

From: [ASCC New Claims](#)
To: [Kris Higdon \(DOC\)](#); [Yolanda Charles \(DOC\)](#)
Cc: [Kathryn Irby](#); [Mika Tucker](#)
Subject: CLAIM: Ronald Robinson v. ADC, Claim No. 250215
Date: Tuesday, November 12, 2024 9:27:00 AM
Attachments: [Ronald Robinson v. ADC agency ltr .pdf](#)
[Ronald Robinson Initial request, claim form, supporting docs, def ltr, MTE and Order \(combined\) - 250215.pdf](#)

Please see attached. Contact Mika Tucker 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

November 12, 2024

Mr. Kris Higdon
Arkansas Division of Correction
1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114

(via email)

RE: ***Ronald Robinson v. Arkansas Division of Correction***
Claim No. 250215

Dear Mr. Higdon,

Enclosed please find a copy of the above-styled claim filed against the Arkansas Division of Correction. 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, 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,

Mika Tucker

ES: cmcdaniel

cc: Ronald Robinson (ADC [REDACTED]), *Claimant* (w/ encl.)

Arkansas
State Claims Commission

JUN 22 2024

RECEIVED

Dear Arkansas State Claims Commission,
or appropriate person,

I requested and received a state claims form from your organization earlier this year. I have completed the form and the 5 pages of factual allegations to accompany it in the area to be notarized. Since I am incarcerated at ~~the [redacted] penitentiary~~ I contacted a notary who is a ~~brother~~ Lt. The Lt I found to notarize it for me was/is named Lt. Taylor. I am locked down 23-1 and the CO on the floor a recently hired CO named ~~STT~~ Miller said Lt. Taylor wanted it brought to her ~~at the [redacted]~~ (still in [redacted]). This at approx 10:45 on June 17th. He said it would be brought back to me so I could submit it for my claim. It was never returned to me. Today June 18th I called CO/STT Miller if I would receive it. He said Lt. Taylor said it was notarized mail with another ~~envelope~~ and put in ~~the [redacted]~~. So all I know is that yet again another legal document is either purposely destroyed or not returned to me in regards to this claim. I am requesting my claim to be started and another form/claim application to be sent to me so I can finish my claim for review.

I will submit my other ~~documentation~~ documentation with the new submission form.

Sincerely, Ronald Matthew Robinson
ANC# [redacted]

Info written on Arkansas State Claims Application for review

Form - which was destroyed by [redacted] Staff when being analyzed on June 11, 2024

Claim Amount Requested \$ 19,088.00

Date/Location: Feb 9 - Feb 18, 2024 [redacted] Prison [Last in the year last 6 months East Wing]

Facts of Claim: On the dates of Feb 9-18, 2024 I Ronald Matthew Robins, was confined for punitive housing in cell E-6 in the East building of the Cummins prison where my living conditions were inhuman degrading and exposed me to cruel unusual punishment while the actions & inactions of numerous Cummins staff caused me both mental, emotional and physical harm. Plumbing work in the pipe chase caused the toilet in my cell to overflow filling/covering my cell/floor with other people's shit/waste water when other people in cells around of my cell would flush their toilet. This occurring on multiple days. I was forced to even being left in cell with other people's shit / pee / waste water on my floor over night with no chemical brought to clean it up. Cummins Staff attempting to have problem fixed but being unable to. One night, the 1st night it occurred, I had to clean up my own shit, piss, waste water in my cell by hand with some amount of toilet before supplies/chemicals brought to me, then over the following days I was left in cell with other people's shit/pee/waste water on my cell's floor for more than 24 hours period of time and no chemicals brought to clean it up. I cleaned it with my own hands. Later that month I was moved to another cell out of my cell's caste and the same problem occurred again, this time nobody assigned to cell (was empty). After wards I was to doctor call and was diagnosed with contact dermatitis. Since the date of filing this claim it has not changed up becoming worse. During this time period Cummins staff also had adjoining cells to mine and hallway painted me and myself being left in cell smelling toxic paint fumes when falling asleep. After days of smelling toxic paint fumes wall vents in hallway were opened in hall was then left opened exposing me to the same toxic paint fumes.

extremely cold temps near or below 32°F for multiple days. Cummins staff confiscated all cold weather state issue clothes, thermals etc. except socks and underwear and + jints on Feb 13 around noon saying you will follow our rules not your rules when asked about warm clothes

I acknowledge all facts in this claim are true and factual.

Printed Name Ronald Matthew Robinson

Signature Ronald M. Robinson

End of Ar State Claims Commission Submission Form

Start of 5 pages of
factual allegations
and legal argument and Exhibits



- 4 pages front/back factual allegations and legal argument
- 1 page accompanying exhibit front page only
Cumt level argument

Location: [REDACTED] Prison - East Building, East Wing
Cell #6 (Female housing)

pg 1

Total Time Frame / Dates of Claim: Feb 9 - Feb 18, 2024

On/around Feb 9, 2024 - [REDACTED] staff had hall / adjoining cells to my assigned cell E-6 while I/cellie left in cell smelling toxic paint fumes.

- Still smelling toxic paint fumes in cell when falling asleep overnight
- After day(s) of smelling toxic paint fumes (and experiencing light headedness and shortness of breath etc.) wall vents in hallway at bottom of walls were opened and then left opened to outside exterior exposing me and my living qtrs to outside extremely cold conditions near or below 32°F for multiple days.

On/around Feb 13, 2024 - [REDACTED] staff confiscated all state issue clothes except socks, underwear and t-shirts. Specifically all cold weather state issue clothes (thermals, etc). Sgt. saying you will follow my ^{own} rules, not your rules when asked about warm clothes by me.

This occurring around noon (12:00).

- On/around the evening of Feb 13, 2024 around last/3rd chow the tier/cell filled with smoke; me being left in cell (No attempt by [REDACTED] staff to move inmates or ventilate living areas; me and other inmates being left in cell to smell Carcinogenic "smoke".

- My birthday [REDACTED]

- On/around Feb 13, 2024 the toilet in my cell } with other's
wastewater
overflowed/flooded filling my cell/hallway when other } shit's

people in cell's upwards of my cell 6 flushed. Then when I flushed theirs (toilets) would flood/overflow with other peoples shit/piss wastewater. • I was left in cell; [REDACTED] staff attempted to have problem fixed but were unable to fix plumbing problem; I left in cell and cleaned shit, piss filled water from my floor by towels, ^{using} soap/my hands before staff brought squeegee and chemicals giving me towel.

Sgt. Smith
Shift

- Feb 16 - my cell's toilet flooded/overflowed again when other cells upwards of my cell 6 flushed with shit/piss/wastewater left on my cell's floor overnight; problem still not fixed when staff informed • I left in cell no supplies, squeegee or chemicals brought • different staff continually informed at security rounds all night and following day but I was ignored - Feb 17 I told [REDACTED] staff at 2nd chow that toilets were fucked up and had been for nearly 2 days, me pointing at the shit/piss/wastewater that was left on my cell's floor overnight - He the guard said you act like I fix toilets. That afternoon my toilet flooded/overflowed again when other people flushed their toilet filling my cell floor with other peoples shit/piss/waste water - the waste water even getting in hallway over 1 1/2 inches of waste water in my cell on floor, pieces of other peoples shit floating in water, toilet paper and piss in the waste water in my cell floor and in hallway. Aaaaww/mel/mucellie left in cell and had to

catch/get the attention of porter in hall with squeegee; we (me and my cellie) left in cell cleaned out cell ourself, no chemicals given into cell to clean and other peoples shit/piss/wastewater were put in/washed into air duct/vent in floor in hallway against exterior wall - the hall and cell continued to smell like shit.

- Feb 18 I talked to warden Young as he walked by cell doing a round - he said he would look into get nothing was done about it.

- I was moved approx a week or so later so cell E-6 could be painted - I was moved 2 cells also downward of E-6 to E-4 and again the toilet in cell E-6 overflowed/flooded when people in cells upward of cell E-6 flushed this time the floor and hallway in front of cell E-6 filling with shit/piss/wastewater when nobody was inside cell E-6 so even at this inter-date the plumbing problem in pipe chase was yet to be fixed

- I put in a sick call after this - nurse said I had poor circulation in my extremities - "hands and fingers" when assessing my pulse-ox (this because of how cold my living qtrs were being exposed to outside exterior extremely cold weather conditions and having all my state issue cold weather cold clothes (thermal etc) confiscated - Nurse set me up for a doctor call - following this - the doctor diagnosed me with

[REDACTED] and as of current date
my wrist / arms / hands have yet to clear up
- I submitted my original step 1 informal
resolution the first level of the grievance
procedure established at the [REDACTED] Prison; this
step 1 informal resolution signed by Sgt. Miller (35308)
on 2-19-24.
- My attempts at a resolution of my problem
by following the established grievance procedure
yielded no results, so my next step is my
claim I am submitting Before The State
Claims Commission Of the State of Arkansas,
by myself Ronald Matthew Robinson.
- [REDACTED] staff has destroyed or purposely
not returned my original grievance signed
and submitted at the step 1 informal resolution
level by Sgt. Miller (35308) on 2-19-2024. Sgt.
Miller saying he doesn't know why they
aren't doing what they are supposed
to do when I asked why I have not
received a reply to my informal resolution.
The inmate receipt I retained "yellow
copy" was submitted to grievance
coordinator due to problem solver not
responding to my "informal resolution"
within allotted time yet was not
accepted by grievance coordinator
Ashleukina because it was not original

Pg 3

grievance (remember this has never been replied to or returned to me by problem solver after being signed and submitted at the step 1 informal resolution level on 2-19-2024). I have submitted 3 more step 1 informal resolutions for same complaint being grieved; with 2 on 2/27/2024 again not being replied to by problem solver or being purposely destroyed with the 3rd one on 3/4/2024 being signed and returned to me by problem solver yet still not being accepted by grievance coordinator Ashley King. I even tried to appeal to pine bluff yet being told on 3/9/2024 an appeal would not be accepted unless it was my original grievance/informal resolution which I would like you to remember was either purposely destroyed by [REDACTED] staff or just never returned to me by problem solver in an attempt by Cummins prison staff to evade the established grievance process for a complaint I made/have made that has merit.

- I have experienced mental anguish, and emotional pain being left in a confined cell for multiple days specifically Feb 15- Feb 18, 2024 while assigned to punitive housing in cell E-6 in

East Building with a non-working toilet at times with other peoples shit/piss/waste water on my floor over 24 hr periods being forced to hold my piss/shit, urine/feces and when that was no longer possible to wade through other peoples wastewater / shit/piss in my floor to an already overflowing non-working toilet and relieve myself of urine/feces then wade back through other peoples waste water on my floor to my sleeping area my rack and crawl into my blankets my feet and lower legs still covered in other peoples waste water no matter how I tried to clean them and smelling feces/urine as the unworking toilet meaning there is no way to get rid of flush my bodily waste over multiple days, plus the smell of the other peoples piss/shit already on my cells floor.

- I experienced bodily/physical harm on my hands, wrists, and arms from unsanitary in humane conditions me being diagnosed by doctor with contact dermatitis directly following this prolonged exposure and contact with other peoples / my own feces/urine and waste water on my hands wrists and arms

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- I experienced moments of lightheadedness and dizziness from prolonged exposure / smelling toxic paint fumes and unknown future complications.
- [REDACTED] staff failed to protect me from easily mitigated conditions that deprived me of my most basic human rights specifically during the dates of Feb 9 - Feb 18, 2024.
- I was exposed / forced to endure cruel and unusual punishment in inhumane and unsanitary conditions with multiple AR's and policies being violated by Cummins Prison staff while I was assigned to punitive housing in cell E-6 in the East Building of [REDACTED] Prison.
- My most basic human rights have been violated such as the right to have access to a working toilet while assigned to cell E-6 in East Building of [REDACTED] Prison for a confined space where the light fixture ^{punitive housing} was removed ~~before~~ I entered cell and the wires were exposed hanging out of wall with no covering exposed live wires and depriving me of my right/ability to have a semi-sanitary, semi-warm, safe living area and be supplied with sanitation

supplier while I was assigned to punitive housing in cell E-6 in the East Building of the [REDACTED] Prison.

- ✦ I am seeking a total of 14,088.00 dollars in financial / monetary compensation for my claim as presented before the State Claims Commission of the State of Arkansas for compensatory and punitive damages and pray this relief is granted to myself Ronald Matthew Robinson after being reviewed by the State Claims Commission of the State of Arkansas and all appropriate parties.

EXHIBIT

UNIT LEVEL GRIEVANCE FORM (Attachment I)

FOR OFFICE USE ONLY	
GRV. # _____	_____
Date Received: _____	_____
GRV. Code #: _____	_____

Unit/Center Max

Name Ronald M Robinson

ADC# _____ Brks # E-6 Job Assignment NIA

Feb 19, 2024 (Date) STEP ONE: Informal Resolution

Feb 23, 2024 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)
If the issue was not resolved during Step One, state why: The problem solver has not responded to "informal resolution" within the allotted time.

