

ARKANSAS CLAIMS COMMISSION

(501)682-1619
(501)682-2823 FAX



Questions? Send an email to
ascc.new.claims@arkansas.go

101 EAST CAPITOL AVENUE, SUITE 410
LITTLE ROCK, ARKANSAS 72201-3823

CLAIM FORM

- 1. Claimant.** If a claim involves more than one claimant, additional pages may be attached with the other claimant name(s) and contact information.

Hays Deana

(title) last name/compan first name (email)

[REDACTED]

(address)

[REDACTED]

(city) (state) (zip) (primary phone)

- 2. Claimant's Legal Counsel.** An individual claimant may act as his or her own attorney (which is known as proceeding pro se). Please review Ark. Code Ann. § 19-10-222 for information about when a business entity may file a pro se claim. If a claimant is proceeding pro se, this section may be left blank.

(title) (last name) (first name) (email)

(address)

AR bar number

(city) (state) (zip) (primary phone)

- 3. State Agency Involved.** The Commission can only receive claims against agencies of the State of Arkansas. Please review the Commission's jurisdictional statutes, including Ark. Code Ann. § 19-10-204 and Ark. Code Ann. § 21-5-701, for more information. This information is required for any claim filed at the Commission.

Arkansas Commissioner of State Lands

- 4. Incident Date** _____

- 5. Location of Incident** _____

- 6. CHECK HERE if this claim involves damage to a motor vehicle.** ☐

- 7. CHECK HERE if this claim involves damage to property other than a motor vehicle.** ☐

- 8. Explanation of Incident** Please provide an explanation of your claim, including why you believe the above-listed state agency is liable for your damages under Arkansas law. You may attach additional pages to this form.

This claim is against the Real Estate Arkansas Commissioner of State Lands. My Grandparents held a clear deed of Lot #23 of the Grassy Lake Subdivision lying in the SW-1/4 of Section 36, T-8-N, R-6-E CRITTENDEN COUNTY ARKANSAS, as recorded in Plat Book 2 at Pages 481 and 482 of the Clerk's Office of Crittenden County, Arkansas. This property was sold for back taxes on 7/28/2009. Proper notification did not occur from the Arkansas Commission of State Lands when the property was sold for back taxes. The heirs of this property were not aware of any information concerning this property and what took place until 1/8/2025, therefore proper action could not be taken to correct the action taken by the Real Estate Arkansas of State Lands.

- 9. Insurance Coverage.** For a claim involving damage to a vehicle or other property, you must submit a copy of your insurance declarations in effect at the time of the incident. This is not the same as an insurance card. You can obtain a copy of your insurance declarations from your insurer or insurance agent. Please review Ark. Code Ann. § 19-10-302 for more information.

****If you did NOT have insurance covering the damaged property or motor vehicle at the time of incident, CHECK HERE** ☐

10. Additional Required Documents for Property Damage Claim

You must submit (1) invoice(s) documenting the repair costs, (2) three estimates for repair, OR (3) an explanation why this documentation cannot be provided.

11. If a state vehicle was involved, please provide the following information

(type of state vehicle involved)	(license number)	(driver)
----------------------------------	------------------	----------

- 12. If your claim involves personal injuries, please CHECK HERE** ☐

- 13. Health insurance coverage.** All personal injury claims require a copy of your health insurance information in place at the time of the incident. Please review Ark. Code Ann. § 19-10-302 for more information.

****If you did NOT have health insurance on the date of the incident, CLICK HERE** ☐

- 14. Amount of Damages, if known: \$0.00** _____

IMPORTANT!

A claim filed at the Commission is a lawsuit against a state agency. The Commission is the courthouse for these lawsuits. Please note that Commission staff can answer general questions about the claim process but cannot give legal advice. The Commission rules and a non-exhaustive list of statutes that relate to the Commission can be found on the Commission website (arclaimscommission.arkansas.gov). The Arkansas Rules of Civil Procedure can be found online (arcourts.gov) under "Info Resources."

STOP!

This signature page must be completed in the presence of a Notary Public. Do not sign until you are directed to do so by the Notary Public. If there is more than one claimant involved in this claim, each claimant must complete a separate signature page.

If you are an ARKANSAS-LICENSED ATTORNEY submitting a claim on behalf of your client, there is a different signature page that must be used. Please call (501)682-1619 and ask for an attorney signature page.

If a BUSINESS OR CORPORATE ENTITY is filing a claim without an attorney (and meets the requirements of Ark. Code Ann. § 19-10-222 for doing so), there is a different signature page that must be used. Please call (501)682-1619 and ask for a corporate signature page.

