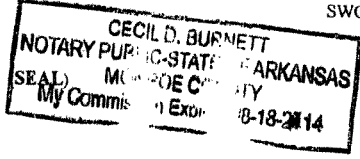
As parts of this complaint, the claimant makes the statements, and answers the following questions, as indicated: (1) Has claim been presented to any state department or officer there Yes when? Nov. 16, 11 and Feb-13-2012 to whom? To Grievance Office, [redacted]

and that \$ 0 was paid thereon: (2) Has any third person or corporation an interest in this claim? NO; if so, state name and address None (Name) (Street or R.F.D. & No.) (City) (State) (Zip Code) and that the nature thereof is as follows: Before The State Claims Commission; and was acquired on Personal Injury & Not Following Policy, in the following manner

THE UNDERSIGNED states on oath that he or she is familiar with the matters and things set forth in the above complaint, and that he or she verily believe that they are true.

Alonzo Gilliam Pro Se. (Print Claimant/Representative Name) Alonzo Gilliam (Signature of Claimant/Representative)

SWORN TO and subscribed before me at BRICKEY ARK. (City) (State) on this 11 day of October 2012 (Date) (Month) (Year) C. Burnett (Notary Public)



SF1-R7/99 Exhibit B My Commission Expires 8 18 2014 (Month) (Day) (Year)

Please read Instructions on Reverse Side of Yellow copy
Please print in ink or type

ARKANSAS STATE CLAIMS COMMISSION

OCT 22 2012

BEFORE THE STATE CLAIMS COMMISSION
Of the State of Arkansas

RECEIVED

- Mr.
- Mrs.
- Ms.
- Miss

Alonzo Gilliam, #098194 Claimant

vs.

State of Arkansas, Respondent
Dept. of Correction

Do Not Write in These Spaces		
Claim No.	13-0329-CC	
Date Filed	October 22, 2012	
	(Month)	(Day) (Year)
Amount of Claim \$	950.00	
Fund	DOC	

COMPLAINT

Loss of Property

Alonzo Gilliam, #098194, the above named Claimant, of POB 180, Brickeys, AR 72320
(Name) (Street or R.F.D. & No.) (City)

Arkansas 72320 County of Lee represented by Pro Se.
(State) (Zip Code) (Daytime Phone No.) (City) (State) (Zip Code) (Phone No.) (Legal Counsel, if any, for Claim)

of PO Box 180 Brickeys ARK 72320 says:
(Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.)

State agency involved: Arkansas Department of Correction amount sought: \$950.00⁰⁰

Month, day, year and place of incident or service: May, 15, 2012 Iso #3 Cell #77

Explanation: On The Date of May, 15, 2012 My Personal Property was Being Inventoried By Officers Steven A. Eldridge And Placed Into The Property Room of Iso #3. Upon Being Cut From Iso And Moved Into Cell Block Max #8 The Following Items Where Not In My Property Upon Being checked By Officer Himilton and Sgt. Williams. The Missing Items Where checked on The Original Property Form And Was Noted As Not Being Found, And A Stolen Property Form Was Done By Myself And Sgt. Williams And A Few Days Later Lt. Dean Look For My Other Property And Also Could Not Find It. Lt Dean told Me That He Also Had Done A 005 and Signed My Grievance stating The Same. SEE GRV. EAM 1202 Also See Stolen Property Form.

Items Missing: #2 Big Mugs Cups, #1 Dentures Gold Cups, #1 Eyeglasses, #1 Gym Shoes Nike, #1 Laundry Bag, #4 Sweat Pants, #4 Sweat Shirts, #4 T-shirts

This Also Includes The #1 Sweat Pants and #1 Sweatshirts from stolen Laundry Bag on the Date of May 30-12. See GRV. EAM 12-02578 Also See Stolen Property Form.

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? 6/1/12, 6/29/12 to whom? To Grievance office Lt. Dean, Lt. Winters, Sgt. Williams & Property Officers and that the following action was taken thereon: NONE

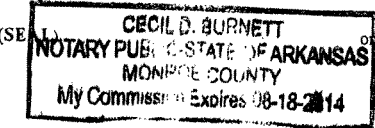
and that \$ 0 was paid thereon: (2) Has any third person or corporation an interest in this claim? NO; if so, state name and address

and that the nature thereof is as follows: Property was said to had been found, but that was a mistake as well. and was acquired on NONE in the following manner:

THE UNDERSIGNED states on oath that he or she is familiar with the matters and things set forth in the above complaint, and that he or she verily believes that they are true.