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In an Emergency, state why: _____

Is this Grievance concerning Medical or Mental Health Services? _____ If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): I am grieving the living conditions/assigned housing program extended amount of time being indwellable specifically Feb 9-18, 2024 and the actions/inaction of _____ staff in correlation to it's dwellability. On/around Feb 9 Cummins staff had hall/adjoining cell dented while I/cellie left in cell smelling toxic fumes still smelling paint fumes in cell when falling asleep own. Today (s) of smelling paint fumes wall vents in hallway were opened /left open to outside exposing living qd harsh extremely cold temp near or below 32°F for multiple days. On /around Feb 13 at noon (12:00) Cummins staff confiscated all cold weather state issue clothes thermal etc except socks underwear and t-shirts saying will follow our rules not your rules when asked about warm clothes. On/around evening of Feb 13 the tier, is filled with smoke around 3rd chow being left in cell (NO attempt to move in mates or ventilate I was on /around Feb 15 to let in my cell flooded cell/hallway with shit water when other cells upward of 6 flushed and I flushed then flooded. _____ staff attempted to fix plumbing problem but were unable to I flushed and cleaned shit/pur water in cell by hand/towel/soap then Cummins staff brought squeegee hemis going retro Feb 16 my cell toilet flooded again when other cells flushed shit water left in cells overnight problem still not fixed when staff informed Feb 17 _____ staff told at 2nd chow toilet are still fucked up; after 2nd chow 2 toilets flooded/backed up other peoples shit/ass on my floor. I left in cell a act to catch hall porter with squeegee, no chemicals given to me to clean toilet/shit/pur water shed into air ventin _____ Ronald M Robinson 2-18-2024 Baker

Inmate Signature Ronald M Robinson Date Feb 18 Warden Young said would Date toilet flooded on Feb 17 staff saw you act like I fix toilets

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on _____ (date), and determined to be **Step One** and/or an Emergency Grievance _____ (Yes or No). This form was forwarded to medical or mental health? _____ (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: _____

Feb 23 2-23-24
Staff Signature & Date Returned _____ Inmate Signature & Date Received _____

This form was received on 2-23-24 (date), pursuant to **Step Two**. Is it an Emergency? NO (Yes or **NO**)

Staff Who Received Step Two Grievance: Demetria Meoney Date: 2-24-24

Action Taken: _____ (Forwarded to Grievance Officer/Warden/Other) Date: _____

If forwarded, provide name of person receiving this form: _____ Date: _____

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; **BLUE** - Grievance Officer; **ORIGINAL** - Given back to Inmate after Completion of Step One and Step Two.



Please print in ink or type

AUG 07 2024

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

RECEIVED

- Mr. Mrs. Ms. Miss

Ronald Robinson (ADC [redacted]), Claimant

Do Not Write in These Spaces. Claim No., Date Filed (Month, Day, Year), Amount of Claim \$, Fund.

vs. State of Arkansas, Respondent

COMPLAINT

Ronald Robinson (ADC [redacted]), the above named Claimant, of [redacted] (Name) [redacted] (Street or R.F.D. & No.) [redacted] (City) [redacted] (State) [redacted] (Zip Code) [redacted] (Daytime Phone No.) represented by [redacted] (Legal Counsel, if any, for Claim) [redacted] (Street and No.) [redacted] (City) [redacted] (State) [redacted] (Zip Code) [redacted] (Phone No.) [redacted] (Fax No.) says:

State agency involved: Cummins/Arkansas Department of Corrections Amount sought: \$14,088.00

Month, day, year and place of incident or service: Feb 9-Feb 18, 2024 [redacted] Prison [East Building, Cell East 6, East Wing]

Explanation: On the dates of Feb 9-18, 2024 I, Ronald/ Matthew Robinson was confined for punitive housing in Cell E-6 in the East Building of the [redacted] Prison where my living conditions were indwellable/unsanitary/inhumane exposing me to cruel/unusual punishment while the actions/inaction of numerous cummins staff caused me both mental, emotional and physical harm. Plumbing problem in the pipe chase caused the toilet in my cell to overflow filling/covering my cell/floor with other peoples piss/shit/wastewater when other people in cells upward of my cell would flush their toilet. This occurring on multiple days. I was left in cell (even being left in cell with other peoples shit/piss/wastewater on my floor overnight with no chemicals brought to clean it up). [redacted] staff attempting to have problem fixed but being unable to. One night, the 1st night it occurred I had to clean other peoples shit/piss/wastewater in my cell by hand with soap/water/towel before supplies/chemical brought to me, then on following days I was left in cell with other peoples shit/piss/wastewater on my cells floor for more than 24 hrs. when it occurred again overnight the next day/evening/morning into the following day and no chemicals brought to clean it up. I cleaned it up with squeegee this time. Afterwards, I went to doctor call and was diagnosed with contact dermatitis on my hands/wrist and as of date of filing this claim has not cleared up because is worse. During this time period cummins staff had adjoining cells to mine and hallway painted me and my cell being left in cell smelling toxic paint fumes when falling asleep. After days of smelling toxic paint fumes, walls vents in hallway were opened then left to open exposing my living qtrs to hard extremely cold temps near or below 32 degrees for multiple days. [redacted] staff confiscated all cold weather state issue clothes, thermal socks, underwear, etc. (Feb 13-14-15-16-17-18) asking you will follow our rules not your rules when asked about warm clothes.

As part of this complaint, the claimant makes the statements, and answers the following questions, as indicated: (1) Has claim been presented to any state department or officer thereof? NO (Yes or No) when? N/A (Month) (Day) (Year) to whom? N/A (Department) and that the following action was taken thereon: N/A

and that \$ N/A was paid thereon: (2) Has any third person or corporation an interest in this claim? N/A; if so, state name and address (Name) N/A (Street or R.F.D. & No.) (City) (State) (Zip Code) and that the nature thereof is as follows: N/A and was acquired on N/A, in the following manner

THE UNDERSIGNED states on oath that he or she is familiar with the matters and things set forth in the above complaint, and that he or she verily believe that they are true.

Ronald M. Robinson (Print Claimant/Representative Name) Ronald M. R. (Signature of Claimant/Representative)

SWORN TO and subscribed before me at Crady (City) Ar (State)



this 28 day of July, 2024 (Date) (Month) (Year)

[Signature] (Notary Public)

My Commission Expires: 12 (Month) 14 (Day) 2028 (Year)

SF1-R7/99

1. The first part of the document
 discusses the general principles
 of the system.

The second part of the document
 describes the implementation details.

The third part of the document
 provides a detailed description of the
 system architecture.

Dear Arkansas State Claims Commission,
or appropriate person,

Arkansas
State Claims Commission

JUN 22 2024

RECEIVED

I requested and received a state claims form from your organization earlier this year. I have completed the form and the 5 pages of factual allegations to accompany it minus the area to be notarized. Since I am incarcerated ~~in a prison~~ ~~and I attempted to~~ ~~bring it to a notary who is~~ ~~a Sgt or a Lt.~~ The Lt I found to notarize it for me was/is named Lt. Taylor. I am locked down 23-1 and the CO on the floor a recently hired CO named Sgt/JT Miller said Lt. Taylor wanted it brought to her ^(still needed stamp). This at approx 10:45 on June 17th. He said it would be brought back to me so I could submit it for my claim. It was never returned to me Today June 18th I called Sgt/JT Miller if I could pick it up today. He said Lt. Taylor said it was notarized ^{and given} with another ~~person and I should pick it up~~ ~~and give it to the notary~~. So all I know is that yet again another legal document is either purposely destroyed or not returned to me in regards to this claim. I am requesting my claim to be started and another form/claim application to be sent to me so I can finish my claim for review.

I will submit my other supporting documentation with the new submission form.

Sincerely, Ronald Matthew Robinson

ABC# [REDACTED]

Info written on Arkansas State Claim Application for review
Form - which was destroyed by [redacted] staff when being notarized on June 17, 2024.
Claim Amount Requested \$14,088.00

Date / Location: Feb 9 - Feb 18, 2024 Cummins Prison [East building - East 6 on/in East wing]

Facts of Claim: On the dates of Feb 9-18, 2024 I Ronald Matthew Robinson, was confined for punitive housing in cell E-6 in the East building of the [redacted] prison where my living conditions were inhumane, wanting/3 in human exposing me to cruel/unusual punishment while the actions & inaction of numerous Cummins staff caused me both mental, emotional and physical harm. Plumbing problems in the pipe chase caused the toilet in my cell to overflow & leak covering my cell / floor with other people's shit/waste water when other people in cells adjacent of my cell would flush their toilet. This occurring on multiple days. I was forced to even being left in cell with other people's shit/poo/waste water on my floor overnight with no chemicals brought to clean it up. Cummins staff attempting to have problems fixed but being unable to. One night, the 1st night it occurred, I had to clean up other people's shit, piss and waste water in my cell by hand using some paper towel before supplies/chemicals brought to me, then some cleaning days I was left in cell with other people's shit/poo/waste water on my cell's floor for more than 24 hours period and it occurred again overnight the 2nd day/evening/morning into the 3rd day and no chemicals brought to clean it up. I cleaned it with supplies that I had. Later that month I was moved to another cell sat in which cell painted and the same problem occurred again, this time nobody assigned to cell (was empty). After wards I went to doctor call and was diagnosed with contact dermatitis. Staff also had a job as of date of filing this claim it has not cleaned up becoming worse. During this time period Cummins staff also had adjoining cells to mine and hallway painted me in my cell being left in cell smelling toxic paint fumes when falling asleep. After days of smelling toxic paint fumes wall vents in hallway were opened which was the left opened exposing multiple areas to human

extremely cold temp near or below 32° for multiple days. [redacted] staff confiscated a cold weather state issue clothes, thermos and extra socks and underwear and shirts on Feb 13 around noon saying you will follow our rules not your rules when asked about warming

I acknowledge all facts in this claim are true and actual.

Printed Name Ronald Matthew Robinson

Signature Ronald M. Robinson

End of Ar State Claims Commission Submission Form

Start of 5 pages of
factual allegations
and legal argument and Exhibits



- 4 pages front/back, factual allegations and legal argument
- 1 page accompanying exhibit front page, only (unit level agreement)

Location [REDACTED] East Building, East Wing
 Cell #6 (Punitive housing)

pg 1

Total Time Frame / Dates of Claim: Feb 9 - Feb 18, 2024

On/around Feb 9, 2024 - [REDACTED] staff had hall / adjoining cells to my assigned cell E-6 while I/cellie left in cell smelling toxic paint fumes.

- Still smelling toxic paint fumes in cell when falling asleep overnight

- After day(s) of smelling toxic paint fumes (and experiencing light headedness and shortness of breath etc.) wall vents in hallway at bottom of walls were opened and then left opened to outside exterior exposing me and my living qtrs to outside extremely cold conditions near or below 32°F for multiple days.

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This occurring around noon (12:00).

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- My birthday is [REDACTED]

- On/around Feb 13, 2024 the toilet in my cell } overflowed/flooded filling my cell/hallway } ^{with other's} wasterwater _{shit} when other's is

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Sgt. Smith
shift

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catch/get the attention of porter in hall with squeegie; we (me and my cellie) left in cell cleaned out cell ourself, no chemicals given into cell to clean and other peoples shit/piss/wastewater were put in/washed into air duct/vent in floor in hallway against exterior wall - the hall and cell continued to smell like shit.

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- I put in a sick call after this - nurse said I had poor circulation in my extremities - "hands and fingers" when assessing my pulse-ox (this because of how cold my living qtrs were being exposed to outside exterior extremely cold weather conditions and having all my state issue cold weather cold clothes (thermal etc) confiscated - Nurse set me up for a doctor call - following this - the doctor diagnosed me with

[REDACTED] - and as of current date my wrist / arms / hands have yet to clear up

- I submitted my original step 1 informal resolution the first level of the grievance procedure established at the [REDACTED] Prison; this step 1 informal resolution signed by Sgt. Miller (35308) on 2-19-24.
- My attempt at a resolution of my problem by following the established grievance procedure yielded no results, so my next step is my claim I am submitting Before The State Claims Commission Of the State of Arkansas. by myself Ronald Matthew Robinson.
- [REDACTED] staff has destroyed or purposely not returned my original grievance signed and submitted at the step 1 informal resolution level by Sgt. Miller (35308) on 2-19-2024. Sgt. Miller saying he doesn't know why they aren't doing what they are supposed to do when I asked why I have not received a reply to my informal resolution. The inmate receipt I retained "yellow copy" was submitted to grievance coordinator due to problem solver not responding to my "informal resolution" within allotted time yet was not accepted by grievance coordinator Ashley King because it was not original

Pg 3

grievance (remember this has never been replied to or returned to me by problem solver after being signed and submitted at the step 1 informal resolution level on 2-19-2024). I have submitted 3 more step 1 informal resolutions for same complaint being grieved; with 2 on 2/27/2024 again not being replied to by problem solver or being purposely destroyed with the 3rd one on 3/4/2024 being signed and returned to me by problem solver yet still not being accepted by grievance coordinator Ashley King. I even tried to appeal to pine bluff yet being told on 3/9/2024 an appeal would not be accepted unless it was my original grievance/informal resolution which I would like you to remember was either purposely destroyed by Cummins staff or just never returned to me by problem solver in an attempt by Cummins prison staff to evade the established grievance process for a complaint I made/have made that has merit.

- I have experienced mental anguish, and emotional pain being left in a confined cell for multiple days specifically Feb 15- Feb 18, 2024 while assigned to punitive housing in cell E-6 in

East Building with a non-working toilet at times with other peoples shit/piss/waste water on my floor over 24 hr periods being forced to hold my piss/shit, urine/feces and when that was no longer possible to wade through other peoples waste water / shit/piss in my floor to an already overflowing non-working toilet and relieve myself of urine/feces then wade back through other peoples waste water on my floor to my sleeping area my rack and crawl into my blankets my feet and lower legs still covered in other peoples waste water no matter how I tried to clean them and smelling feces/urine as the unworking toilet meaning there is no way to get rid of flush my bodily waste over multiple days, plus the smell of the other peoples piss/shit already on my cells floor.

