

ARKANSAS STATE CLAIMS COMMISSION

October 2022 Minutes

The Arkansas State Claims Commission (the “Claims Commission”) held hearings on October 13–14, 2022. The following members of the Claims Commission were present:

Courtney Baird
Henry Kinslow, chair
Sylvester Smith

The following claims were heard by the Claims Commission on October 13, 2022:

Martin Williams v. Arkansas Department of Human Services, Claim No. 220299. Claimant filed the instant claim against Respondent regarding lost personal property. At the hearing, Claimant did not appear. Sarah DeBusk appeared on behalf of Respondent. Following confirmation by Claims Commission staff that notice of the hearing was mailed to Claimant at the updated address provided by Claimant, the Claims Commission unanimously dismissed Claimant’s claim without prejudice for failure to prosecute.

Walter Walton v. Arkansas Division of Correction, Claim No. 190181. Claimant filed the instant claim against Respondent seeking damages related to several alleged failures of Respondent to follow its policies. At the status conference, Claimant appeared *pro se*, and Thomas Burns appeared on behalf of Respondent. The Claims Commission directed Respondent to prepare responses to Claimant’s discovery requests in accordance with the Arkansas Rules of Civil Procedure and provided direction regarding Respondent’s previous, informal response to Claimant’s discovery requests.

Kwasi McKinney v. Arkansas Division of Correction, Claim No. 200909. Claimant filed the instant claim against Respondent seeking damages for lost property. At the hearing on the claim and Claimant’s motion for summary judgment, Claimant proceeded *pro se*, and Thomas Burns appeared on behalf of Respondent. Based upon a review of the motion, the argument of the parties, the witness testimony and evidence presented, and the law of the State of Arkansas, the Claims Commission unanimously found that there was sufficient evidence to warrant an award in Claimant’s favor and that a damages hearing should be set. The Claims Commission also denied Claimant’s motion for summary judgment and noted that the Claims Commission does not have authority to order Respondent to return Claimant’s legal materials to him.

The following claims were heard by the Claims Commission on October 14, 2022:

Derek Givens v. Arkansas Department of Transportation, Claim No. 220876. Claimant filed the instant claim against Respondent seeking damages related to vehicular property damage. At the hearing on Respondent’s motion to dismiss, Claimant proceeded *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 granted Respondent’s motion and dismissed Claimant’s claim without prejudice.

Chad Morrow v. Arkansas Department of Parks and Tourism, Claim No. 211300. Claimant filed the instant claim against Respondent seeking damages related to a fall suffered by Claimant in the bath house at Devil’s Den State Park. At the hearing, Chris Burks appeared on behalf of Claimant, and Rosalyn Middleton appeared on behalf of Respondent. Based upon a review of the pleadings, the argument of the parties, the witness testimony and evidence presented, and the law of the State of Arkansas, the Claims Commission unanimously awarded Claimant \$7,500.00 in medical bills and \$22,500 in pain and suffering. Due to the award amount, the Claims Commission referred this award to the Arkansas General Assembly for review, approval, and placement on an appropriation bill pursuant to Ark. Code Ann. § 19-10-215(b).

Linda Pollock v. Arkansas Department of Transportation, Claim No. 220886. Claimant filed the instant claim against Respondent regarding damage to Claimant’s garage. At the hearing, Claimant did not appear. Evin Walker appeared on behalf of Respondent. Following confirmation

by Claims Commission staff that notice of the hearing was electronically sent to Claimant at the email address provided by Claimant, the Claims Commission unanimously dismissed Claimant's claim for failure to prosecute.

This completed all the business on the October 2022 Claims Commission docket.



Kathryn Irby, Director

Date: December 12, 2022