The undersigned certifies that to the best of my knowledge, information, and belief, this claim is not being presented for any improper purpose; this claim is warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law; and the factual contentions have evidentiary support of, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

Claimant Signature

Greer Sharon

(title	last name/compan	first name	(email)
--------	------------------	------------	---------

(address)

(city)

(state)

(zip)

(primary phone)

2. Claimant's Legal Counsel. An individual claimant may act as his or her own attorney (which is known as proceeding pro se). Please review Ark. Code Ann. § 19-10-222 for information about when a business entity may file a pro se claim. If a claimant is proceeding pro se, this section may be left blank.

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Arkansas Commissioner of State Lands

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7. CHECK HERE if this claim involves damage to property other than a motor vehicle. ☐

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****If you did NOT have health insurance on the date of the incident, CLICK HERE** ☐

- 14. Amount of Damages, if known:** \$0.00
-

IMPORTANT!

A claim filed at the Commission is a lawsuit against a state agency. The Commission is the courthouse for these lawsuits. Please note that Commission staff can answer general questions about the claim process but cannot give legal advice. The Commission rules and a non-exhaustive list of statutes that relate to the Commission can be found on the Commission website (arclaimscommission.arkansas.gov). The Arkansas Rules of Civil Procedure can be found online (arcourts.gov) under "Info Resources."

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

Arkansas
State Claims Commission

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

FEB 10 2025

RECEIVED

CLAIM SUBMISSION SIGNATURE PAGE

The undersigned certifies that to the best of my knowledge, information, and belief, this claim is not being presented for any improper purpose; this claim is warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law; and the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

Sharon Strawn Greer

Claimant Name (must be printed legibly)

Sharon Strawn Greer

Claimant Signature

Acknowledgement

State of Texas

County of Lamar

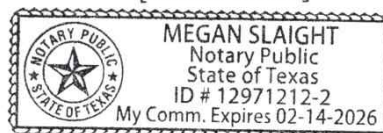
On this the 7th day of February 2025, before me, the undersigned notary, personally appeared Sharon Greer known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Megan Slaight
Signature of Notary Public

My Commission expires: 2/14/2026

[Seal of Office]



Arkansas
State Claims Commission

ARKANSAS STATE CLAIMS COMMISSION

FEB 10 2025

(501) 682-1619
FAX (501) 682-2823KATHRYN IRBY
DIRECTOR

RECEIVED

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823CLAIM SUBMISSION SIGNATURE PAGE

The undersigned certifies that to the best of my knowledge, information, and belief, this claim is not being presented for any improper purpose; this claim is warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law; and the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

Deana Strawn Hays

Claimant Name (must be printed legibly)

Deana Strawn Hays

Claimant Signature

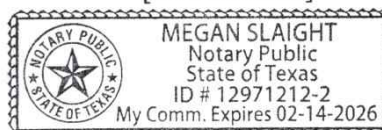
AcknowledgementState of TexasCounty of Loman

On this the 7th day of February, 2025, before me, the undersigned notary, personally appeared Deana Hays known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Signature of Notary Public
My Commission expires: 2/14/2026

[Seal of Office]



From: [ASCC New Claims](#)
To: ["pmurphy@cosl.org"](mailto:pmurphy@cosl.org)
Cc: [Kathryn Irby](#)
Subject: CLAIM: Sharon Greer and Deana Hays v. ACSL, Claim No. 251123
Date: Wednesday, March 19, 2025 12:45:00 PM
Attachments: [Sharon Greer and Deana Hays v. ACSL agency ltr.pdf](#)
[Sharon Greer and Deana Hays Elct Claim form and Signature page \(combined\) - 251123.pdf](#)

Dear Mr. Murphy,

Please confirm receipt of the attached claim file. The agency may file its response to this claim electronically by sending it to ascpleadings@arkansas.gov, with a copy to the claimant pursuant to the Arkansas Rules of Civil Procedure.

Please contact Kathryn Irby with any questions.

Thank you,

Caitlin

Caitlin McDaniel

Administrative Specialist II

Arkansas State Claims Commission

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

(501) 682-1619

March 19, 2025

Mr. Peyton Murphy
Office of the Commissioner of State Lands
500 Woodlane Street, Suite 109
Little Rock, Arkansas 72201

(via email)

RE: ***Sharon Greer and Deana Hays v. Commissioner of State Lands***
Claim No. 251123

Dear Mr. Murphy,

Enclosed please find a copy of the above-styled claim filed against the Commissioner of State Lands. Pursuant to the Arkansas Rules of Civil Procedure, as well as Claims Commission Rule 2.2, you have **thirty days from the date of service** in which to file a responsive pleading.

Your responsive pleading should include your agency number, fund code, appropriation code, cost center, and activity/section/unit/element that this claim should be charged against, if liability is admitted, or if the Claims Commission approves this claim for payment. This information is necessary even if your agency denies liability.