- I experienced bodily/physical harm on my hands, wrists, and arms from unsanitary in humane conditions me being diagnosed by doctor with contact dermatitis directly following this prolonged exposure and contact with other peoples / my own feces/urine and waste water on my hands, wrists, and arms.

Pg 4

- I experienced moments of lightheadedness and dizziness from prolonged exposure / smelling toxic paint fumes and unknown future complications.
- [REDACTED] staff failed to protect me from easily mitigated conditions that deprived me of my most basic human rights specifically during the dates of Feb 9 - Feb 18, 2024.
- I was exposed / forced to endure cruel and unusual punishment in inhumane and unsanitary conditions with multiple AR's and policies being violated by [REDACTED] Prison Staff while I was assigned to punitive housing in cell E-6 in the East Building of [REDACTED] Prison.
- My most basic human rights have been violated such as the right to have access to a working toilet while assigned to cell E-6 in East Building of [REDACTED] Prison for punitive housing a confined space where the light fixture was removed ~~before~~ I entered cell and the wires were exposed hanging out of wall with no covering exposing live wires and depriving me of my right / ability to have a semi-sanitary, semi-warm, safe living area and be supplied with sanitation

supplies while I was assigned to punitive housing in cell E-6 in the East Building of the [REDACTED] Prison.

- ★ I am seeking a total of 14,088.00 dollars in financial / monetary compensation for my claim as presented before the State Claims Commission of the State of Arkansas for compensatory and punitive damages and pray this relief is granted to myself Ronald Matthew Robinson after being reviewed by the State Claims Commission of the State of Arkansas and all appropriate parties.

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center [redacted]

Name Ronald M Robinson

ADC# [redacted] Brks # E-6 Job Assignment NIA

FOR OFFICE USE ONLY	
GRV. # _____	Date Received: _____
GRV. Code #: _____	

Feb 18, 2024 (Date) STEP ONE: Informal Resolution

Feb 23, 2024 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)
If the issue was not resolved during Step One, state why: The problem solver has not responded to "informal resolution" within the allotted time.

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In an Emergency, state why: _____

Is this Grievance concerning Medical or Mental Health Services? _____ If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, **date**, place, name of personnel involved and how you were affected. (Please Print): I am grieving the living conditions/a assigned housing for an extended amount of time being ind wellable specifically Feb 9-18, 2024 and the actions of [redacted] staff in correlation to it's dwellability. On/around Feb 9 [redacted] staff had hall/adjoining cells sited while I/cellie left in cell smelling toxic fumes still smelling paint fumes in cell when falling asleep owing 4e-day (s) of smelling paint fumes wall vents in hallway were opened/left open to outside exposing living qtr harsh extremely cold temp near or below 32 of formult. pledays. On/around Feb 13 at noon (12:00) [redacted] off confiscated all cold weather state issue clothes thermal etc except socks/underwear and t-shirts saying u will follow our rules not your rules when asked about warm clothes. On/around evening of Feb 13 the tier/ tr filled with smoke around 3rd chow jbang left in cell (no attempt to move in mates or ventilate) on around Feb 15 toilet in my cell flooded cell/hallway with shit water when other cells upward of 6 flushed or I flushed then flooded [redacted] staff attempted to fix plumbing problem but were unable to I flushed and cleaned shit/piss water in cell by hand/towel/soap then cummins staff brought sponge/hemostatic going retro Feb 16 my cells toilet flooded again when other cells flushed shit water left in cells overnight problem still not fixed when staff informed Feb 17 [redacted] staff told at 2nd chow to lat are still fucked up after 2nd chow 2 toilets flooded/hacked on other peoples shit/piss on my floor. Toilet in cell had to catch hall porter with squeegee, no chemicals given to me to clean toilet/shit/piss counter shed into air vent in [redacted] floor wing cell still smells like shit and plumbing not fixed

Ronald M Robinson 2-18-2024

Inmate Signature Ronald M Robinson Date Feb 18 2024

If you are harmed, threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on _____ (date), and determined to be **Step One** and/or an Emergency Grievance _____ (Yes or No). This form was forwarded to medical or mental health? _____ (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

PRINT STAFF NAME (PROBLEM SOLVER)	ID Number	Staff Signature	Date Received
Describe action taken to resolve complaint, including dates: _____			

[Signature] 2-23-24
Staff Signature & Date Returned [Signature] 2-23-24
Inmate Signature & Date Received

This form was received on 2-24-24 (date), pursuant to **Step Two**. Is it an Emergency? NO (Yes or **NO**)
Staff Who Received Step Two Grievance: Demetria Mooney Date: 2-24-24
Action Taken: _____ (Forwarded to Grievance Officer/Warden/Other) Date: _____
If forwarded, provide name of person receiving this form: _____ Date: _____

DISTRIBUTION: **YELLOW & PINK** - Inmate Receipts; **BLUE** - Grievance Officer; **ORIGINAL** - Given back to Inmate after Completion of Step One and Step Two.



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

August 26, 2024

Ronald Robinson (ADC) [REDACTED]
[REDACTED]

RE: **Claim No. 250215 – deficient filing**

Dear Mr. Robinson,

Your claim has been filed but has not been transmitted to the Arkansas Department of Correction because the claim exceeds the page limitations set out in Ark. Code Ann. § 19-10-208(f). The text of this subsection is set out on the following page for your review. I am also enclosing your filing for your convenience.

Pursuant to Ark. Code Ann. § 19-10-208(f)(3)(A)(ii), you have forty-five days from the date of this letter to resubmit your complaint in compliance with the statute or to file a motion for leave to exceed the page limitations. Failure to do so will result in the dismissal of your claim without prejudice. Ark Code Ann. § 19-10-208(f)(3)(C).

Sincerely,

Mika Tucker

ES: cmcdaniel

Enclosures

Ark. Code Ann. § 19-10-208(f)

- (1) A claimant who is an inmate in the Department of Correction or the Department of Community Correction at the time the claim or action is filed is limited to no more than:
 - (A) Five (5) pages of written factual allegations and legal argument in his or her complaint; and
 - (B) Five (5) additional pages of exhibits to accompany his or her complaint.
- (2)
 - (A) An inmate filing a claim or action may file a motion to allow him or her to file additional pages of factual allegations, argument, or exhibits in excess of the limitations under subdivision (f)(1) of this section.
 - (B) A motion filed under this subdivision (f)(2) may be granted only if the commissioners of the Arkansas State Claims Commission find that the inmate needs the additional pages to fully explain his or her claim or action or if the claim or action is sufficiently complex to warrant additional pages.
- (3)
 - (A) If an inmate files a claim or action that exceeds the page limitations under this subsection, the commission shall:
 - (i) Assign the inmate's claim a docket number; and
 - (ii) Consider the inmate's claim filed, but mail the inmate's complaint and any attached exhibits back to him or her and give the inmate forty-five (45) days to:
 - (a) Resubmit his or her complaint and any attached exhibits in compliance with this subsection; or
 - (b) File a motion requesting permission to file a complaint and accompanying exhibits that exceed the page limitations under this subsection.
 - (B) The forty-five-day time period under this subsection is excludable time in calculating the statute of limitations for the inmate's claim or action.
 - (C) The commission may dismiss an inmate's complaint without prejudice if the inmate fails to:
 - (i) Resubmit a complaint and attached exhibits that meet the page limitation requirements of this subsection; or
 - (ii) File a motion requesting permission to file a complaint and attached exhibits that exceed the page limitation requirements of this subsection.
 - (D)
 - (i) If the commission grants a motion for a complaint and accompanying exhibits that exceed the page limitation requirements of this subsection, the commission shall set out in the order granting the motion the revised timeline for the inmate to file his or her complaint and accompanying exhibits.
 - (ii) The commission may set a revised limit on the number of pages an inmate's complaint and accompanying exhibits may be.

Acts of 1949, Act 462, § 3; Acts of 1983, Act 470, § 3; Acts of 2019, Act 785, § 2, eff. July 24, 2019.

Please print in ink or type

AUG 07 2024

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

RECEIVED

- Mr. Mrs. Ms. Miss

Ronald Robinson (ADC [redacted]) Claimant

Do Not Write in These Spaces. Claim No., Date Filed, Amount of Claim \$, Fund.

vs. State of Arkansas, Respondent

COMPLAINT

Ronald Robinson (ADC [redacted]) the above named Claimant, [redacted] (Name) [redacted] (Street or R.F.D. & No.) [redacted] (City) [redacted] (State) [redacted] (Zip Code) [redacted] (Daytime Phone No.) County of [redacted] represented by [redacted] (Legal Counsel, if any, for Claim) of [redacted] (Street and No.) [redacted] (City) [redacted] (State) [redacted] (Zip Code) [redacted] (Phone No.) [redacted] (Fax No.) says:

State agency involved: Arkansas Department of Corrections Amount sought: \$14,088.00

Month, day, year and place of incident or service: Feb 9-Feb 18, 2024 [redacted] Prison [East Building, Cell East 6, East wing]

Explanation: On the dates of Feb 9-18, 2024 I Ronald Matthew Robinson was confined for punitive housing in Cell E-6 in the East Building of the [redacted] Prison where my living conditions were indwellable/unsanitary & inhumane exposing me to cruel/unusual punishment while the actions/inaction of numerous [redacted] staff caused me both mental, emotional and physical harm. Plumbing problem in the pipe chase caused the toilet in my cell to overflow filling/covering my cell/floor with other peoples piss/shit/wastewater when other people in cells upward of my cell would flush their toilet. This occurring on multiple days. I was left in cell (even being left in cell with other peoples shit/piss/wastewater on my floor overnight with no chemicals brought to clean it up). [redacted] staff attempting to have problem fixed but being unable to. One night, the 1st night it occurred I had to clean other peoples shit/piss/wastewater in my cell by hand with soap/water/towel before supplies/chemicals brought to me, then on the following days I was left in cell with other peoples shit/piss/wastewater on my cell's floor for more than 24 hr per day when it occurred again overnight the next day evening/morning into the following day and no chemicals brought to clean it up. I cleaned it up with squeegee this time. Afterwards, I went to doctor call and was diagnosed with contact dermatitis on my hands/wrists and as of date of filing this claim has not cleared up becoming worse. During this time period cummins staff had adjoining cells to mine and hallway painted me and my cell being left in cell smelling toxic paint fumes when falling asleep. After days of smelling toxic paint fumes, wall vents in hallway were reopened then left opened exposing my living qtrs to harsh extremely cold temps near or below 32 degrees for multiple days. [redacted] staff confiscated all cold weather state issue clothes, thermal etc except socks, underwear, etc. Feb 10-12, 2024. I asked about warm clothes, they said you will follow our rules not your rules. I was asked about warm clothes.

As parts of this complaint, the claimant makes the statements, and answers the following questions, as indicated: (1) Has claim been presented to any state department or officer thereof? NO; when? N/A; to whom? N/A; (Department) N/A; and that the following action was taken thereon: N/A

and that \$ N/A was paid thereon: (2) Has any third person or corporation an interest in this claim? N/A; if so, state name and address (Name) N/A (Street or R.F.D. & No.) (City) (State) (Zip Code) and that the nature thereof is as follows: N/A; and was acquired on N/A, in the following manner:

THE UNDERSIGNED states on oath that he or she is familiar with the matters and things set forth in the above complaint, and that he or she verily believes that they are true.

Ronald M. Robinson (Print Claimant/Representative Name) Ronald M. R. (Signature of Claimant/Representative)

SWORN TO and subscribed before me at Crady (City) Ar (State)

(SEAL) ISAAC WADE NOTARY PUBLIC-STATE OF ARKANSAS JEFFERSON COUNTY My Commission Expires 12-14-2028 Commission # 12707238 on this 28 day of July, 2024 (Date) (Month) (Year)

SF1- R7/99 My Commission Expires: 12 14 2028 (Month) (Day) (Year)

Info written on Arkansas State Claim Application for review

Form - which was destroyed by [redacted] Staff when being notarized on June 17

Claim Amount Requested \$14,088.00

202

Date / Location: Feb 9 - Feb 18, 2024 [redacted] Prison [East Building, East 6 on 1st East wing]

Facts of Claim: On the dates of Feb 9-18, 2024 I Ronald Matthew Robinson was confined for punitive housing in cell E-6 in the East building of the [redacted] prison where my living conditions were inhumane, wanting/inhumane exposing me to cruel/unusual punishment while the actions/inaction of numerous Cummins staff caused me both mental, emotional and physical harm. Plumbing problem in the pipe chase caused the toilet in my cell to overflow filling/covering my cell/floor with other people's shit/waste water when other people in cells upward of my cell would flush their toilet. This occurring on multiple days. I was left [redacted] even being left in cell with other people's shit/waste water on my floor overnight with no chemicals brought to clean it up. Cummins Staff attempting to have problem fixed but being unable to. One night, the night it occurred, I had to clean up my own shit, piss/wastewater in my cell by hand with some toilet paper before supplies/chemicals brought to me, then wastewater on my cell's floor for more than 24 hours period with no chemicals brought to clean it up. I cleaned it with my own hands. Later that month I was moved to another cell where cell 6 painted and the same problem occurred again, this time nobody assigned to cell (was empty). Afterwards I went to doctor call and was diagnosed with contact dermatitis. I was [redacted] during this time period Cummins staff also had adjoining cells to mine and hallway painted me [redacted] being left in cell I mean toxic paint fumes when falling asleep. After days of smelling toxic paint fumes wall vents in hallway were opened in hall was then left open exposing my living qtrs to hazards.

extremely cold temps near or below 32°F for multiple days. Cummins staff confiscated a cold weather state issue clothes, thermal's etc. esport pants and underwear and t-shirts on Feb 13 around noon saying you will follow our rules, not your rules when asked about warm clothes

I acknowledge all facts in this claim are true and factual

Printed Name Ronald Matthew Robinson

Signature Ronald M. Robinson

End of Ar State Claims Commission Submission Form

Start of 5 pages of factual allegations and legal argument and Exhibits



- 4 pages front/back | factual allegations and legal argument
- 1 page accompanying exhibit front page only
Cumt level affidavit

Location: [REDACTED] Prison - East Building, East Wing
Cell #6 (Punitive housing)

pg 1

Total Time Frame / Dates of Claim: Feb 9 - Feb 18, 2024

On/around Feb 9, 2024 - [REDACTED] staff had hall / adjoining cells to my assigned cell E-6 ^{Painted} while I/cellie left in cell smelling toxic paint fumes.

