

ARKANSAS STATE CLAIMS COMMISSION

January 2023 Minutes

The Arkansas State Claims Commission (the “Commission”) scheduled hearings for January 19–20, 2023, as well as a special hearing on January 12, 2023. These hearings were held via Zoom. The following members of the Commission were present:

Courtney Baird
Henry Kinslow
Paul Morris, Chair

Special hearing scheduled for January 12, 2023

1. ***Catherine Canu and Matthew Canu, individually and as next friends, parents, and guardians of A.C., a minor v. Arkansas School for the Deaf***, Claim No. 181020. Claimants filed this claim regarding personal injuries suffered by their son while at Respondent’s facility. The hearing on this claim was originally scheduled for January 19, 2023. The Commission scheduled a special hearing to address Respondent’s motion to continue the hearing. At the special hearing, Jessica Mallett appeared on behalf of Claimant, and Kate Donovan appeared on Respondent’s behalf. The Commission unanimously voted to grant Respondent’s continuance request, given that a continuance would not affect when payment of any potential award would be issued. The Commission rescheduled the claim hearing for August 10, 2023, with a pretrial hearing scheduled for May 19, 2023. The Commission also gave the parties information regarding the submission of deposition transcripts prior to hearing and the potential jurisdictional issues involved with several of Claimant’s claims.

Hearings scheduled for January 19, 2023

1. ***Catherine Canu and Matthew Canu, individually and as next friends, parents, and guardians of A.C., a minor v. Arkansas School for the Deaf***, Claim No. 181020. [continued by Commission on January 12, 2023, during special hearing]

Hearings scheduled for January 20, 2023

1. ***Anthony Addison v. Arkansas Department of Transportation***, Claim No. 16-0222-CC. [parties settled prior to hearing, claim not heard by Commission]
2. ***Lauren Nwanonyiri v. Arkansas Department of Transportation***, Claim No. 220326. Claimant filed her claim seeking \$1,462.66 in damages to Claimant’s vehicle resulting from a pothole. At a previous hearing, the Claims Commission granted Respondent’s motion to dismiss as to any damages over \$500.00, which is Claimant’s applicable insurance deductible. At the claim hearing, Claimant proceeded *pro se*, and Trella A. Sparks appeared on behalf of Respondent. Based on the claim file, the testimony and evidence presented by the parties, and the law of the State of Arkansas, the Claims Commission unanimously awarded Claimant \$500.00 and denied Claimant’s claim for any other damages.
3. ***Jaryel Jackson and Ivona Jackson v. Arkansas Department of Transportation***, Claim No. 221258. Claimants filed this claim seeking \$1,800.00 in damages to Claimants’ vehicle. At the hearing on the claim, Sheila Campbell appeared on Claimants’ behalf, and Trella A. Sparks appeared on behalf of Respondent. At the beginning of the hearing, Respondent requested a continuance due to a family emergency. Claimant did not object to the continuance. The Commission unanimously voted to grant Respondent’s request and continued the claim.
4. ***Chassidy Harris v. Arkansas Department of Transportation***, Claim No. 220829. Claimant filed her claim seeking \$1,000.00 in damages related roadway paint on Claimant’s vehicle. At the claim hearing, Claimant did not appear. Trella A. Sparks appeared on behalf of Respondent. Following confirmation by Commission staff that notice of the hearing was emailed to

Claimant on November 9, 2022, at the email address provided by Claimant on the complaint form, the Commission unanimously dismissed Claimant's claim without prejudice for failure to prosecute.

5. ***Kelly Spann v. Arkansas Department of Transportation***, Claim No. 221113. Claimant filed her claim seeking an unspecified amount of damages to Claimant's vehicle related to a pothole. At the claim hearing, Claimant did not appear. Trella A. Sparks appeared on behalf of Respondent. Following confirmation by Commission staff that notice of the hearing was emailed to Claimant on November 9, 2022, at the email address provided by Claimant on the complaint form, the Commission unanimously dismissed Claimant's claim without prejudice for failure to prosecute.
6. ***Alison Hall v. Arkansas Department of Transportation***, Claim No. 221312. Claimant filed her claim seeking \$11,694.50 in legal fees related to a lawsuit against the Arkansas State Highway Commission. At the hearing on Respondent's motion to dismiss, Claimant did not appear. Trella A. Sparks appeared on behalf of Respondent. Following confirmation by Commission staff that notice of the hearing was emailed to Claimant on November 15, 2022, at the email address provided by Claimant on the complaint form, the Commission unanimously dismissed Claimant's claim without prejudice for failure to prosecute.
7. ***Morgan Elijah v. Arkansas Department of Transportation***, Claim No. 230330. Claimant filed her claim seeking an unspecified amount of damages related to an accident with a vehicle owned by Respondent. At the hearing on Respondent's motion to hold Claimant's claim in abeyance, Claimant proceeded *pro se*, and Amanda J. Andrews appeared on behalf of Respondent. The Commission unanimously voted to place this claim in abeyance for ninety days, with a status conference to be scheduled after the conclusion of the abeyance period.
8. (Other Agency Business) The Commission reviewed and approved the entry of proposed orders numbered 1–124 on the attached list without discussion.

This completed all of the business on the January 2023 Commission docket.



Kathryn Irby, Director

Date: May 10, 2023

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