Sincerely,

Kathryn Irby

ES: cmcdaniel

cc: Sharon Greer and Deana Hays, *Claimants* (w/o encl.) (via email)

From: [ASCC New Claims](#)
To: [REDACTED]
Bcc: [Kathryn Irby](#)
Subject: Sharon Greer and Deana Hays v. ACSL, Claim No. 251123
Date: Wednesday, March 19, 2025 12:46:00 PM
Attachments: [Sharon Greer and Deana Hays v. ACSL agency ltr.pdf](#)

Dear Ms. Greer and Ms. Hays,

Attached please find a copy of the letter sent with your claim to the Arkansas Commissioner of State Lands.

Thank you,
Caitlin

Caitlin McDaniel
Administrative Specialist II
Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-1619

From: [Peyton Murphy](#)
To: [ASCC New Claims](#)
Cc: [Kathryn Irby](#)
Subject: RE: CLAIM: Sharon Greer and Deana Hays v. ACSL, Claim No. 251123
Date: Wednesday, March 19, 2025 2:52:35 PM

Received.

Thank you,

Peyton T. Murphy
 General Counsel
 Arkansas Commissioner of State Lands

From: ASCC New Claims <ASCC.New.Claims@arkansas.gov>
Sent: Wednesday, March 19, 2025 12:45 PM
To: Peyton Murphy <pmurphy@cosl.org>
Cc: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: CLAIM: Sharon Greer and Deana Hays v. ACSL, Claim No. 251123

You don't often get email from ascc.new.claims@arkansas.gov. [Learn why this is important](#)

EXTERNAL EMAIL

Dear Mr. Murphy,

Please confirm receipt of the attached claim file. The agency may file its response to this claim electronically by sending it to asccpleadings@arkansas.gov, with a copy to the claimant pursuant to the Arkansas Rules of Civil Procedure.

Please contact Kathryn Irby with any questions.

Thank you,
 Caitlin

Caitlin McDaniel
Administrative Specialist II
Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-1619

From: [Peyton Murphy](#)
To: [ASCC Pleadings](#)
Cc: [REDACTED]
Subject: Claims Commission Claim 251123
Date: Tuesday, April 15, 2025 9:08:06 AM
Attachments: [Greer Hays answer.pdf](#)
[Greer Hays motion dismiss.pdf](#)

You don't often get email from pmurphy@cosl.org. [Learn why this is important](#)

Please file the attached answer and motion to dismiss in claim 251123.

By copy, I am notifying claimants of this filing.

Thank you,

Peyton T. Murphy
General Counsel
Arkansas Commissioner of State Lands
(501) 324-9422

**BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS**

SHARON GREER AND DEANA HAYS
Claimants

v. **Claim No. 251123**

ARKANSAS COMMISSIONER OF STATE LANDS
Respondent

**ANSWER OF TOMMY LAND, COMMISSIONER OF STATE
LANDS, STATE OF ARKANSAS, TO CLAIM**

Comes now Respondent Tommy Land, Commissioner of State Lands (“Respondent COSL”), and for his answer to the Claim of Sharon Greer and Deana Hays, states as follows:

1. Respondent COSL admits that a parcel of land matching the description alleged by Claimants, also known as Crittenden County Parcel # 201202000000, was certified by Crittenden County to Respondent COSL for tax delinquency on 07/03/2007 pursuant to A.C.A. § 26-37-101.
2. Respondent COSL further admits this parcel was sold at a tax delinquent property auction on 07/28/2009 for \$5,596.61, and that a deed was issued to Alisa C Love, [REDACTED] [REDACTED] on September 1, 2009. Based upon information and belief, this parcel, located at 207 Ingram, has remained in the possession of Alisa C Love since her purchase in 2009, and the parcel has not been certified for tax-delinquency since that time.
3. Respondent COSL denies that proper notification did not occur. Rather, in accordance with A.C.A. § 26-37-301, Respondent COSL sent multiple notices via certified mail to the record owners at their last known address as certified by the county: Chris & Maudine Beaton, [REDACTED].


- a. One such certified mail notice, sent March 20, 2008, was signed for on March 28, 2008 by Justin Strawn, who, based upon information and belief, was the son-in-law of record owners Chris and Maudine Beaton.
 - b. Another such certified notice, sent January 16, 2009, was signed for on February 2, 2009 by Jane Strawn, who, based upon information and belief, was the daughter of record owners Chris and Maudine Beaton.
 - c. An additional certified notice, sent March 13, 2009, was also signed for on March 23, 2009 by Jane Strawn.
 - d. Additionally, an in-person notice was served upon the occupant of the property, Crystal Glide, by process server Dwight Tosh on May 19, 2009. At the time Crystal Glide advised the process server that she had purchased the property in a rent-to-own agreement two years prior and understood that the property's owners were to continue paying the taxes.
4. Respondent COSL denies any and all remaining material allegations which require a response and are not expressly admitted herein.
5. Respondent COSL denies that Plaintiff is entitled to any relief requested in the Claim to the extent that the relief requested rests against Defendant COSL and/or any of the rights and interest of the State.
6. Affirmatively pleading, Claimants have failed to timely file this claim in accordance with A.C.A. § 26-37-203.
7. Affirmatively pleading, Claimants have failed to comply with Rule 8 of the Arkansas Rules of Civil Procedure.