- Still smelling toxic paint fumes in cell when falling asleep overnight

- After day(s) of smelling toxic paint fumes (and experiencing light headedness and shortness of breath etc.) wall vents in hallway at bottom of walls were opened and then left opened to outside exterior exposing me and my living qtrs to outside extremely cold conditions near or below 32°F for multiple days.

On/around Feb 13, 2024 - [REDACTED] staff confiscated all state issue clothes except socks, underwear and t-shirts. Specifically all cold weather state issue clothes (thermals, etc.) • Sgt. saying you will follow my ^{"our"} rules, not your rules when asked about warm clothes by me.

This occurring around noon (12:00).

- On/around the evening of Feb 13, 2024 around last/3rd chow the tier/cells filled with smoke; me being left in cell (No attempt by [REDACTED] staff to move inmates or ventilate living areas) me and other inmates being left in cell to smell

Carbonyl, i.e. "smoke"

- My birthday is [REDACTED]

- On/around Feb 15, 2024 the toilet in my cell ^{toilet} (wastewater ^{shit}) overflowed/flooded filling my cell/hallway (when other ^{shit})

people in cell's upwards of my cell 6 flushed. Then when I flushed theirs (toilets) would flood/overflow with other people's shit/piss/wastewater. • I was left in cell; [REDACTED] staff attempted to have problem fixed but were unable to fix plumbing problem; I left in cell and cleaned shit, piss filled water from my floor by towels, ^{using} my hands before staff brought squeegee and chemicals giving me a tour.

Sgt. Smith
Shift

- Feb 16 - my cell's toilet flooded/overflowed again when other cells upwards of my cell 6 flushed with shit/piss/wastewater left on my cell's floor overnight; problem still not fixed when staff informed - I left in cell no supplies, squeegee or chemicals brought • different staff continually informed at security rounds all night and following day but I was ignored - Feb 17 I told [REDACTED] staff at 2nd chow that toilets were fucked up and had been for nearly 2 days, me pointing at the shit/piss/wastewater that was left on my cell's floor overnight - He the guard said you act like I fix toilets. That afternoon my toilet flooded/overflowed again when other people flushed their toilet filling my cell floor with other people's shit/piss/waste water - the waste water even getting in hallway over 1 1/2 inches of waste water in my cell on floor, pieces of other people's shit floating in water, toilet paper and piss in the waste water in my cell floor and in hallway. Again me/me/myself left in cell and had to

catch/get the attention of porter in hall with squeegee; we (me and my cellie) left in cell cleaned out cell ourself, no chemicals given into cell to clean and other peoples shit/piss/wastewater were put in/washed into air duct/vent in floor in hallway against exterior wall - the hall and cell continued to smell like shit.

- Feb 18 I talked to warden Young as he walked by cell doing a round - he said he would look into get nothing was done about it.

- I was moved approx a week or so later so cell E-6 could be painted - I was moved 2 cells also downward of E-6 to E-4 and again the toilet in cell E-6 overflowed/flooded when people in cells upward of cell E-6 flushed this time the floor and hallway in front of cell E-6 filling with shit/piss/wastewater when nobody was inside cell E-6 so even at this later date the plumbing problem in pipe chase was yet to be fixed

- I put in a sick call after this - nurse said I had poor circulation in my extremities - "hands and fingers" when assessing my pulse-ox (this because of how cold my living qtrs were being exposed to outside exterior extremely cold weather

conditions and having all my state issue cold weather cold clothes (thermals etc) confiscated

- Nurse set me up for a doctor call - following this - the doctor diagnosed me with

[REDACTED] - and as of current date my wrist / arms / hands have yet to clear up

- I submitted my original step 1 informal resolution the first level of the grievance procedure established at the [REDACTED] Prison; this step 1 informal resolution signed by Sgt. Miller (35308) on 2-19-24.
- My attempt at a resolution of my problem by following the established grievance procedure yielded no results, so my next step is my claim I am submitting Before The State Claims Commission Of the State of Arkansas by myself Ronald Matthew Robinson.
- [REDACTED] staff has destroyed or purposely not returned my original grievance signed and submitted at the step 1 informal resolution level by Sgt. Miller (35308) on 2-19-2024. Sgt. Miller saying he doesn't know why they aren't doing what they are supposed to do when I asked why I have not received a reply to my informal resolution. The inmate receipt I retained "yellow copy" was submitted to grievance coordinator due to problem solver not responding to my "informal resolution" within allotted time yet was not accepted by grievance coordinator Ashley King because it was not original

Pg 3

grievance (remember this has never been replied to or returned to me by problem solver after being signed and submitted at the step 1 informal resolution level on 2-19-2024). I have submitted 3 more step 1 informal resolutions for same complaint being grieved; with 2 on 2/27/2024 again not being replied to by problem solver or being purposely destroyed with the 3rd one on 3/4/2024 being signed and returned to me by problem solver yet still not being accepted by grievance coordinator Ashley King. I even tried to appeal to pine bluff yet being told on 3/9/2024 an appeal would not be accepted unless it was my original grievance/informal resolution which I would like you to remember was either purposely destroyed by [REDACTED] staff or just never returned to me by problem solver in an attempt by Cummins prison staff to evade the established grievance process for a complaint I made/have made that has merit.

- I have experienced mental anguish, and emotional pain being left in a confined cell for multiple days specifically Feb 15- Feb 18, 2024 while assigned to punitive housing in cell F-6 in

East Building with a non-working toilet at times with other peoples shit/piss/waste water on my floor over 24 hr periods being forced to hold my piss/shit, urine/feces and when that was no longer possible to wade through other peoples waste water / shit/piss in my floor to an already overflowing non-working toilet and relieve myself of urine/feces then wade back through other peoples waste water on my floor to my sleeping area my rack and crawl into my blankets my feet and lower legs still covered in other peoples waste water no matter how I tried to clean them and smelling feces/urine as the unworking toilet meaning there is no way to get rid of/flush my bodily waste over multiple days, plus the smell of the other peoples piss/shit already on my cells floor.

- I experienced bodily/physical harm on my hands, wrists, and arms from unsanitary inhumane conditions me being diagnosed by doctor with contact dermatitis ~~directly~~ following this prolonged exposure and contact with other peoples / my own feces/urine and waste water on my hands, wrists, and arms.

Pg 4

- I experienced moments of lightheadedness and dizziness from prolonged exposure / smelling toxic paint fumes and unknown future complications.
- [REDACTED] staff failed to protect me from easily mitigated conditions that deprived me of my most basic human rights specifically during the dates of Feb 9 - Feb 18, 2024.
- I was exposed / forced to endure cruel and unusual punishment in inhumane and unsanitary conditions with multiple AR's and policies being violated by [REDACTED] Prison Staff while I was assigned to punitive housing in cell E-6 in the East Building of [REDACTED] Prison.
- My most basic human rights have been violated such as the right to have access to a working toilet while assigned to cell E-6 in East Building of Cummins Prison for a confined space where the light fixture ^{punitive housing} was removed ~~before~~ I entered cell and the wires were exposed hanging out of wall with no covering exposing livewires and depriving me of my right/ability to have a semi-sanitary, semi-warm, safe living area and be supplied with sanitation.

supplies while I was assigned to punitive housing in cell E-6 in the East Building of the [REDACTED] Prison.

- ✦ I am seeking a total of 14,088.00 dollars in financial / monetary compensation for my claim as presented before the State Claims Commission of the State of Arkansas for compensatory and punitive damages and pray this relief is granted to myself Ronald Matthew Robinson after being reviewed by the State Claims Commission of the State of Arkansas and all appropriate parties.

EXHIBIT

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center [redacted] 29X

Name Ronald M Robinson

ADC# [redacted] Brks # E-6 Job Assignment NIA

FOR OFFICE USE ONLY
GRV. # _____
Date Received: _____
GRV. Code #: _____

Feb 18, 2024 (Date) STEP ONE: Informal Resolution

Feb 23, 2024 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: The problem solver has not responded to "informal resolution" within the allotted time.

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In an Emergency, state why: _____

Is this Grievance concerning Medical or Mental Health Services? _____ If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): I am grieving the living conditions/a assigned housing or an extended amount of time being indwellable specifically Feb 9-18, 2024 and the action/inaction of [redacted] staff in correlation to it's dwellability. On/around Feb 9 Cummins staff had hall/adjoining cells sited while I/ cellie left in cell smelling toxic fumes still smelling paint fumes in cell when falling asleep overnight (s) of smelling paint fumes wall vents in hallway were opened /left open to outside exposing living atmosphere extremely cold temp near or below 32°F for multiple days. On/around Feb 13 at noon (12:00) [redacted] staff confiscated all cold weather state issue clothes thermal etc except socks/underwear and told I will follow our rules not your rules when asked about warm clothes. On/around evening of Feb 13 the tier/ cell filled with smoke around 3rd chow being left in cell CMO attempt to move inmates/grievants to 1st tier. On/around Feb 15 to let in my cell flooded cell/hallway with shit water when other cells upward of 6 flushed and I flushed then flooded [redacted] staff attempted to fix plumbing problem but were unable to I flushed and cleaned shit/piss water in cell by hand/towel/soap then Cummins staff brought squeegee/hemicals going to toilet. Feb 16 my cell toilet flooded again when other cells flushed shit water to floor overnight problem still not fixed when staff informed Feb 17 [redacted] staff told at 2nd chow that toilet still fucked up after 2nd chow 2 toilets flooded/hacked up other peoples shit/piss on my floor. Left in cell had to catch hall porter with squeegee, no chemicals given to me to clean cell/bill shit/piss counter into air vents. [redacted] staff floor way air still smells like shit and plumbing not fixed to meet before

Inmate Signature Ronald M Robinson Date Feb 18 2024

If you are harmed, threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on _____ (date), and determined to be Step One and/or an Emergency Grievance _____ (Yes or No). This form was forwarded to medical or mental health? _____ (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: _____

Staff Signature & Date Returned [Signature] 2-23-24 Inmate Signature & Date Received _____

This form was received on 2-24-24 (date), pursuant to Step Two. Is it an Emergency? NO (Yes or No)

Staff Who Received Step Two Grievance: Demetria Mooney Date: 2-24-24

Action Taken: _____ (Forwarded to Grievance Officer/Warden/Other) Date: _____

If forwarded, provide name of person receiving this form: _____ Date: _____

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE - Grievance Officer; ORIGINAL - Given back to Inmate after Completion of Step One and Step Two.

