

ARKANSAS STATE CLAIMS COMMISSION

February 2024 Minutes

The Arkansas State Claims Commission (the “Commission”) held hearings on February 22–23, 2024. The Commission also held a special hearing on February 8, 2024. These hearings were held via Zoom.

Special hearing scheduled for February 8, 2024

The following members of the Commission were present:

Solomon Graves
Henry Kinslow, chair
Sylvester Smith

1. ***LaJessica Mayo-Crenshaw v. Ark. State Police***, Claim No. 221049. Claimant filed this personal injury claim following an accident involving one of Respondent’s troopers. The parties submitted a Release and Settlement Agreement to the Commission. Based upon a review of the claim file and the Release and Settlement Agreement, the Commission unanimously approved the Release and Settlement Agreement and referred the total award of \$30,000.00 to the General Assembly for review and placement on an appropriation bill pursuant to Ark. Code Ann. § 19-10-215(b).

Hearings scheduled for February 22, 2024

The following members of the Commission were present:

Dee Holcomb
Henry Kinslow
Paul Morris, chair
Sylvester Smith

Note: Commissioner Holcomb attended the hearings to observe, not as a member of the hearing panel.

1. ***Kenena Pelfrey and Douglas Pelfrey v. Ark. Dept. of Transp.***, Claim No. 220574. Claimant filed this claim against Respondent regarding damage to Claimant’s property. At the hearing on Respondent’s motion to dismiss Claimant’s second amended complaint, Dylan Botteicher appeared on behalf of Claimant, and Alexander Denker appeared on Respondent’s behalf. Based on a review of the claim file, the argument of the parties, and the law of the State of Arkansas, the Commission denied and dismissed Claimant’s claim as time-barred.
2. ***Antonio George v. Ark. Dept. of Transp.***, Claim No. 240052. Claimant filed this claim against Respondent regarding damage to Claimant’s vehicle. At the hearing on Respondent’s motion to dismiss, Claimant did not appear. Jay D. Wilkins appeared on behalf of Respondent. Following confirmation that notice of the hearing was transmitted to the parties on September 13, 2023, the Commission unanimously dismissed Claimant’s claim for failure to prosecute.
3. ***Nicole Jones v. Ark. Dept. of Transp.***, Claim No. 230201. Claimant filed this claim against Respondent regarding two incidents of damage to Claimant’s vehicle. At the claim hearing, Claimant did not appear. Alexander Denker appeared on behalf of Respondent. The Commission voted at the hearing to dismiss Claimant’s claim for failure to prosecute if she did not contact the Commission within one week of the hearing to request a new hearing date based on the nationwide cell outage on that day. Claimant did contact the Commission, and the claim hearing was rescheduled.
4. ***Rodney Haag v. Ark. Dept. of Transp.***, Claim No. 220717 [removed from docket prior to hearing due to nonsuit by Claimant].

5. ***Clementine Bass v. Ark. Dept. of Transp.***, Claim No. 231626. Claimant filed this claim against Respondent regarding damage to Claimant's vehicle. At the hearing on Claimant's motion for reconsideration, Claimant appeared *pro se*, and Jay D. Wilkins appeared on behalf of Respondent. Based upon a review of the claim file, the argument of the parties, and the law of the State of Arkansas, the Commission unanimously denied Claimant's motion for reconsideration.
6. ***Robert Driggers v. Ark. Dept. of Transp.***, Claim No. 231420. Claimant filed this claim against Respondent regarding damage to Claimant's vehicle. At the hearing on Claimant's motion for reconsideration, Claimant did not appear. Jay D. Wilkins appeared on behalf of Respondent. Following confirmation that notice of the hearing was transmitted to the parties on November 29, 2023, the Commission unanimously denied Claimant's motion for reconsideration.
7. (Other Agency Business) The Commission reviewed and approved the entry of proposed orders numbered B1-B29 on the attached list without discussion. Following the hearing, Commission staff pulled B7 to submit a corrected version for the Commission's consideration in March 2024.

Additional hearings scheduled for February 22, 2024

The following members of the Commission were present:

Solomon Graves
Dee Holcomb
Henry Kinslow
Paul Morris, chair
Sylvester Smith

Note: Commissioner Holcomb attended the hearings to observe, not as a member of the hearing panel.

1. (Other Agency Business) The Commission, with Commissioner Morris recusing, reviewed and approved the entry of proposed orders numbered A1–A22, C1–C38, and C40–C48 on the attached list without discussion. Following the hearing, Commission staff pulled C40 to submit a corrected version for the Commission's consideration in March 2024.

Hearings scheduled for February 23, 2024

1. ***Christine McAuliffe, as Special Adm'r of the Est. of David Cains v. Ark. Dept. of Hum. Srvs.***, Claim No. 220374. [continued to March 1, 2024, due to quorum issue]
2. ***Idamarie Soto Diaz v. Ark. Dept. of Finance and Admin.***, Claim No. 230477. [continued to March 1, 2024, due to quorum issue]
3. ***Sebrena Westcott v. Univ. of Ark. for Medical Sciences***, Claim No. 190008. [continued to March 1, 2024, due to quorum issue]

This completed the business on the February 2024 Commission docket.