8. Affirmatively pleading, the Arkansas Claims Commission lacks subject matter jurisdiction of this matter in accordance with A.C.A. § 19-10-204.
9. Affirmatively pleading, the Claimants have failed to join proper parties in compliance with Rule 19 of the Arkansas Rules of Civil Procedure.
10. Affirmatively pleading, Claimants have failed to state a claim upon which relief may be granted, pursuant to Rule 12(b)(6) of the Arkansas Rules of Civil Procedure.
11. Respondent COSL reserves the right to file amended, substituted, and supplementary pleadings pending the completion of any discovery in this case.

WHEREFORE, Respondent COSL prays that the Arkansas Claims Commission render judgment in accordance with the law and evidence presented and that all other just and proper relief be granted to the Respondent COSL.

Respectfully submitted,

Tommy Land
Commissioner of State Lands

BY: 
Peyton T. Murphy
Arkansas Bar No. 2015128
Attorney for Respondent COSL
7003 Valley Ranch Dr.
Little Rock, Arkansas 72223
(501) 324-9455
pmurphy@cosl.org

CERTIFICATE OF SERVICE

I, Peyton T. Murphy, do hereby certify that a copy of the foregoing pleading was sent to Deana Hays via first class mail to [REDACTED] and via email to [REDACTED] and to Sharon Greer at [REDACTED] and via email to [REDACTED] on 04/15/2025.



Peyton T. Murphy

**BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS**

SHARON GREER AND DEANA HAYS
Claimants

v. Claim No. 251123

ARKANSAS COMMISSIONER OF STATE LANDS
Respondent

MOTION TO DISMISS

Comes now Respondent Tommy Land, Commissioner of State Lands (“Respondent COSL”), by and through undersigned counsel, moving to dismiss the claim of Sharon Greer and Deana Hays (“Claimants”), on the following grounds:

1. **Failure to timely file.** This claim should be dismissed for Claimants’ failure to timely file within the applicable statutes of limitations.
 - a. Claimants allege that the property in question was sold on July 28, 2009. Claimants do not specify a remedy being sought, therefore Respondent COSL is left to guess or assume different causes of action under which Claimants may be intending to seek relief. However, as demonstrated below, under all conceivably potential causes of actions, the Claimants have failed to file this action within the statutes of limitations.
 - b. Ark. Code Ann. § 26-37-203(b)(1) provides that an action to contest a conveyance by the Commissioner of State Lands of a tax-delinquent property “... is barred if not commenced within ninety (90) days after the date of the conveyance.”
 - c. Ark. Code Ann. § 18-61-101(a)(1) provides: “No person or his or her heirs shall have, sue, or maintain any action or suit, either in law or equity, for any lands,

tenements, or hereditaments after seven (7) years once his or her right to commence, have, or maintain the suit shall have come, fallen, or accrued.”

- d. Ark. Code Ann. § 18-61-106 and § 18-60-212 each provide that actions for recovery of lands held “by virtue of a purchase thereof at a sale by the collector, or the Commissioner of State Lands” may only be maintained if “the plaintiff, his or her ancestors, predecessors, or grantors, was seized or possessed of the lands in question within two (2) years next before the commencement of the suit or action.” Here, Claimants allege that, despite the land having been sold in 2009, they were unaware that the land had been sold until 2025, therefore Claimants clearly were not seized or possessed of the land in question within the two years before the commencement of this action.
- e. Ark. Code Ann. § 16-56-115 provides that actions not otherwise addressed shall be commenced within five years after the cause of action has accrued.
- f. The Claims Commission “shall not make an award for a claim or action that, as a matter of law, would be dismissed from a court of law for reasons other than sovereign immunity.” Ark. Code Ann. § 19-10-204.
- g. The Arkansas State Claims Commission shall not consider or allow a claim or action unless the claim or action has been filed with the Director of the Arkansas State Claims Commission as provided by this subchapter within the period allowed by law for the commencement of an action for the enforcement of the same type of claim or action. Ark. Code Ann. § 19-10-209.

- h. Here, the Claimants have brought this action over fifteen years after the alleged act. This is well outside any of the potential statutes of limitations that may apply.
- i. Accordingly, this claim should be dismissed for failure to comply with applicable statutes of limitations.