Arkansas
State Claims Commission

SEP 18 2024 ^{Pa}

RECEIVED

Cover Page

Arkansas State Claims Commission
101 East Capitol Avenue
Suite 410
Little Rock, Arkansas
72201-3823

RE: Claim NO. 250215 - deficient filing

Motion for leave to exceed Page Limitations

Filed by Claimant
MR. Ronald Robinson
claim NO 250215

Ronald Robinson (AOC) [Redacted]

Mailed on: 9-9-24

SEP 18 2024

RECEIVED

Arkansas
State Claims Commission

SEP 18 2024

RECEIVED

Pg 2

Commissioners of the Arkansas State Claims Commission

The following is a motion requesting permission to file a complaint and accompanying exhibits that exceed the page limitations outlined in Ark Code Ann § 19-10-208(f)

Motion for leave to exceed Page limitations

Ark. Code Ann § 19-10-208(f) outlines that a claimant who is an inmate in the Arkansas Department of Corrections at the time he/she files a claim or action is limited to no more than five (5) pages of written factual allegations and legal argument in his/her complaint; and five (5) additional pages of exhibits to accompany his or her complaint. As the claimant who has filed a claim with the Arkansas State Claims Commission with a claim NO. 250215. I Mr. Robinson am currently incarcerated as an inmate in the Arkansas Department of Corrections at the [REDACTED]

[REDACTED] whose mailing address is [REDACTED] at the time I have filed this specific claim or action with the Arkansas State Claims Commission whose Address is 101 East Capitol Avenue suite 410 Little Rock Arkansas 72201-3823. Due to the fact that I as the claimant regarding claim # 250215 need the additional pages to fully explain my claim or action as the specific claim or action is sufficiently complex to warrant additional pages than the page limitations outlined

State Crime Commission

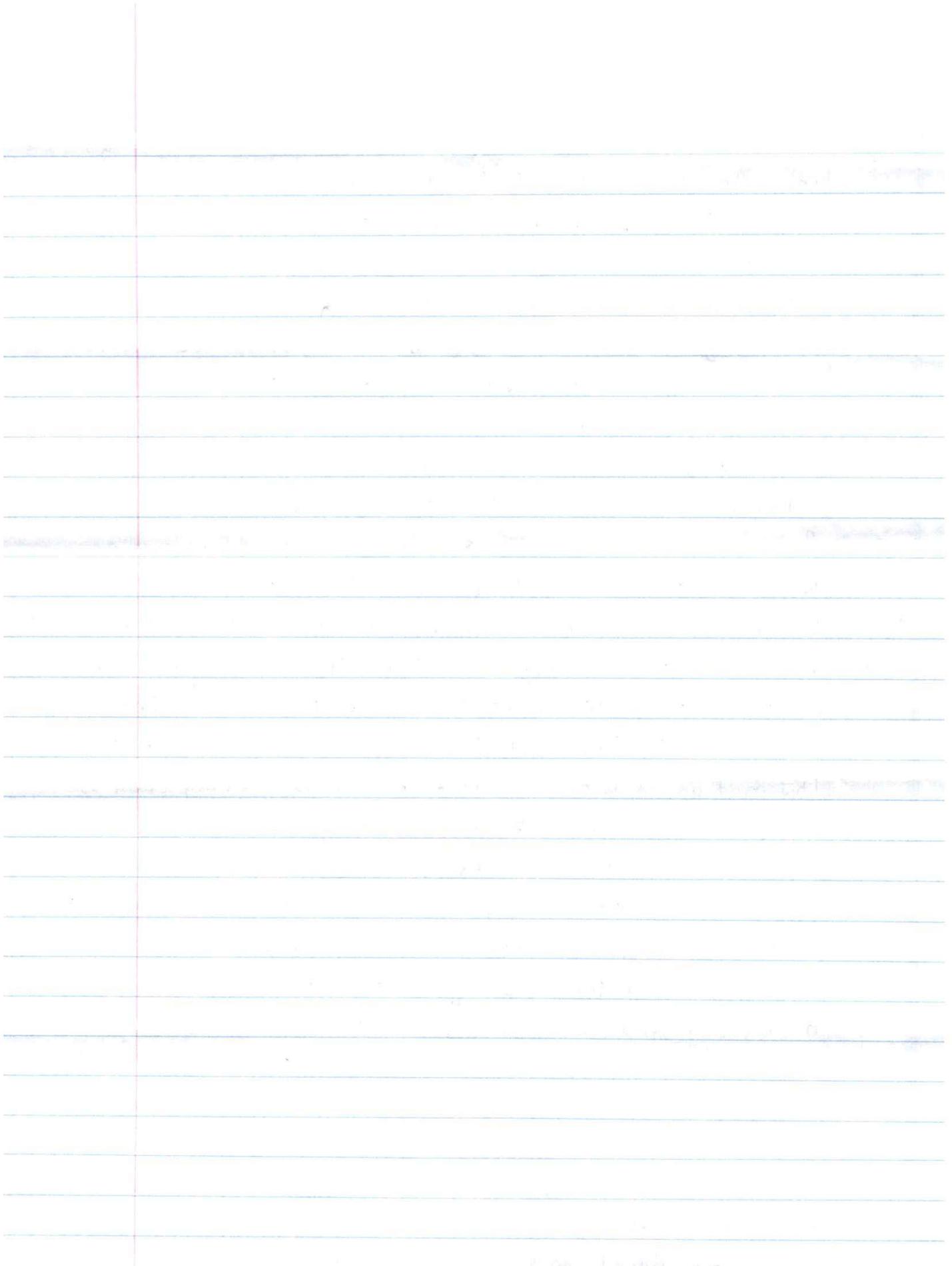
SEP 18 2024

RECEIVED

Pg 3

in Ark. Code Ann § 19-10-208(f) I am respectfully requesting that the commissioners of the Arkansas state claims Commission grant me Mr. Robinson as the claimant permission allowing the claim or action I have filed while incarcerated as an inmate in the Arkansas Department of Corrections regarding claim # 250215 to exceed the page limitations outlined in Arkansas Code Ann § 19-10-208(f). I Mr. Robinson as the claimant am filing this motion within the forty five (45) day allowable time frame pursuant to Arkansas Code Ann § 19-10-208(f)(3)(A)C being written on August 28, 2024. 2 days from the date of the letter I received labeled in RE: to claim NO. 250215. deficient filing dated August 26, 2024. This motion is written and submitted so that my claim NO. 250215 will not be dismissed without prejudice pursuant to Ark Code Ann § 19-10-208(f)(3)(e) and it is prayed that permission is granted by the Commissioners of the Arkansas State Claims Commission allowing my claim # 250215 to exceed the page limitation outlined in Ark. Code Ann § 19-10-208(f). Robinson reserves his right to amend/enlarge his claim/action to incorporate his meritorious arguments and provide additional info as his investigation of this matter progresses. A motion has been filed requesting the Commission to grant hearing on the merits.

Sincerely,
 Ronald R



Pg 1

Arkansas
State Claims Commission

SEP 26 2024

Cover Page

RECEIVED

Arkansas state claims Commission
101 East Capital Avenue
Suite 410
Little Rock, Arkansas
72201-3823

RE: claim NO. 250215- deficient filing

Motion for leave to exceed Page Limitations

Filed by claimant
Mr. Ronald Robinson
Claim NO 250215

Ronald Robinson (Att# [redacted])
[redacted]

mailed on 9-9-24

RECEIVED
SEP 5 8 2024

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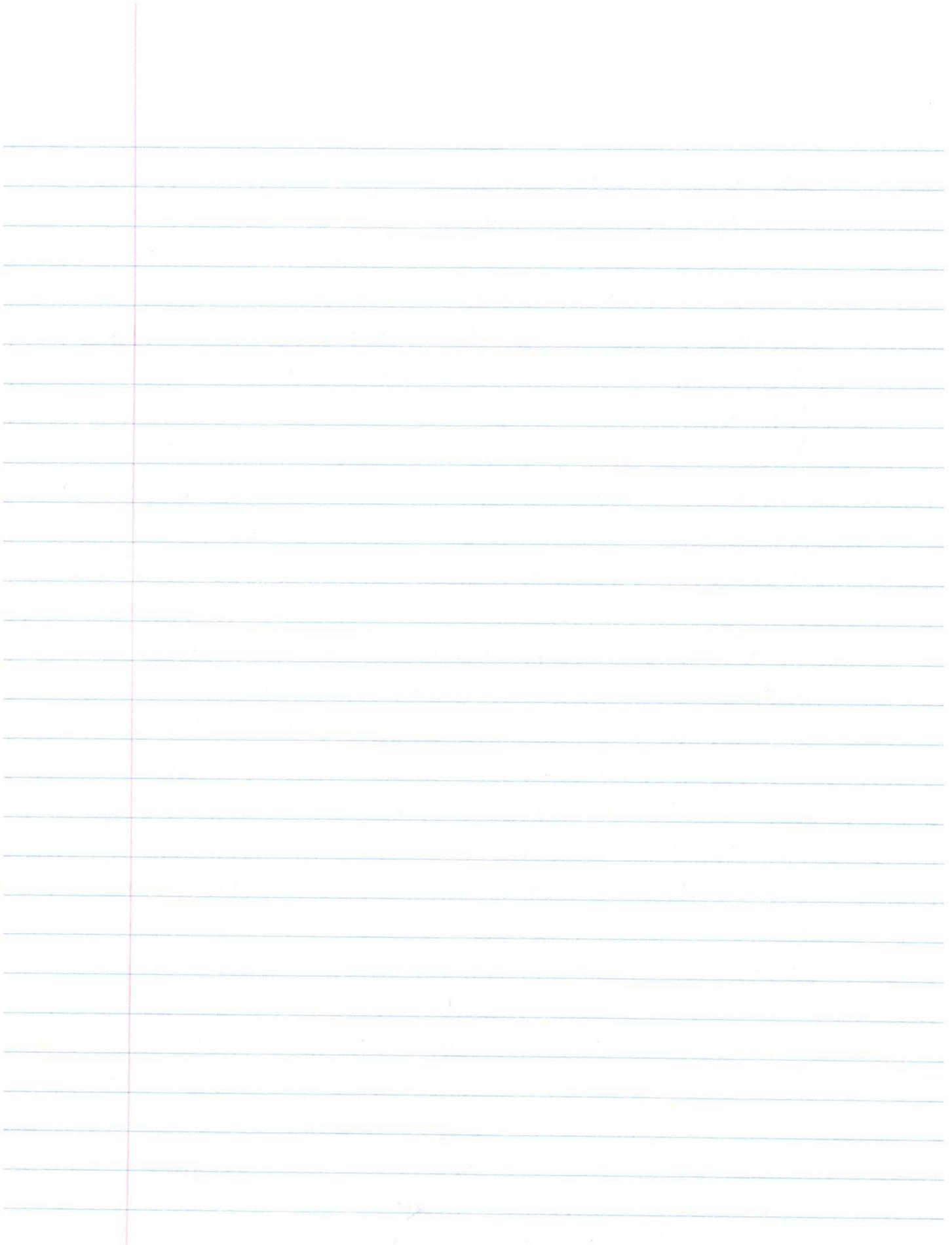
Pg 2

Commissioners of the Arkansas State Claims Commission

The following is a motion requesting permission to file a complaint and accompanying exhibits that exceed the page limitations outlined in Ark Code Ann § 19-10-208(G)

Motion for leave to exceed Page limitations

Ark. Code Ann § 19-10-208(f) outlines that a claimant who is an inmate in the Arkansas Department of Corrections at the time he/she files a claim or action is limited to no more than five (5) pages of written factual allegations and legal argument in his/her complaint; and five (5) additional pages of exhibits to accompany his or her complaint. As the claimant who has filed a claim with the Arkansas State Claims Commission with a claim NO. 250215. I Mr. Robinson am currently incarcerated as an inmate in the Arkansas Department of Corrections at the [REDACTED] Unit in [REDACTED] the mailing address is P.O. [REDACTED] at the time I have filed this specific claim or action with the Arkansas State Claims Commission whose Address is 101 East Capitol Avenue Suite 410 Little Rock Arkansas 72201-3823. Due to the fact that I as the claimant regarding claim # 250215 need the additional pages to fully explain my claim or action as the specific claim or action is sufficiently complex to warrant additional pages than the page limitations outlined