Alonzo Gilliam Pro Se. (Print Claimant/Representative Name)
Alonzo Gilliam (Signature of Claimant/Representative)

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



of this 11 day of October 2012
(Date) (Month) (Year)
C. Burnett (Notary Public)

SF1-R799 Exhibit My Commission Expires: 8 18 2014
(Month) (Day) (Year)

6
#1 of #3

State Claims Commission

ARKANSAS STATE
CLAIMS COMMISSION
JAN 28 2013

RECEIVED

Gillian v. D.O.C/ Respondents

No. 13-0408-CC

Brief

Come Now Claimant Alonzo Gilliam with This Brief In Support of Exhibits And Evidence, Asking That The Claims Commission Board Reconsider This Claim For The Following Reason.

#1 Claimant Did Respond To All Letters And Note Received From The Commission And These Documents Will Show That. SEE Exhibits (#1), A, B, C, D, E, F and G.

#2 These Documents Will Show That Not Only Did The Commission Board Receive My Letter But Your Office Acknowledged And Sent Me File Marked Copies of My Claims In Return & Sent Me A Hand Written Note As Well SEE Exhibits (A) (B) and (C).

#3 If You'll Look At Exhibit (E) You'll See That I Filed With The Commission A Motion Under Rule 2.2 Asking To Be Awarded Relief Because Respondents Had Not Resored Timely And In According With The Rules And Regulation Of The Arkansas State Claims Commission. Exhibit (E) Was Placed In The Mail On Jan. 1st. 2012.

#4. SEE Exhibits (F) and (G), This Grievance And It's Acknowledgment Will Show That All Listed Documents On Exhibit (#1) Was Placed Into The Hands Of Sgt. W. Brown ID#7427

#2 of #3

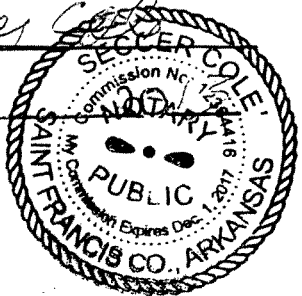
To Be Mailed On Dec. 18. 2012, Also SEE Exhibit (#1) Number #1-Thorough-#6 : Number (#6) Of That Notice Was my Letter To The Board That I Wanted To Appear Before The Commission For A Hearing. Also SEE Exhibit (D).

#5. The Grievance And Acknowledgment Listed As Exhibits (F) and (G) I'm Sending So You All Can See That I Did Indeed Send Stated Documents To The Commission Board On The Said Date And The Officer That Mailed It, As Well As The Grievance Officer That Acknowledged It's Receipt. Dated 12.17.2012 - Grievance & 12.19.2012 As Acknowledged.

For The Reasons Stated In This Brief And All Supporting Documents And Evidence I Ask That The Claims Commission Members Rescheduled This Claim For A Hearing And Or Award Claimant Relief Ask For In This Claim For Respondents Failure To Answer Timely SEE Exhibit (E).

Respectfully Submitted

Notary Public: Becky Cole
Date 01-16



Alonzo Gilliam #98194
PO BOX 180
Brickeys AR, 72320
Alonzo Gilliam

6
#3 of #3

ARKANSAS STATE
CLAIMS COMMISSION

JAN 28 2013

RECEIVED

State Claims Commission

Alonzo Gilliam V. Respondants No. # 13-0408-CC

Notice To The Commission

Here Are Documents That Will Show And Support The Facts That I Did Indeed Try To Exhaust All Of My Administrative Remedies On (#3) Occasions, Starting Just (#3) Days After The Date Of The Incident Which Occurred On The Date Of Nov. 13. 2011. Which After (#3) Trials And Not Receiving Replies On My Grievence Themselves, I Tried Again By Writing Other Grievence SEE GRIEVENCE # EAM 12-00797 And EAM 12-00796 In Which I Mailed In With The Complai. It self. That Way There Could Be No Mistakes About Me Exhausting All Of My Administrative Remedies, All Documents Are Numbered In ~~the~~ Order (#1) — (#5), Thank You For Your Time In This Matter.

- Page # 1. Affidavit Dated 12/19/2011
- Page # 2. Memorandum Dated 1/10/2012
- Page # 3. Affidavit Dated 1/16/2012
- Page # 4. Inmate Grievance Appeal Dated 2/12/2012
- Page # 5. Memorandum Dated 2/23/2012
- Page # 6. Letter Of Appearance To Commission.