2. **Failure to state a claim upon which relief can be granted.** This claim should be dismissed pursuant to Rule 12(b)(6) of the Arkansas Rules of Civil Procedure, for failure to state a claim for relief as required by Arkansas Rule of Civil Procedure 8(a).

- a. Claimants allege that the property in question was sold by Respondent COSL for tax delinquency on 07/28/2009. Claimants fail, however, to state their desired remedy to this issue, indicating damages in the amount of \$0.00 and asking for no other relief.
- a. Arkansas Rule of Civil Procedure 8(a) sets forth the requirements for a pleading that states a claim for relief. Specifically, Rule 8(a)(3) mandates that a pleading contain “a demand for the relief sought, which may include relief in the alternative or different types of relief.” This requirement provides Respondent COSL and the Arkansas State Claims Commission with notice of the specific remedies the Claimants seek to obtain if successful on the merits of their claim. The absence of such a demand renders the Claim deficient and fails to adequately frame the dispute for proper adjudication.
- b. Ark. Code Ann. § 26-37-204(f) provides: “The Commissioner of State Lands shall not be liable for any monetary damages to any owner, interested party, or purchaser of tax-delinquent land for any action taken or any omission of action

related to the sale of tax-delinquent land.” Therefore, if it is monetary damages being sought by the Claimants, such remedy is not available under State law.

- c. If Claimants seek to have the sale of the land set aside, 26-37-204(g)(1) provides: "An owner or interested party shall tender cash or certified funds. . . equal to the amount of all taxes, penalties, interest, and costs charged against the tax-delinquent land . . . [i]nto the registry of the court before filing a complaint . . . to set aside a sale of the tax-delinquent land . . ." Thus, property owners are required to cure tax delinquencies before seeking to set a sale aside. Here, there is nothing to suggest that such deposit has been made.
- d. Claimants allege certain facts, but wholly fail to include any demand for relief as required by Rule 8(a)(3). Specifically, Claimants allude to potential harm, but fail to specify the monetary damages, injunctive relief, or other remedies being sought.
- e. The omission of a demand for relief prejudices Respondent COSL by failing to provide adequate notice of the potential consequences of the claim. Furthermore, the Arkansas State Claims Commission is left without a clear understanding of the specific outcome the Claimants seek to achieve.
- f. Therefore, for the foregoing reasons, dismissal is warranted under Arkansas Rule of Civil Procedure 12(b)(6).

- 3. **Lack of jurisdiction.** This claim should be dismissed due to the Arkansas State Claims Commission lacking jurisdiction pursuant to Ark. Code Ann. § 19-10-204 and Arkansas Rule of Civil Procedure 12(b)(1).

- a. Ark. Code Ann. § 19-10-204 sets forth circumstances in which the Arkansas State Claims Commission has jurisdiction, among these are claims or actions “barred by the doctrine of sovereign immunity under Arkansas Constitution, Article 5, § 20, from being litigated in a court of general jurisdiction”.
 - b. Actions to contest the validity of a conveyance by the Commissioner of State Lands are authorized by Ark. Code Ann. § 26-37-203 and have not been held to be barred by the doctrine of sovereign immunity under Arkansas Constitution, Article 5, § 20.
 - c. Certain actions are permitted against the State if alleging illegal and unconstitutional acts. *Ark. Dep't of Educ. v. McCoy*, 2021 Ark. 136, 7, 624 S.W.3d 687, 692.
 - d. Here, Claimants allege that Respondent COSL failed to comply with legal procedures in selling the tax-delinquent property. Therefore, any claim to overturn a conveyance by the Commissioner of State Lands should properly be filed before a Circuit Court of this State rather than before the Arkansas State Claims Commission.
4. **Failure to enjoin necessary parties.** This claim should be dismissed for Claimants’ failure to enjoin necessary parties under Arkansas Rule of Civil Procedure 19.
- a. Rule 19(a) of the Arkansas Rules of Civil Procedure provides that a person shall be joined as a party in an action if: (1) in the person's absence complete relief cannot be accorded among those already parties, or (2) the person claims an interest relating to the subject of the action and is so situated that the disposition of the action in the person's absence may (i) as a practical matter impair or

impede the person's ability to protect that interest or (ii) leave any of the persons already parties subject to a substantial risk of incurring double, multiple, or otherwise inconsistent obligations by reason of the claimed interest.

- b. Here, the property in question was sold in 2009 to Alisa C Love on September 1, 2009. Based upon information and belief, this parcel has remained in the possession of Alisa Love since her purchase in 2009, and she has paid taxes on the parcel each subsequent year.
- c. As a result of her purchase of this property in 2009, and the subsequent years she has paid taxes on this property, Alisa Love may also have a claim to this property via adverse possession pursuant to Ark. Code Ann. § 18-11-106.
- d. As a result, Alisa Love has significant interests in the parcel in question. An action to overturn this sale would run contrary to the interests of Alisa Love. Accordingly, this claim should be dismissed for failure to enjoin a necessary party.