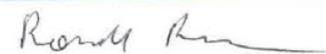


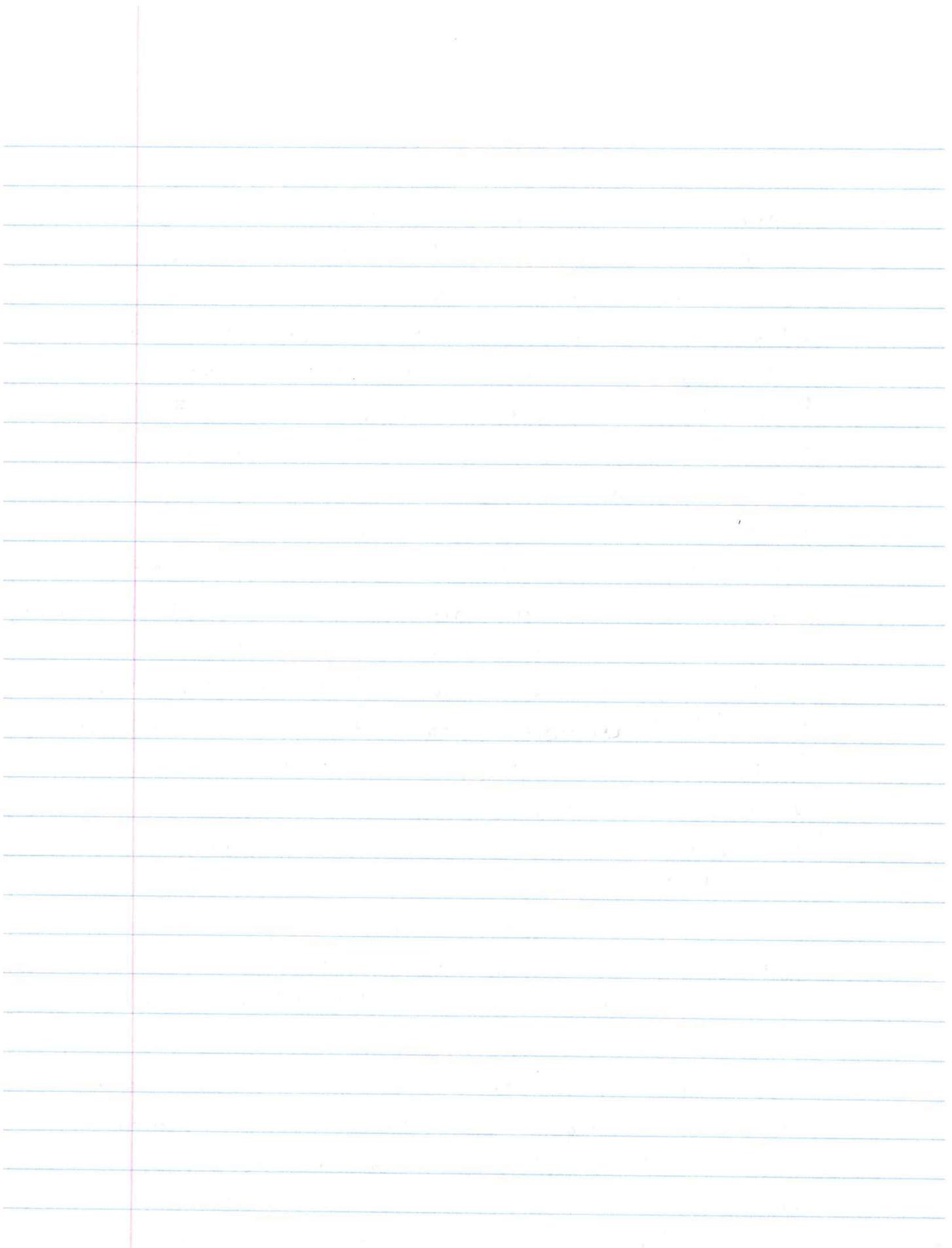
Pg 3

in Ark. Code Ann § 19-10-208(f) I am respectfully requesting that the commissioners of the Arkansas State Claims Commission grant me Mr. Robinson as the claimant permission allowing the claim or action I have filed while incarcerated as an inmate in the Arkansas Department of Corrections regarding claim # 250215 to exceed the page limitations outlined in Arkansas Code Ann § 19-10-208(f). I Mr. Robinson as the claimant am filing this motion within the forty five (45) day allowable time frame pursuant to Arkansas Code Ann § 19-10-208(f)(3)(A)(C) being written on August 28, 2024, 2 days from the date of the letter I received labeled in RE: to claim No. 250215 deficient filing dated August 26, 2024. This motion is written and submitted so that my claim No. 250215 will not be dismissed without prejudice pursuant to Ark. Code Ann § 19-10-208(f)(3)(C) and it is prayed that permission is granted by the commissioners of the Arkansas State Claims Commission allowing my claim # 250215 to exceed the page limitations outlined in Ark. Code Ann § 19-10-208(f). Robinson reserves his right to amend/enlarge his claim/action to incorporate his meritorious arguments and provide additional info as his investigation of this matter progresses. A motion has been filed requesting the commissioners to grant hearing on the merits.

Sincerely,

Claimant: Ronald M Robinson ADCT





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

August 26, 2024

Ronald Robinson (ADC [REDACTED])
[REDACTED]

RE: **Claim No. 250215 – deficient filing**

Dear Mr. Robinson,

Your claim has been filed but has not been transmitted to the Arkansas Department of Correction because the claim exceeds the page limitations set out in Ark. Code Ann. § 19-10-208(f). The text of this subsection is set out on the following page for your review. I am also enclosing your filing for your convenience.

Pursuant to Ark. Code Ann. § 19-10-208(f)(3)(A)(ii), you have forty-five days from the date of this letter to resubmit your complaint in compliance with the statute or to file a motion for leave to exceed the page limitations. Failure to do so will result in the dismissal of your claim without prejudice. Ark Code Ann. § 19-10-208(f)(3)(C).

Sincerely,

Mika Tucker

ES: cmcdaniel

Enclosures

Ark. Code Ann. § 19-10-208(f)

- (1) A claimant who is an inmate in the Department of Correction or the Department of Community Correction at the time the claim or action is filed is limited to no more than:
 - (A) Five (5) pages of written factual allegations and legal argument in his or her complaint; and
 - (B) Five (5) additional pages of exhibits to accompany his or her complaint.
- (2)
 - (A) An inmate filing a claim or action may file a motion to allow him or her to file additional pages of factual allegations, argument, or exhibits in excess of the limitations under subdivision (f)(1) of this section.
 - (B) A motion filed under this subdivision (f)(2) may be granted only if the commissioners of the Arkansas State Claims Commission find that the inmate needs the additional pages to fully explain his or her claim or action or if the claim or action is sufficiently complex to warrant additional pages.
- (3)
 - (A) If an inmate files a claim or action that exceeds the page limitations under this subsection, the commission shall:
 - (i) Assign the inmate's claim a docket number; and
 - (ii) Consider the inmate's claim filed, but mail the inmate's complaint and any attached exhibits back to him or her and give the inmate forty-five (45) days to:
 - (a) Resubmit his or her complaint and any attached exhibits in compliance with this subsection; or
 - (b) File a motion requesting permission to file a complaint and accompanying exhibits that exceed the page limitations under this subsection.
 - (B) The forty-five-day time period under this subsection is excludable time in calculating the statute of limitations for the inmate's claim or action.
 - (C) The commission may dismiss an inmate's complaint without prejudice if the inmate fails to:
 - (i) Resubmit a complaint and attached exhibits that meet the page limitation requirements of this subsection; or
 - (ii) File a motion requesting permission to file a complaint and attached exhibits that exceed the page limitation requirements of this subsection.
 - (D)
 - (i) If the commission grants a motion for a complaint and accompanying exhibits that exceed the page limitation requirements of this subsection, the commission shall set out in the order granting the motion the revised timeline for the inmate to file his or her complaint and accompanying exhibits.
 - (ii) The commission may set a revised limit on the number of pages an inmate's complaint and accompanying exhibits may be.

Acts of 1949, Act 462, § 3; Acts of 1983, Act 470, § 3; Acts of 2019, Act 785, § 2, eff. July 24, 2019.

Arkansas State Claims Commission

Please print in ink or type

AUG 07 2024

BEFORE THE STATE CLAIMS COMMISSION Of the State of Arkansas

RECEIVED

- Mr. Mrs. Ms. Miss

Ronald Robinson (ADC [redacted])

Claimant

vs.

State of Arkansas, Respondent

Do Not Write in These Spaces
Claim No. Arkansas State Claims Commission
Date Filed SEP 26 2024
Amount of Claim \$ RECEIVED
Fund

COMPLAINT

Ronald Robinson (ADC [redacted])

the above named Claimant, of [redacted]

(Name)

(Street or R.F.D. & No.)

(City)

County of

represented by

(State) (Zip Code) (Daytime Phone No.)

(Legal Counsel, if any, for Claim)

of

(Street and No.)

(City)

(State)

(Zip Code)

(Phone No.)

(Fax No.)

says:

State agency involved:

[redacted] Arkansas

Department of Corrections

Amount sought: \$14,088.00

Month, day, year and place of incident or service:

Feb 9-Feb 18, 2024

[redacted] Prison

[East Building, Cell East 6, East Wing]

Explanation: On the dates of Feb 9-18, 2024 I Ronald Matthew Robinson was confined for punitive housing in Cell E-6 in the East Building of the [redacted] Prison where my living conditions were indwellable/unsanitary/inhumane exposing me to cruel/unusual punishment while the actions inaction of numerous cummins staff caused me both mental, emotional and physical harm. Plumbing problems in the pipe chase caused the toilet in my cell to overflow filling/covering my cell/floor with other peoples piss/shit/wastewater when other people in cells upward of my cell would flush their toilet. This occurring on multiple days. I was left in cell, (even being left in cell with other peoples shit/piss/wastewater on my floor overnight with no chemicals brought to clean it up). [redacted] staff attempting to have problem fixed but being unable to. One night, the 1st night it occurred I had to clean other peoples shit/piss/wastewater in my cell by hand with soap/water/towel before supplies/chemicals brought to me, then on the following days I was left in cell with other peoples shit/piss/wastewater on my cells floor for more than 24 hrs per day when it occurred again overnight, the next day evening/morning into the following day and no chemicals brought to clean it up. I cleaned it up with squeegee this time. Afterwards, I went to doctor call and was diagnosed with contact dermatitis on my hands/wrist and as of date of filing this claim has not cleared up because it is worse. During this time period cummins staff had adjoining cells to mine and hallway painted me and my cell being left in cell smelling toxic paint fumes when falling asleep. After days of smelling toxic paint fumes, wall vents in hallway were reopened then left open exposing my living qtrs to have extremely cold temperatures near or below 32 degrees for multiple days. Cummins staff confiscated all cold weather state issue clothes, thermal etc. except socks, underwear etc. Feb 13 around noon saw [redacted] you will follow our rules not wear coats when asked about warm clothes.

As parts of this complaint, the claimant makes the statements, and answers the following questions, as indicated: (1) Has claim been presented to any state department or officer thereof?

NO; when? N/A; to whom? N/A; (Department) N/A; and that the following action was taken thereon: N/A

and that \$ N/A was paid thereon: (2) Has any third person or corporation an interest in this claim? N/A; if so, state name and address

(Name) N/A (Street or R.F.D. & No.) (City) (State) (Zip Code)

and that the nature thereof is as follows: N/A; and was acquired on N/A, in the following manner:

THE UNDERSIGNED states on oath that he or she is familiar with the matters and things set forth in the above complaint, and that he or she verily believes that they are true.

Ronald M. Robinson (Print Claimant/Representative Name)

[Signature] (Signature of Claimant/Representative)

SWORN TO and subscribed before me at Crady (City) Ar (State)



on this 28 day of July, 2024 (Date) (Month) (Year)

[Signature] (Notary Public)

SF1-R7/99

My Commission Expires: 12 (Month) 14 (Day) 2028 (Year)

Dear Arkansas State Claims Commission,
or appropriate person,

Arkansas
State Claims Commission
JUN 22 2024
RECEIVED

I requested and received a State Claims form from your organization earlier this year. I have completed the form and the 5 pages of factual allegations to accompany it minus the area to be notarized. Since I am incarcerated at Cummins Penitentiary, I contacted a notary who is a Sgt - a Lt. The Lt I found to notarize it for me was Lt named Lt. Taylor. I am locked down 23-1 and the CO on the floor a recently hired CO named SFC/JT Miller said Lt. Taylor wanted it brought to her. ^(I'll mention by name) This at approx 10:45 on June 17th. He said it would be brought back to me so I could submit it for my claim. It was never returned to me. Today June 18th I called SFC/JT Miller and he said it was notarized mail with another envelope/legal mail for ^{and other} ~~another~~ ~~envelope~~. So all I know is that yet again another legal document is either purposely destroyed or not returned to me in regards to this claim. I am requesting application to be started and another form/claim my claim for review.

I will submit my other 5 pages of documentation with the new submission form.

Sincerely, Ronald Matthew Robinson
ABC# [REDACTED]

Info written on Arkansas State Claims Application for review
Form - which was destroyed by Cummins Staff when being notarized on Janet
Claim Amount Requested \$14,088.00 2024

Date / Location: Feb 9 - Feb 18, 2024 [REDACTED] Prison [East Building, Cell
East 6 on in East wing]

Facts of Claim: On the dates of Feb 9-18, 2024 I Ronald Matthew Robinson, was confined for punitive housing in cell E-6 in the East building of the Cummins prison where my living conditions were inhumane/instantly inhumane exposing me to cruel/unusual punishment while the actions & inactions of numerous Cummins Staff caused me both mental, emotional and physical harm. Plumbing problems in the pipe chase caused the toilet in my cell to overflow flooding/covering my cell/floor with other peoples shit/waste water when other people in cells up ward of my cell would flush their toilet. This occurring on multiple days. I was left in cell (even being left in cell with other peoples shit/poo) waste water on my floor overnight with no chemicals brought to clean it up. [REDACTED] Staff attempting to have problem fixed not being able to. One night, the lit night it occurred. I had to lean over toilet, shit, pour wastewater in my cell by hand with no toilet paper before supplies/chemicals brought to me, then in the following days I was left in cell with other peoples shit/poo/wastewater on my cell floor for more than 24 hours period with no chemicals brought to clean it up. I cleaned it with bleach. Later that month I was moved to another cell in tier when cell 6 emptied and the same problem occurred again, this time nobody assigned to cell (was empty). Afterwards I went to [REDACTED] and was diagnosed with contact dermatitis on my hands/wrist and as of date of filing this claim it has not cleared up, becoming worse. During this time period Cummins Staff also had adjoining cells to mine and hallway painted me while I was being left in cell smelling toxic paint fumes. When falling asleep. After days of smelling toxic paint fumes, wall vents in hallway were opened in hallway this left [REDACTED] joined exposing me living with [REDACTED]

extremely cold temps near or below 32°F for multiple days. Cummins staff confiscated a cold weather state issue clothes, thermals etc. please I am and underwear and t-shirts on Feb 13 around noon saying you will follow our rules not your rules when asked about warming

I acknowledge all facts in this claim are true and factual

Printed Name Ronald Matthew Robinson
Signature Ronald M. Robinson

End of Ar State Claims Commission Submission Form

Start of 5 pages of
factual allegations
and legal argument and Exhibits
↓ ↓

- 4 pages front/back factual allegations and legal argument
- 1 page accompanying exhibit front page only (unit level grievance)

Location: [redacted] Prison - East Building, East Wing
Cell #6 (Punitive housing)

pg 1

Total Time Frame / Dates of Claim: Feb 9 - Feb 18, 2024

On/around Feb 9, 2024 - [redacted] staff had hall / adjoining cells to my assigned cell E-6 while I/cellie left in cell smelling toxic paint fumes.

- Still smelling toxic paint fumes in cell when falling asleep overnight
- After day(s) of smelling toxic paint fumes (and experiencing light headedness and shortness of breath etc.) wall vents in hallway at bottom of walls were opened and then left opened to outside exterior exposing me and my living qtrs to outside extremely cold conditions near or below 32°F for multiple days.