Kathryn Irby, Director

Date: November 25, 2024

February 2024

<u>Dropbox No.</u>	<u>Claim No.</u>	<u>Claimant</u>	<u>Agency</u>	
A1	240650	Moody	ARDOT	Sent
A2	240825	Oyemaja	ARDOT	Sent
A3	240704	Davis	ARDOT	Sent
A4	240699	Hilson	ARDOT	Sent
A5	240791	Williams	ARDOT	Sent
A6	240453	Buckingham	ARDOT	Sent
A7	240625	Vuong	ARDOT	Sent
A8	240678	Earnest	DHS	Sent
A9	240920	Chen and Zhou	DFA	Sent
A10	240279	Nusign Supply Texas, LLC	ARDOT	Sent
A11	240373	Cravey	DFA	Sent
A12	241136	Hart	DFA	Sent
A13	241137	Hart	DFA	Sent
A14	241138	Hart	DFA	Sent
A15	240918	Lephiew	DFA	Sent
A16	240843	O'Glee	DFA	Sent
A17	240841	Spruell	DFA	Sent
A18	240916	McLain	AOS	Sent
A19	240483	Jackson	UAMS	Sent
A20	240584	Carter	DFA	Sent
A21	241386	Mackey and Mackey	DFA	Sent
A22	240910	Allen	ASP	Sent
C1	240630	Cagle	ARDOT	Sent
C2	240043	Carroll	ARDOT	Sent
C3	240231	Kingsley	AHP	Sent
C4	240675	Brewer	ARDOT	Sent
C5	240682	Clayton	ARDOT	Sent
C6	240683	Patterson and Lee	ARDOT	Sent
C7	240644	Clark-Hartsfield	ARDOT	Sent
C8	240645	Rollins	ARDOT	Sent
C9	240714	Smith	ARDOT	Sent
C10	240744	Wheeler	ARDOT	Sent
C11	240813	Kellar	ARDOT	Sent
C12	240914	Southwestern Bell Telephone Company	DFA	Sent
C13	240915	Southwestern Bell Telephone Company	DFA	Sent
C14	240653	Hewlett Packard Enterprise Company	DFA	Sent
C15	240631	West	ARDOT	Sent
C16	240636	Dotson	ARDOT	Sent
C17	240710	Wilkerson	ARDOT	Sent
C18	240717	Robinson	ARDOT	Sent
C19	240730	Crawford	ARDOT	Sent
C20	240748	May	ARDOT	Sent
C21	240757	Cannady	ARDOT	Sent
C22	240762	Erp	ARDOT	Sent
C23	240769	Hutchison	ARDOT	Sent
C24	240765	Johnson	ARDOT	Sent

C25	240733	Miller	ARDOT	Sent
C26	240735	Burns	DHS	Sent
C27	240774	Hicks	ADPS	Sent
C28	240792	Stephens	ARDOT	Sent
C29	240795	Kearney	ARDOT	Sent
C30	240798	Hills	ADPS	Sent
C31	240787	Searcy	ARDOT	Sent
C32	240796	Courtney	ARDOT	Sent
C33	240552	Summage	ARDOT	Sent
C34	240491	Miller Environmental LLC	ARDOT	Sent
C35	240374	McKiever	ARDOT	Sent
C36	240802	Clayton	ASP	Sent
C37	240806	Mitchell	ARDOT	Sent
C38	240860	Robinson	ARDOT	Sent

C39	240866	Akins	ARDOT	PULLED BY CC STAFF PRIOR TO HEARING TO ADDRESS RESPONSES TO MOTION
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C40	240894	Kauffman	ARDOT	PULLED BY CC STAFF AFTER HEARING TO SUBMIT A CORRECTED VERSION IN MARCH 2024 DROPBOX
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C41	240905	James	ARDOT	Sent
C42	240329	Pankey	ARDOT	Sent
C43	240404	Moore	ARDOT	Sent
C44	240147	Walker	ARDOT	Sent
C45	240340	Hatfield Ready Mix, Inc.	ARDOT	Sent
C46	231051	Velasquez	ASP	Sent
C47	240347	Moody	SOA	Sent
C48	220717	Haag	ARDOT	Sent

ADC Dropbox No.

B1	240899	Mitchell	ADC	Sent
B2	240828	Murry	ADC	Sent
B3	240937	James	ADC	Sent
B4	230749	Morgan	ADC	Sent
B5	240691	Badger	ADC	Sent
B6	240752	Reed	ADC	Sent

B7	240750	Charles	ADC	PULLED BY CC STAFF AFTER HEARING TO SUBMIT A CORRECTED VERSION IN MARCH 2024 DROPBOX
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B8	231220	Elmore	ADC	Sent
B9	201121	Sirkaneo	ADC	Sent
B10	240070	Guy	ADC	Sent
B11	231471	Buchanan	ADC	Sent
B12	240071	Stockton	ADC	Sent
B13	231712	Ashley	ADC	Sent

B14	240060	Holloway	ADC	Sent
B15	221108	Allen	ADC	Sent
B16	231652	Conley	ADC	Sent
B17	211124	Franklin	ADC	Sent
B18	210464	Davis	ADC	Sent
B19	231530	Workman	ADC	Sent
B20	231018	Barnes	ADC	Sent
B21	231473	Holt	ADC	Sent
B22	230817	Doering	ADC	Sent
B23	240011	Doering	ADC	Sent
B24	240331	Robinson	ADC	Sent
B25	240133	Jackson	ADC	Sent
B26	230852	Turner	ADC	Sent
B27	231257	Hutcherson	ADC	Sent
B28	231697	Woodard	ADC	Sent
B29	240756	Brooks	SOA	Sent