5. **Failure to comply with Claims Commission Rules.** This claim should be dismissed for failure to comply with applicable Claims Commission Rules.

- a. Claims Commission Rule 1.5(e) requires that demands for monetary damages must be perfected in the complaint if known, including an itemized outline of damages sought and overall totals claimed in monetary figures prior to a hearing. Here, Claimants have failed to specify any specific monetary damages.
- b. Claims Commission Rule 1.5(j) provides that the Commission may decline to accept a complaint not in compliance with these rules. The Claimant's

complaint clearly lacks compliance with the Claims Commission Rules and should be rejected for such failure to comply.

WHEREFORE, Respondent COSL prays that this Commission dismiss this claim, and that all other just and proper relief be granted to Respondent COSL.

Respectfully submitted,

Tommy Land
Commissioner of State Lands

BY:



Peyton T. Murphy
Arkansas Bar No. 2015128
Attorney for Respondent COSL
7003 Valley Ranch Dr.
Little Rock, Arkansas 72223
(501) 324-9455
pmurphy@cosl.org

CERTIFICATE OF SERVICE

I, Peyton T. Murphy, do hereby certify that a copy of the foregoing pleading was sent to Deana Hays via first class mail to [REDACTED] and via email to [REDACTED], and to Sharon Greer at [REDACTED] and via email to [REDACTED] on 04/15/2025.



Peyton T. Murphy

From: [REDACTED]
To: [ASCC Pleadings; ASCC New Claims](#)
Cc: [REDACTED]
Subject: Fw: Claims Commission Claim 251123
Date: Thursday, April 17, 2025 11:18:14 AM

You don't often get email from [REDACTED]. [Learn why this is important](#)

Greetings Ms. McDaniel and Arkansas State Claims Commission,

My sister (Deana Hays) and I are in receipt of the response/answer by the Commissioner of State Lands--Mr. Tommy Land--to our Claim--No. 251123 authored by Peyton T. Murphy. We wish to respond. Please direct us if this response needs to be submitted differently.

Christopher Beaton and Maudine Beaton possessed a clear deed of the property described lands in Crittenden County, Arkansas, as follows: Lot #23 of GRASSY LAKE SUBDIVISION IN THE SW 1/4, SECTION 36, T8N-R6E as recorded in the Plat Book#2, pages 481 and 482 of the Clerk's office of Crittenden County, Arkansas.

They paid \$23,000 for this property.

The property was sold for delinquent taxes on July 28, 2009, for the sum of \$5,596.61. The back taxes were recorded as \$1396.61. This is 6% of what was paid for the property by Christopher Beaton and Maudine Beaton. This left a surplus of \$4200 that the office of the Arkansas Commissioner of State Lands (we are assuming) kept.

At no time did the office of the Arkansas Commissioner of State Lands notify any interested party that the land sale was final and nor did the office of the Arkansas Commissioner of State Lands provide instructions as to what to do concerning the sale to any of the heirs of Christopher and Maudine Beaton. A notification was sent to the address listed above and the notification was returned to the office of the Arkansas Commissioner of State Lands unreceived. The office of the Arkansas Commissioner of State Lands was aware that no interested party (owners or heirs) was living at the address above at the time the notification was sent. The office of the Arkansas Commissioner of State Lands was aware of the correct address the notification should have been sent too, but made the choice not to do this. The office of the Arkansas Commissioner of State Lands was well aware no interested party had been properly notified of the final sale, and no interested party was given instructions as to what actions could be taken.

What is the relief we are seeking? We are seeking for the office of the Arkansas Commission of State Lands to right the wrong done. The action by the office of the Arkansas Commissioner of State Lands to willfully and knowingly not give proper notification and instructions when the sale of the above listed property was completed is not lawful and is simply wrong.

This property was owned by a World War II Veteran and his Spouse.

Respectfully,

Sharon Greer
 Deana Hays

----- Forwarded Message -----

From: ASCC Pleadings <ascppleadings@arkansas.gov>

To: Peyton Murphy <pmurphy@cosl.org>; ASCC Pleadings <ascppleadings@arkansas.gov>

Cc: [REDACTED]

Sent: Wednesday, April 16, 2025 at 12:26:17 PM CDT

Subject: RE: Claims Commission Claim 251123

Received.

From: Peyton Murphy <pmurphy@cosl.org>

Sent: Tuesday, April 15, 2025 9:08 AM

To: ASCC Pleadings <ascppleadings@arkansas.gov>

Cc: [REDACTED]

Subject: Claims Commission Claim 251123

You don't often get email from pmurphy@cosl.org. [Learn why this is important](#)

Please file the attached answer and motion to dismiss in claim 251123.