On/around Feb 13, 2024 - [redacted] staff confiscated all state issue clothes except socks, underwear and t-shirts specifically all cold weather state issue clothes (thermals, etc) • Sgt. saying you will follow my ^{own} rules, not your rules when asked about warm clothes by me.

This occurring around noon (12:00).

• On/around the evening of Feb 13, 2024 around last/3rd chow the tier/cells filled with smoke; me being left in cell (No attempt by [redacted] staff to move inmates or ventilate living areas me and other inmates being left in cell to smell

Carcoeginic "smoke"

- My birthday is [redacted]

- On/around Feb 15, 2024 the toilet in my cell overflowed/flooded filling my cell/hallway (with other's wastewater) when other [redacted] e.s.s

people in cell's upwards of my cell to flushed. Then when I flushed theirs (toilets) would flood/overflow with other people's shit/piss/wastewater. • I was left in cell; [REDACTED] staff attempted to have problem fixed but were unable to fix plumbing problem; I left in cell and cleaned shit, piss filled water from my floor by towels, ^{using} my hands before staff brought squeegee and chemicals giving me a tour.

Sgt. Smith
Shift

- Feb 16 - my cell's toilet flooded/overflowed again when other cells upwards of my cell to flushed with shit/piss/wastewater left on my cell's floor overnight; problem still not fixed when staff informed - I left in cell no supplies, squeegee or chemicals brought • different staff continually informed at security rounds all night and following day but I was ignored - Feb 17 I told [REDACTED] staff at 2nd chow that toilets were fucked up and had been for nearly 2 days, me pointing at the shit/piss/wastewater that was left on my cell's floor overnight - He the guard said you act like I fix toilets. That afternoon my toilet flooded/overflowed again when other people flushed their toilet filling my cell floor with other people's shit/piss/wastewater the waste water even getting in hallway over 1 1/2 inches of waste water in my cell on floor, pieces of other people's shit floating in water, toilet paper and piss in the waste water in my cell floor and in hallway. Again me/me/myself left in cell and had to

catch/get the attention of porter in hall with
squeegee; we (me and my cellie) left in cell
cleaned out cell ourself, no chemicals given into cell
to clean and other peoples shit/piss/wastewater
were put in/washed into air duct/vent in floor
in hallway against exterior wall - the hall and cell
continued to smell like shit.

- Feb 18 I talked to warden Young who walked by
cell doing a round - he said he would look into
get nothing was done about it.

- I was moved approx a week or so later so cell E-6
could be painted - I was moved 2 cells also downward
of E-6 to E-4 and again the toilet in cell E-6
overflowed/flooded when people in cells upward
of cell E-6 flushed this time the floor and hallway
in front of cell E-6 filling with shit/piss/wastewater
when nobody was inside cell E-6 so even at this
later date the plumbing problem in pipe chase was
yet to be fixed

- I put in a sick call after this - nurse said I
had poor circulation in my extremities - "hands and
fingers" when assessing my pulse-ox (this because
of how cold my living qtrs were being exposed
to outside exterior extremely cold weather
conditions and having all my state issue cold
weather cold clothes (thermal etc) confiscated
- Nurse set me up for a doctor call - following
this - the doctor diagnosed me with

contact dermatitis - and as of current date my wrist / arms / hands have yet to clear up

- I submitted my original step 1 informal resolution the first level of the grievance procedure established at the [REDACTED] Prison; this step 1 informal resolution signed by Sgt. Miller (35308) on 2-19-24.
- My attempt at a resolution of my problem by following the established grievance procedure yielded no results, so my next step is my claim I am submitting Before The State Claims Commission Of the State of Arkansas, by myself Ronald Matthew Robinson.
- [REDACTED] staff has destroyed or purposely not returned my original grievance signed and submitted at the step 1 informal resolution level by Sgt. Miller (35308) on 2-19-2024. Sgt. Miller saying he doesn't know why they aren't doing what they are supposed to do when I asked why I have not received a reply to my informal resolution. The inmate receipt I retained "yellow copy" was submitted to grievance coordinator due to problem solver not responding to my "informal resolution" within allotted time yet was not accepted by grievance coordinator Ashley King because it was not original

Pg 3

grievance (remember this has never been replied to or returned to me by problem solver after being signed and submitted at the step 1 informal resolution level on 2-19-2024). I have submitted 3 more step 1 informal resolutions for same complaint being grieved; with 2 on 2/27/2024 again not being replied to by problem solver or being purposely destroyed with the 3rd one on 3/4/2024 being signed and returned to me by problem solver yet still not being accepted by grievance coordinator Ashley King. I even tried to appeal to pine bluff yet being told on 3/9/2024 an appeal would not be accepted unless it was my original grievance/informal resolution which I would like you to remember was either purposely destroyed by Cummins staff or just never returned to me by problem solver in an attempt by Cummins prison staff to evade the established grievance process for a complaint I made/have made that has merit.

- I have experienced mental anguish, and emotional pain being left in a confined cell for multiple days specifically Feb 15- Feb 18, 2024 while assigned to punitive housing in cell E-6 in

East Building with a non-working toilet at times with other peoples shit/piss/waste water on my floor over 24 hr periods being forced to hold my piss/shit, urine/feces and when that was no longer possible to wade through other peoples waste water/shit/piss in my floor to an already overflowing non-working toilet and relieve myself of urine/feces then wade back through other peoples waste water on my floor to my sleeping area my rack and crawl into my blankets my feet and lower legs still covered in other peoples waste water no matter how I tried to clean them and smelling feces/urine as the unworking toilet meaning there is no way to get rid of/flush my bodily waste over multiple days, plus the smell of the other peoples piss/shit already on my cells floor.

- I experienced bodily/physical harm on my hands, wrists, and arms from unsanitary in humane conditions me being diagnosed by doctor with contact dermatitis directly following this prolonged exposure and contact with other peoples/my own feces/urine and waste water on my hands, wrists, and arms.

Pg 4

- I experienced moments of lightheadedness and dizziness from prolonged exposure / smelling toxic paint fumes and unknown future complications.
- [REDACTED] staff failed to protect me from easily mitigated conditions that deprived me of my most basic human rights specifically during the dates of Feb 9 - Feb 18, 2024.
- I was exposed / forced to endure cruel and unusual punishment in inhumane and unsanitary conditions with multiple AR's and policies being violated by Cummins Prison Staff while I was assigned to punitive housing in cell E-6 in the East Building of [REDACTED] Prison.
- My most basic human rights have been violated such as the right to have access to a working toilet while assigned to cell E-6 in East Building of [REDACTED] Prison for a confined space where the light fixture ^{punitive housing} was removed ~~before~~ I entered cell and the wires were exposed hanging out of wall with no covering exposing livewires and depriving me of my right/ability to have a semi-sanitary, semi-warm, safe living area and be supplied with sanitation

supplies while I was assigned to punitive housing in cell E-6 in the East Building of the [REDACTED] Prison.

- ✪ I am seeking a total of 14,088.00 dollars in financial / monetary compensation for my claim as presented before the State Claims Commission of the State of Arkansas for compensatory and punitive damages and pray this relief is granted to myself Ronald Matthew Robinson after being reviewed by the State Claims Commission of the State of Arkansas and all appropriate parties.

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center Max

Name Ronald M Robinson

ADC# [redacted] Brks # E-6 Job Assignment NIA

FOR OFFICE USE ONLY	
GRV. #	_____
Date Received:	_____
GRV. Code #:	_____

Feb 18, 2024 (Date) STEP ONE: Informal Resolution

Feb 23, 2024 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: The problem solver has not responded to "informal resolution" within the allotted time.

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In an Emergency, state why: _____

Is this Grievance concerning Medical or Mental Health Services? _____ If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): I am grieving the living conditions/a assigned housing program extended amount of time being indwellable. Specifically Feb 9-18, 2024 and the actual function of staff in correlation to it's dwellability. On/around Feb 9 [redacted] staff had hall/adjoining cells smell while I/ cellie left in cell smelling toxic fumes still smelling paint fumes in cell when falling asleep overnight (s) of smelling paint fumes wall vents in hallway were opened /left open to outside exposing living etc harsh extremely cold temps near or below 32°F for multiple days. On /around Feb 13 at noon (12:00) [redacted] staff confiscated all cold weather state issue clothes thermal etc except socks underwear and t shirt to say I will follow our rules not your rules when asked about warm clothes. On/around evening of Feb 13 the tier 1 cell filled with smoke around 3rd chow [redacted] left in cell (no attempt to move in mates or ventilate) [redacted] around Feb 15 toilet in my cell flooded cell/hallway with shit water when other cells up ward of 6 flushed and I flushed then flooded [redacted] staff attempted to fix plumbing problem but were unable to I flushed and cleared shit/ piss water in cell by hand/towel/soap then [redacted] staff brought squeegee hemato going retro Feb 16 my cell toilet flooded again when other cells flushed shit water left on floor overnight problem still not fixed when staff informed Feb 17 cummins staff told at 2nd chow to lat are still fucked up after 2nd chow 2 toilets flooded/hacked up other peoples shit/piss on my floor toilet in cell had to catch hall porter with squeegee, no chemicals given to make clean cell by shit/piss center shed into air vent in hall floor way air still smells like shit and plumbing not fixed [redacted] 2-18-2024 Before

Inmate Signature Ronald M Robinson Date Feb 18 2024

If you are harmed, threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on _____ (date), and determined to be Step One and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health? _____ (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: _____

[Signature] 2-23-24
Staff Signature & Date Returned Inmate Signature & Date Received

This form was received on 2-24-24 (date), pursuant to Step Two. Is it an Emergency? NO (Yes or NO)

Staff Who Received Step Two Grievance: Demetria McNeely Date: 2-24-24

Action Taken: _____ (Forwarded to Grievance Officer/Warden/Other) Date: _____

If forwarded, provide name of person receiving this form: _____ Date: _____

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE - Grievance Officer; ORIGINAL - Given back to Inmate after Completion of Step One and Step Two.

Date: 10-28-24 Dear Arkansas State Claims Commission,
the Commissioners and or appropriate person.

Arkansas
State Claims Commission

OCT 31 2024

According to Arkin Admin Code 03 0.00.1-2.2 within 20 days from date claim served upon respondent agency, respondent shall file its responsive pleadings in original and 3 copies unless granted an extension by director

As of today 10-28-24 no extension has been granted by the director of the Arkansas State Claims Commission for my valid claim and I have received no responsive pleadings for my valid claim filed with the Arkansas State Claims Commission. My claim against the state is less than (\$15,000.00) fifteen thousand dollars with the exact amount of my claim being (\$14,088.00) fourteen thousand and eighty eight dollars.

According to Arkin Admin Code 19-10-21; Payment of a claim filed with the Arkansas State Claims Commission when it is a valid claim against the state and is for an amount less than (\$15,000.00) is to be paid from the miscellaneous revolving fund and does not have to be heard by or presented to the general assembly.

I as the claimant Ronald M. Robinson am respectfully demanding immediate payment of my valid claim of (\$14,088.00) filed with the Arkansas State Claims Commission per the guidelines outlined in the Arkin Admin Code as noted

the respondent agency or a respondent agency representative has filed its responsive pleadings in original and 3 copies with the time frame deadline outlined in Arkansas Admin Code 030.00.1-2.2. As the respondent agency for my claim filed with the Arkansas state claims commission is totally unresponsive I the claimant am requesting that the commissioner of the Arkansas state claims commission grants immediate payment of my valid claim of (\$14,088.00).

Sincerely

Claimant: Ronald M. Robinson

Signature: Ronald M. Robinson

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION**RONALD ROBINSON (ADC [REDACTED])****CLAIMANT****V.****CLAIM NO. 250215****ARKANSAS DIVISION OF
CORRECTION****RESPONDENT****ORDER**

Now before the Arkansas State Claims Commission (the “Commission”) are the motions¹ of Ronald Robinson (the “Claimant”) for leave to exceed the page limitations set in Ark. Code Ann. § 19-10-208(f)(1). Upon review of the complaint and supporting documentation, the Commission hereby GRANTS Claimant’s motions for leave and will accept the complaint and supporting documentation provided by Claimant with his complaint and motions to exceed. However, this order does not constitute any determination as to the validity of Claimant’s claim or any other pending motions.

¹ Claimant filed motions to exceed on September 18, 2024, and on September 26, 2024.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Dee Holcomb



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow, Chair



ARKANSAS STATE CLAIMS COMMISSION
Sylvester Smith

DATE: November 7, 2024

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 the 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: [Kris Higdon \(DOC\)](#)
To: [ASCC Pleadings](#)
Cc: [Tawnie Rowell \(DOC\)](#)
Subject: Ronald Robinson v. ADC, 250215
Date: Wednesday, December 4, 2024 7:50:58 AM
Attachments: [Rule 12\(b\)-MTD.pdf](#)

Please see attached motion to dismiss.