Exhibit
1



Respectfully Submitted

Alonzo Gilliam #98194
PO Box 180
Brickeys AR 72320

CECIL D. BURNETT
NOTARY PUBLIC-STATE OF ARKANSAS
MONROE COUNTY
My Commission Expires 08-18-2014

Date 12/18/2012

By C. Burnett
Notary Public

Gilliam v. D.O.C./Respondents

No. 13-0408-CC

I Hereby Certify That On This 24 Day of Jan. 2013.
That That Stated Documents Was Mailed To State Claims Commission
101 East Capitol Avenue Suite 410 LR Ar. By Me ~~OFFICE~~

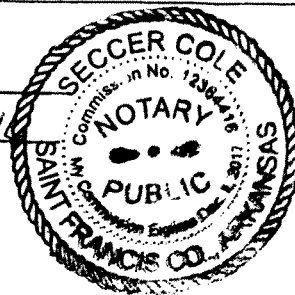
Alonso Gilliam
Name

ARKANSAS STATE
CLAIMS COMMISSION
JAN 28 2013
RECEIVED

Documents

- *1. Two Page Brief & Exhibit (#1) Notice To The Commission
- *1. Two Page Motion For Reconsideration.
- *1. Letter To Commission Dated Received Dec. 6, 2012 Exhibit (A)
- *1. Certificate Of Service Dated Dec. 3, 2012 [REDACTED]
- *1. File Marked State Claims Dated Nov. 13, 2012 Exhibit (B)
- *1. File Marked State Claims Dated Oct. 22, 2012 Exhibit (C)
- *1. Letter To Commission To Appear On Both Claims Exhibit (D)
Property & Injury
- *1. Motion For Relief Under Rule 2.2 Of The Commission Rules & Regulation Exhibit (E)
- *1. Certificate Of Service Dated Jan. 1, 2013.
- *1. Acknowledgement Of Unit Level Grievance #EAM 12-05024 Exhibit (G)
- *1. Unit Level Grievance Form #EAM 12-05024 Exhibit (F)

Notary Public Becca Cole
Date Dec. 01 2013



Alonso Gilliam
PO Box 180
Brickeys Ar. 72320



Arkansas Department of Correction

Director's Office
P.O. Box 8707
Pine Bluff, Arkansas 71611-8707
Phone: (870) 267-6200
Fax: (870) 267-6244
www.arkansas.gov/doc

January 31, 2013

Claims Commission
Attn: Norman Hodges
101 East Capitol Avenue, Suite 410
Little Rock, AR 72201-3823

**ARKANSAS STATE
CLAIMS COMMISSION**
FEB 01 2013
RECEIVED

RE: ALONZO GILLIAM (ADC #098194) v. ADC #13-0408-CC

Dear Mr. Hodges:

In response to Claimant's request for relief stating Respondent did not timely respond to the complaint pursuant to Rule 2.2, Respondent states that Rule 2.2 was amended to be in conformity with the Arkansas Rules of Civil Procedure which provides for a responsive pleading time of thirty (30) days. This information is confirmed and conveyed to Respondents by the commission's letter of November 13, 2012, which is enclosed herein for reference. The claim was filed on November 13, 2012, and the Answer was filed on December 13, 2012. The request should be denied.

Sincerely,

Lisa Mills Wilkins
Attorney Supervisor, ADC

Cc: ALONZO GILLIAM (ADC #098194)
EAMU
P. O. Box 180
Brickeys, AR 72320-0180

ARKANSAS STATE CLAIMS COMMISSION

ARKANSAS STATE CLAIMS COMMISSION

FEB 01 2013

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NORMAN L. HODGES, JR.
DIRECTOR



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

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

RECEIVED

November 13, 2012

NOV 14 2012

Ms. Lisa Wilkins, Attorney
Department of Correction
P. O. Box 8707
Pine Bluff, Arkansas 71611

ATTORNEY
ARKANSAS
Department of Correction

Re: Alonzo Gilliam, #098194 ✓
Claim # 13-0408-CC
Vs.
Dept. of Correction

*PL/FTFP 6,500.00
EAMU/EAMU*

Dear Ms. Wilkins:

Enclosed is a copy of the above-styled claim for your review.

Please notify this office within thirty (30) calendar days of the receipt of same (**receipt will be assumed within three (3) days** unless this office is notified immediately, in writing, that a lengthier period of time has past before receipt) whether your agency plans to admit liability and recommend payment or deny liability and contest this claim.