By copy, I am notifying claimants of this filing.

Thank you,

Peyton T. Murphy

General Counsel

Arkansas Commissioner of State Lands

(501) 324-9422

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

SHARON GREER AND
DEANA HAYS

CLAIMANT

V.

CLAIM NO. 251123

ARKANSAS COMMISSIONER OF
STATE LANDS

RESPONDENT

ORDER

Now before the Arkansas State Claims Commission (the “Commission”) is the motion filed by the Arkansas Commissioner of State Lands (the “Respondent”) to dismiss the claim of Sharon Greer and Deana Hays (collectively referred to as the “Claimant”). Based upon a review of claim file and the law of the State of Arkansas, the Commission hereby finds as follows:

1. Claimant filed this claim regarding the sale of Claimant’s grandparents’ lot in Crittenden County, Arkansas, for back taxes in 2009.

2. Respondent filed a motion to dismiss the claim, arguing, *inter alia*, that dismissal is proper based on lack of jurisdiction, expiration of the statute of limitations, failure to state facts upon which relief can be granted, and failure to specify the relief sought.

3. Claimant responded, arguing that Respondent may have kept the difference between the purchase price of the property at the tax sale and the amount of the back taxes. Claimant also argued that Respondent failed to give proper notice of the sale.

4. In reviewing this motion to dismiss, the Commission must treat the facts alleged in the complaint as true and view them in a light most favorable to the Claimant. *See Hodges v. Lamora*, 337 Ark. 470, 989 S.W.2d 530 (1999). All reasonable inferences must be resolved in favor of the Claimant, and the complaint must be liberally construed. *See id.* However, the Claimant must allege facts, not mere conclusions. *Dockery v. Morgan*, 2011 Ark. 94 at *6, 380

S.W.3d 377, 382. The facts alleged in the complaint will be treated as true, but not “a plaintiff’s theories, speculation, or statutory interpretation.” *See id.* (citing *Hodges*, 337 Ark. 470, 989 S.W.2d 530 (1999)).

5. The Commission agrees with Respondent that dismissal of this claim is proper.

6. Regarding Respondent’s jurisdictional argument, the Commission finds that where Claimant can pursue a claim in circuit court, the Commission does not have jurisdiction. Ark. Code Ann. § 19-10-204. This is especially true in light of Respondent’s statement that actions to contest the validity of a conveyance by Respondent pursuant to Ark. Code Ann. § 26-37-203 have not been barred by the doctrine of sovereign immunity.


7. Even if the Commission did have jurisdiction, the Commission finds that Arkansas law provides a limited amount of time for Claimant to bring such a claim, depending on the relief sought by Claimant (which was not specified in the claim or in Claimant’s response to the motion). *See* Ark. Code Ann. §§ 26-37-203(b)(1) (providing 90 days after conveyance to contest validity), 18-61-101(a)(1) (providing seven years for a person or heirs to file suit for land after the right to sue accrues), 18-61-106 (cannot file suit related to tax sale of property unless seized or possessed of property within two years of suit), 18-60-212 (cannot file suit related to tax sale of property unless seized or possessed of property within two years of suit), 16-56-115 (providing five year statute of limitation for actions not otherwise specified in subchapter). Claimant did not state any facts to suggest that Claimant would have been aware of the tax sale if notice had been sent to an unspecified address that Claimant suggests should have been used.

8. Even if the Commission did have jurisdiction, the Commission finds that Claimant did not follow the process set out in Ark. Code Ann. § 26-37-204(g)(1) and did not state facts upon which relief can be granted.

9. Even if the Commission did have jurisdiction, the Commission finds that it has no authority to set aside a sale or to order Respondent to take any action with respect to the property. To the extent that Claimant is seeking monetary relief, the Commission agrees that, under Arkansas law, Respondent “shall not be liable for any monetary damages to any owner, interested party, or purchaser of tax-delinquent land for any action taken or any omission of action related to the sale of tax-delinquent land.” Ark. Code Ann. § 26-37-204(f).

10. As such, Respondent’s motion is GRANTED, and Claimant’s claim is DISMISSED.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Solomon Graves



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow, chair



ARKANSAS STATE CLAIMS COMMISSION
Sylvester Smith

DATE: June 5, 2025

Notice(s) which may apply to your claim

- (1) A party has forty (40) days from transmission of this Order to file a Motion for Reconsideration or a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from transmission of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Claims Commission. Ark. Code Ann. § 19-10-211(a)(1)(B)(ii). A decision of the Claims Commission may only be appealed to the General Assembly. Ark. Code Ann. § 19-10-211(a)(3).
- (2) If a Claimant is awarded less than \$15,000.00 by the Claims Commission at hearing, that claim is held forty (40) days from the date of disposition before payment will be processed. *See* Ark. Code Ann. § 19-10-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of \$15,000.00 or more are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 19-10-215(b).

