

ARKANSAS STATE CLAIMS COMMISSION

August 2021 Minutes

The Arkansas State Claims Commission (the “Claims Commission”) held hearings on August 20, 2021. These hearings were held via Zoom. The following members of the Claims Commission were present:

Dexter Booth  
Paul Morris, chair  
Sylvester Smith

The following claims were heard:

***Marilyn K. Baker v. Arkansas School for the Deaf***, Claim No. 210496. Claimant filed the instant claim against Respondent seeking a career service payment. At the hearing on Claimant’s request for reconsideration, Claimant appeared *pro se*, and Mary Claire Hyatt appeared on behalf of Respondent. Based upon a review of Claimant’s request, as well as the fact that the claim had been dismissed without prejudice, the Claims Commission unanimously GRANTED Claimant’s request for reconsideration and will treat this claim as though it had been refiled.

***Benjamin Desjardin v. Arkansas Division of Correction***, Claim No. 210616. Claimant filed the instant claim against Respondent seeking damages related to the loss of his radio and headphones. At the hearing on Respondent’s motion to dismiss, Claimant appeared *pro se*, and Thomas Burns appeared on behalf of Respondent. Based upon a review of the motion, the argument of the parties, and the law of the State of Arkansas, the Claims Commission unanimously DENIED Respondent’s motion to dismiss and stated that this claim will be scheduled for hearing.

***William R. Wiggins, Jr. v. Arkansas Department of Transportation***, Claim No. 210167. Claimant filed the instant claim against Respondent seeking damages to Claimant’s vehicle caused by tar. At the hearing, Claimant proceeded *pro se*, and Monty V. Baugh appeared on behalf of Respondent. The Claims Commission heard testimony from the witnesses and argument from the parties. The Claims Commission then unanimously decided to put this claim in abeyance for 30 days to allow Claimant time to submit an affidavit regarding the exhaustion of his insurance remedies in compliance with Ark. Code Ann. § 19-10-302. Following Claimant’s submission, the Claims Commission unanimously AWARDED Claimant \$1,500.00 in damages.

***Shamond Pugh v. Arkansas Department of Human Services***, Claim No. 201113. Claimant filed the instant claim against Respondent seeking \$11,288.77 in unpaid leave related to Claimant’s previous employment with Respondent from 2006–2009. Respondent filed an answer admitting liability in the amount of \$56.53. At the hearing, Claimant proceeded *pro se*, and Skye Martin appeared on behalf of Respondent. Based upon a review of the pleadings, witness testimony, argument of the parties, and the law of the State of Arkansas, the Claims Commission found that Claimant did not meet his burden of proving that he is entitled to anything other than the amount admitted by Respondent. As such, the Claims Commission unanimously AWARDED Claimant \$56.53 and DENIED Claimant’s claim for any other amount.

***Curtis Petty v. Arkansas Division of Correction***, Claim No. 210178. Claimant filed the instant claim against Respondent seeking \$182.33 in damages to Claimant’s vehicle. At the hearing, Claimant failed to appear. Thomas Burns appeared on behalf of Respondent. Based upon Claimant’s failure to appear, the Claims Commission unanimously DISMISSED Claimant’s claim without prejudice for failure to prosecute.

This completed all of the business on the August 2021 Claims Commission docket.



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Kathryn Irby, Director

Date: October 22, 2021