Please indicate (as required by Ark. Code §19-5-1009, Section C) the amount, agency number, fund code, appropriation code and activity/section/unit/element this claim should be charged against, if liability is admitted, or should the Commission approve the claim for payment. This information must be furnished to this office whether your agency is admitting or denying liability.

Thank you for your cooperation.

Sincerely,

Norman L. Hodges, Jr.
Director

NLH/jch

STATE CLAIMS COMMISSION DOCKET
OPINION

Amount of Claim \$ 6,509.00

Claim No. 13-0408-CC

Alonzo Gilliam, #098194 Claimant
vs.

Attorneys
Pro se Claimant

Department of Correction Respondent
State of Arkansas

Lisa Wilkins, Attorney Respondent

Date Filed November 13, 2012

Type of Claim Personal Injury, Failure to Follow Procedure

FINDING OF FACTS

The Claims Commission hereby unanimously denies Claimant's "Motion for Reconsideration" for the Claimant's failure to offer evidence that was not previously available. Therefore, the Commission's January 11, 3013, order remains in effect.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

The Claims Commission hereby unanimously denies Claimant's "Motion for Reconsideration" for the Claimant's failure to offer evidence that was not previously available. Therefore, the Commission's January 11, 3013, order remains in effect.

Date of Hearing February 8, 2013

Date of Disposition February 8, 2013

[Signature] Chairman
[Signature] Commissioner
Bill James Commissioner

State Claims Commission

ARKANSAS STATE
CLAIMS COMMISSION

FEB 25 2013

Alonzo Gilliam v. DOC / Respondents

RECEIVED

Date Feb. 18, 2013.

No. 13-0408-CC

Notice Of Appeal

Come Now Claimant With This Notice Of Appeal, Asking That The State Claims Commission Give Notice To The Legislative Council Or Appropriate Committee Members Of The General Assembly. That The Above Style Claim, Personal Injury & Failure To Follow Policy And Procedures, For The Following Reason.

Reason For Appeal

- *1. In The Finding Of Facts, The Claim Commission Unanimously Denied Claimants Motion For Reconsideration For Failure To Offer Evidence That Was Not Previously Available.
- *2. How Could I Offer Evidence That Was Not Previously Available Or Needed?
- *3. All Evidence Submitted By Claimant To The Commission Was Did So Timely.
- *4. Claimant Alonzo Gilliam Still Has Not Filed Any New Evidence Concerning The Issues Of The Personal Injury & Policy Claim.
- *5. The Only Evidence That Claimant Has Filed, Was Filed With My Motion For Reconciliation With Supporting Brief And Exhibits Date Jan. 24. 2013, By Alonzo Gilliam. And Filed Marked As Being Received By The Commission On Jan. 28. 2013

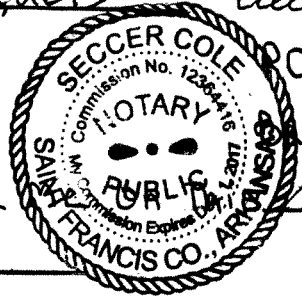
~~And Filed Marked As Being Received By The Commission On~~

- *6. In My Motion For Reconcederation I Only Provided Evidence That I Had Responeded To The Commission Letters. Informing Then That I Would Like To Appear Before The Commission Board For A Hearing, And That The Commission Must Have Over Looked My Letter Because It Was Sent With Other Documents. Those Documents Are Listed (*1.) Thorough (*5), And The Letter Of Appearance To Commission Is Listed As Number (*6) And Notarized By Lt. C. Burnett On Dec. 18. 2012.
- *7. All Claimants Documents Where Filed Timely And All Evidence That Claimant Has Provide The Commission With Is Genuine.

FOR THE REASONS STATED ABOVE I ASK THE MEMBERS OF THE COMMISSION TO GIVE NOTICE TO THE GENERAL ASSEMBLY AND ANYONE ELSE THAT MAY NEED TO BE INFORMED OF THIS APPEAL.

IF THERE IS A APPEAL FORM THAT HAS TO BE USED IN THIS PROCESS I ASK THAT THE COMMISSION SEND ME ONE OF THOSE FORMS ALONG WITH ANY RULES THAT I MAY NEED TO KNOW & THE ADDRESS TO THE GENERAL ASSEMBLY. Respectfully Submitted & Requested.

Date Mailed: Feb. 19, 2013 Alonzo William III



BOX 180
 Hickey's Ark. 72320

Subscribed & Sworn To Before
 2013. Notary Seccer Cole 18 Day of Feb