From: [Kathryn Irby](#)
To: [Peyton Murphy](#)
Cc: [REDACTED]
Bcc: [Mika Tucker](#)
Subject: ORDER: Greer and Hays v. COSL, Claim No. 251123
Date: Sunday, June 8, 2025 6:10:00 PM
Attachments: [C44--Greer and Hays v. COSL, 251123.pdf](#)

Please see attached order entered by the Commission. To the extent that either party disagrees with the Commission's decision, please review Section 1 of the text box at the end of the order for the options at this point. Please note that any future filings should be submitted to ascpleadings@arkansas.gov, with a copy to the opposing party.

Thanks,
Kathryn Irby

Arkansas State Claims Commission
101 East Capitol Avenue, Suite 410
Little Rock, Arkansas 72201
(501) 682-1619

From: [Kathryn Irby](#)
To: [Peyton Murphy](#)
Subject: RE: ORDER: Greer and Hays v. COSL, Claim No. 251123
Date: Sunday, June 8, 2025 7:17:00 PM
Attachments: [Fw: Claims Commission Claim 251123.pdf](#)

Please see attached.

Thanks,
 Kathryn Irby

From: Peyton Murphy <pmurphy@cosl.org>
Sent: Sunday, June 8, 2025 6:29 PM
To: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: Re: ORDER: Greer and Hays v. COSL, Claim No. 251123

Is there a copy of the claimants' response to my motion to dismiss available?

Thank you,
 Peyton

Get [Outlook for Android](#)

From: Kathryn Irby <Kathryn.Irby@arkansas.gov>
Sent: Sunday, June 8, 2025 6:10:55 PM
To: Peyton Murphy <pmurphy@cosl.org>
Cc: [REDACTED]
Subject: ORDER: Greer and Hays v. COSL, Claim No. 251123

EXTERNAL EMAIL

Please see attached order entered by the Commission. To the extent that either party disagrees with the Commission's decision, please review Section 1 of the text box at the end of the order for the options at this point. Please note that any future filings should be submitted to ascpleadings@arkansas.gov, with a copy to the opposing party.

Thanks,
 Kathryn Irby

Arkansas State Claims Commission
 101 East Capitol Avenue, Suite 410
 Little Rock, Arkansas 72201
 (501) 682-1619

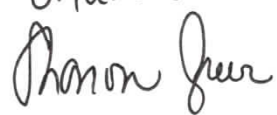
Arkansas
State Claims Commission

JUL 11 2025

RECEIVED

To whom it may concern,

This is a Signature Page for Claim #251123 Notice of Appeal submitted on July 6, 2025.

Sharon Greer


ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823



KATHRYN IRBY
DIRECTOR

101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823

CLAIM SUBMISSION SIGNATURE PAGE

The undersigned certifies that to the best of my knowledge, information, and belief, this claim is not being presented for any improper purpose; this claim is warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law; and the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

Sharon Greer

Claimant Name (must be printed legibly)

Sharon Greer

Claimant Signature

Acknowledgement

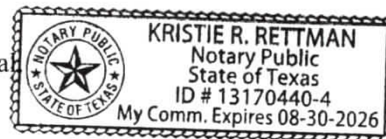
State of Texas

County of Rockwall

On this the 7th day of July, 2025, before me, the undersigned notary, personally appeared Sharon Greer known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal

Kristie R. Rettman
Signature of Notary Public



[Seal of Office]

My Commission expires: 8/30/2026


Arkansas
State Claims Commission

JUL 16 2025

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To whom it may concern,

This is a Signature Page for Claim #251123 Notice of Appeal submitted on July 6, 2025.

Deana Hays


Arkansas
State Claims Commission

JUL 16 2025

RECEIVED

ARKANSAS STATE CLAIMS COMMISSION

(501) 682-1619
FAX (501) 682-2823KATHRYN IRBY
DIRECTOR101 EAST CAPITOL AVENUE
SUITE 410
LITTLE ROCK, ARKANSAS
72201-3823CLAIM SUBMISSION SIGNATURE PAGE

The undersigned certifies that to the best of my knowledge, information, and belief, this claim is not being presented for any improper purpose; this claim is warranted by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law or for establishing new law; and the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

Deana Hays

Claimant Name (must be printed legibly)

Deana Hays

Claimant Signature

AcknowledgementState of TexasCounty of Titus

On this the 7 day of July, 2025, before me, the undersigned notary, personally appeared Deana Hays known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Annette Weeks
Signature of Notary PublicMy Commission expires: 4-12-26