

ARKANSAS STATE CLAIMS COMMISSION

February 2022 Minutes

The Arkansas State Claims Commission (the “Claims Commission”) held hearings on February 17, 2022. These hearings were held via Zoom. The following members of the Claims Commission were present:

Dexter Booth
Henry Kinslow, chair
Sylvester Smith

The following claims were heard:

Andrew Walker v. Arkansas Division of Correction, Claim No. 210227. Claimant filed the instant claim against Respondent seeking \$7,000.00 in damages after one of Respondent’s guards allowed an inmate into Claimant’s barracks who then attacked Claimant. 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 pleadings, the argument of the parties, and the law of the State of Arkansas, the Claims Commission unanimously GRANTED Respondent’s motion to dismiss.

Tony Ruiz v. Arkansas Division of Correction, Claim No. 190799. Claimant filed the instant claim against Respondent seeking \$3,000.00 in damages related to Respondent’s failure to provide Claimant with a 48-hour relief period according to policy. At the hearing, Claimant did not appear. Thomas Burns appeared on behalf of Respondent and orally moved to dismiss the claim based upon Claimant’s failure to prosecute. The Claims Commission unanimously DISMISSED Claimant’s claim without prejudice.

Vincenzo E. Valachi v. Arkansas Division of Correction, Claim No. 17-0714-CC. Claimant filed the instant claim against Respondent seeking \$1,000.00 in damages related to Respondent’s return of Claimant’s hobby craft materials to the supplier. At the hearing, Claimant proceeded *pro se*, and Thomas Burns 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, by a 2–1 vote, DENIED and DISMISSED Claimant’s claim, finding that there was insufficient evidence of negligence to warrant an award in Claimant’s favor.

Harold Moses Covert v. Arkansas Division of Correction, Claim No. 201185. Claimant filed the instant claim against Respondent seeking \$500.00 in damages related to Respondent’s refusal to allow Claimant to correspond with his uncle, who is also a fellow inmate. At the hearing, Claimant proceeded *pro se*, and Thomas Burns appeared on behalf of Respondent. Based upon a review of the motion, witness testimony, argument of the parties, and the law of the State of Arkansas, the Claims Commission unanimously DENIED and DISMISSED Claimant’s claim.

This completed all of the business on the February 2022 Claims Commission docket.

Kathryn Irby, Director

Date: February 28, 2022