Kris Alan Higdon (Mr.)
Attorney at Law
Office of the Secretary
1302 Pike Ave., Suite C
North Little Rock, AR 72114
Phone: 501-682-9593
Kris.a.higdon@doc.arkansas.gov

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

RONALD ROBINSON (██████████)

CLAIMANT

v

NO. 250215

ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

RESPONDENT

RULE 12(b)(6) MOTION TO DISMISS

Comes Now the Respondent, Arkansas Department of Corrections (ADC), for its Motion to Dismiss, states:

1. The inmate's claim should be dismissed pursuant to the Arkansas Rules of Civil Procedure (ARCP) 12(b)(6) as it fails to state facts upon which relief can be granted.
2. On a motion to dismiss pursuant to Rule 12(b)(6) of the Arkansas Rules of Civil Procedure the courts treat the facts alleged in complaints as true and view them in the light most favorable to the plaintiff. *Dockery v Morgan, 2011 Ark. 94*. "However, [Arkansas's] rules require fact pleading, and a complaint must state facts, not mere conclusions, in order to entitle the pleader to relief." *Id.* The Court should "treat only the facts alleged in the complaint as true but not the plaintiff's theories, speculation, or statutory interpretation." *Id.*
3. An "important mechanism for weeding out meritless claims [is a] motion to dismiss for failure to state a claim." *Fifth Third Bancorp v. Dudenhoeffler, 573 U.S. 409, 425 (2014)*. Legal conclusions, unsupported conclusions, and unwarranted inferences must be ignored and fail to withstand a Rule 12(b)(6) motion. *See Farm Credit Svcs. v American State bank, 339 F.3d 764 (8th Cir. 2003)*. A pleading must contain a "short and plain statement of the claim showing that the pleader is entitled to relief. *Ashcraft v Iqbal 556 U.S. 662 (2009)*. Although detailed factual allegations are not required, more that "unadorned, the-defendant-unlawfully-harmed-me-

accusations” are required. *Id.* To survive a motion to dismiss, a complaint must contain sufficient factual matter that, when accepted as true, state a claim to relief that is plausible on its face. *Id.* A claim is facially plausible “when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Id.*

4. Arkansas law requires a claimant to exhaust “all available state or administrative remedies” before bringing a claim before this Commission. A.C.A. 19-10-223

5. Proper exhaustion requires the inmate to have completed “the administrative review process in accordance with the applicable procedural rules.” Jones v. Bock, 549 U.S. 199, 218 (2007) (quoting Woodford v. Ngo, 548 U.S. 81, 88 (2006)). “[P]roper exhaustion demands compliance with an agency’s deadlines and other critical procedural rules because no adjudicative system can function effectively without imposing some orderly structure on the course of its proceedings.” Woodford, 548 U.S. at 90-91. The Supreme Court has held that exhaustion is no longer left to the discretion of the district court but is mandatory.” *Id.* at 85.

6. Here, Claimant failed to provide any evidence that he exhausted his administrative remedies by filing a grievance in accordance with AD 19-34.

7. Pro Se parties are not given special treatment and are held to the same standard as a licensed attorney. *Pressler v. Ark. Publ. Serv. Comm’n*, 2011 Ark. App. 512, at 9, 385 S.W.3d 349, 355 (citing *Elder v. Mark Ford & Assocs.*, 103 Ark. App. 302, 288 S.W.3d 702 (2008)). The Claims Commission notes that under Arkansas law, a claimant choosing to represent himself is held to the same standard as an attorney. *Michael Pickens v ADC claim 190793 (ASCC 2019)*.

8. Whether a plaintiff is represented by counsel or is appearing pro se, his complaint must allege specific facts sufficient to state a claim. *See Martin v Sargent*, 780 F.2d 1334, 1337 (8th Cir. 1985).

9. Respondent further notes that several pages sent with the original complaint were illegible and Respondent cannot read them to know what, if any, responses is needed.

WHEREFORE, the Respondent prays that the motion be granted and the complaint dismissed; and all other just and proper relief to which they may be entitled.

Respectfully submitted,

/s/ Kris Alan Higdon
Kris Alan Higdon #2004115
Deputy General Counsel
Arkansas Department of Corrections
1302 Pike Ave., Suite C
North Little Rock, AR 72114
Telephone: (501) 682-9593
Kris.a.higdon@doc.arkansas.gov

CERTIFICATE OF SERVICE

I, Kris Alan Higdon, hereby certify that a true and correct copy of the foregoing has been served upon persons set out below, via first class mail, on this 4th day of December 2024.

Ronald Robinson [REDACTED]
[REDACTED]

/s/ Kris Alan Higdon
Kris Alan Higdon

Arkansas
State Claims Commission

JAN 13 2025

Before The Arkansas State Claims Commission RECEIVED

Ronald Robinson [REDACTED] Claimant

v.

Arkansas Department of Corrections Respondent
Division of CorrectionResponse to Rule 12(b)(6) motion to Dismiss

Comes Now the Claimant Ronald M. Robinson in Response to the Arkansas Department of Corrections (ADC)'s Motion to Dismiss (Rule 12(b)(6)) who as the Claimant States:

1. The responsive pleadings in the Form of a Rule 12(b)(6) motion to Dismiss prepared by Kris Alan Higdon # 24004115 Deputy General Counsel of the Arkansas Department/ Division of Corrections have been received by myself the Claimant Ronald M. Robinson on December 7th, 2024 between approx. 2 and 3 o'clock in afternoon with Lt. Taylor and Sgt. Tate making a photo/ printed copy of original with no copy of complaint included with original or printed/ photo copy version I received of the Rule 12(b)(6) motion to Dismiss raising possible issues of Rule 12(b)(4) insufficiency of process and or Rule 12(h)(5) insufficiency of service of process

The responsive pleadings prepared by Kris Alan Higdon # 2400415 do not include the agency number, fund code, appropriation code, and activity/section/unit/element that this valid claim should be charged against if liability is admitted or if the Claims Commission approves this valid claim for payment. This information is necessary even if the respondent agency denies liability but was omitted by Kris Alan Higdon the respondent agency representative where the respondent agency in regards to my valid and meritorious factual claim # 250215 been filed with the Ar State Claims Commission after I Ronald M. Robinson the claimant properly exhausted "all available state or administrative remedies" A.C.A 19-10-223 in "accordance with the applicable procedural rules" Jones V. Bock 549 U.S. 199, 218 (2007); the respondent agency listed as the (ADC) does not deny liability yet does not include in it's responsive pleadings prepared by Kris Alan Higdon the agency number, fund code, appropriation code, and activity/section/unit/element that this

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valid claim should be charged against, if liability is admitted or if the claims commission approves this valid claim for payment with this information which was omitted by Mr. Higdon # 2004115 in these responsive pleadings a Rule 12(b)(6) motion to Dismiss being necessary even if the responsive agency denies liability something the (ADC) as the respondent agency does not deny. The valid claim # 250215 filed with the Arkansas State Claims Commission lists the respondent agency as the Arkansas Department (Division of Correction (ADC) who as the respondent agency is directly liable for the factual content; allegations plead in the claimant Ronald M. Robinson factual meritorious claim # 250215 stated as facts upon which relief can be granted with his pleading(s) in claim number 250215 as the claimant containing a "short and plain statement of the claim showing that the pleader/ claimant Ronald M. Robinson is entitled to relief" Ashcraft v. Iqbal 556 U.S. 662 (2006).

The ADC is directly liable for my safety and health while I am incarcerated being housed at the Cummins Unit in Grady, Ar. even if not more so when being assigned/housed in punitive housing. The Claimant Ronald M. Robinson is/was an inmate/convict in the Arkansas Department of Corrections being housed at the Cummins Unit even more specifically the East Building a punitive housing wing "the Eastwing" of the [REDACTED] Prison in [REDACTED] at all times referenced to in his valid claim # 250215. The claimant Ronald M. Robinson presents and pleads to the Arkansas state Claims Commission in his valid claim # 250215 factual allegations; content as he the claimant establishes a factual basis for this claim based on facts upon which relief can be granted allowing the commissioners and any other applicable parties such as the general assembly to draw the reasonable inference that the respondent agency in regards to this specific factual/valid claim # 250215 is listed as the (ADC) who as the respondent agency is liable for the factual content and

misconduct alleged and as such the Rule 12(b)(6) motion to dismiss should be denied and any and all relief entitled to the claimant Ronald M. Robinson should be immediately granted because a factual basis has been established for the claim # 250215 by the claimant Ronald M. Robinson as he states/pleads facts in claim # 250215 for which relief can be granted in his valid, factual, meritorious claim. The ADC is directly liable for my safety and health while I am incarcerated as an inmate/convict housed at the [REDACTED] Unit in Grady, Ar 71644. The relief prayed to be granted to the claimant Ronald M. Robinson by the "Commission" in his valid, factual, meritorious claim # 250215 is 14,088.00 dollars (fourteen thousand and eighty eight dollars) which is the exact amount of the claimant's valid claim # 250215 filed with the Arkansas State Claims Commission after he as the claimant properly exhausted "all available state or administrative remedies" A.C.A. 19-10-223 Dismissal is not appropriate regarding my valid claim #250215

because it is plain that myself the Claimant Ronald M. Robinson can prove and has plead facts that will support the factual claim(s), allegations/factual content stated/plead in my claim/ Complaint being presented/pleaded to the Arkansas State Claims Commission, "The Commission" with all the facts stated/plead in my valid claim # 250215 being supported by evidence. My valid, factual, and meritorious claim # 250215 will survive this Rule 12(b)(6) motion to dismiss because throughout my valid claim # 250215 I Ronald Robinson as the claimant Ronald M. Robinson plead factual content that is all supported by evidence and stated as facts upon which relief can be granted that allows the court in this case/claim "the commission" to draw the reasonable inference that the defendant in this case/claim the respondent agency listed as the (ADC) is liable for the misconduct alleged in my valid claim 250215 filed with the Arkansas State Claims Commission. No part of my factual claim/allegations are internally inconsistent having no facts which run counter

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to facts for which the court in regards to my claim # 250215 "the commission" can take judicial notice. If for any reason it is decided that the pleaded cause of action in my valid claim # 250215 is not recognized by the law I Ronald M. Robinson as the claimant reserve the right for leave to amend my valid claim # 250215 ; if a legal cause of action is/was apparent from the well supported and accurate facts pleaded. I Ronald M. Robinson as the claimant in regards to claim # 250215 have established a factual basis for my valid claim plead to "the commission" stating/pleading facts upon which relief can be granted to myself Ronald M. Robinson as the claimant.

2. My valid, factual, meritorious claim # 250215 contains factual allegations / content with myself the claimant Ronald M. Robinson having stated and established a fact a specific valid claim # 250215 for which relief can be granted with my claim # 250215 including/ containing specific factual details, content; allegations to ensure that

I as the claimant sufficiently pleaded all the elements of the cause of action listed in my complaint/ claim # 250215 filed with the Arkansas State Claims Commission. When reviewing 12(b)(6) motions and more importantly when deciding such a motion the court which in this case is the Arkansas State Claims Commission and/or the "Commission" must assume all factual allegations contained in the complaint which in this case is my valid claim # 250215 filed with the Arkansas State Claims Commission are true and view them in the light most favorable to me Ronald M. Robinson as the claimant.

The "Commission" must give me the plaintiff also referred to as the claimant the full benefit of the doubt. I Ronald M. Robinson as the claimant in regards to my specific claim # 250215 have recognized this standard of review and subsequently to establish a factual basis for my claim # 250215 have included every fact that could in any way possibly be relevant to give the court in this case the "Commission"

a full and complete picture as possible of my factual valid claim occurring from the dates of Feb 9- Feb 18, 2024 at the [REDACTED] Prison more specifically in the East Building Cell E-6 "East-6" of the East wing a punitive housing block in the East building of the Cummins Prison. My factual pleadings within my valid claim # 250215 are supported by evidence including but not limited to my proper exhaustion of the 3 step grievance procedure established at the Cummins Unit in Grady Ar beginning with my step 1 informal resolution, followed by my step 2 formal grievance submitted to the appropriate grievance coordinator and finally my step 3 appeal to pine Bluff the ADC director or appropriate person for which I received a written decision or rejection of my level three "3" grievance appeal on 3/9/2024 with this date marking the proper exhaustion of "all my available state or administrative remedies" as the claimant before bringing a claim before this Commission A. C. A. 19-10-223. (Dates, records, my grievance history, etc. are included in my claim # 250215 and available up on request) video, witnesses and nurse/doctor reports

My attempts at a resolution by properly exhausting the established grievance procedure yielded no results so my next step is my valid claim # 250215 that I Ronald M. Robinson as the claimant am submitting to and pleading before the Arkansas State Claims Commission after I as the claimant properly exhausted "all available state or administrative remedies" ~~prior to~~ bringing my valid claim # 250215 before this commission. A.C.A 19-10-

3. My valid, factual and meritorious claim # 250215 filed with the Arkansas State Claims Commission pleads the elements of the cause of action listed in my claim and includes a complete and detailed set of facts stated upon which relief can be granted which according to the Arkansas Rules of Civil Procedure the Court in this case/claim the "Commission" must treat as true and view these facts in the light most favorable to the plaintiff in this case/claim the claimant myself Ronald M. Robinson. These facts as plead before the Arkansas State Claims Commission

are all factual supported by evidence including but not limited to my exhaustion of the 3 "three" step grievance procedure established at the Cummins Unit in Grady, Ar beginning with my step 1 informal resolution, followed by my step 2 formal grievance submitted to the appropriate grievance coordinator and finally my step 3 appeal to pine bluff the ADC Director or appropriate person for which I received a written decision or rejection of my level 3 grievance appeal on the date of 3/9/2024 marking the proper exhaustion of "all my available state or administrative remedies" before this claim # 250215 was brought before this "Commission" A.C.A. 19-10-223. (Dates, records, my grievance history etc are contained within claim # 250215 and available upon request), video, witnesses and nurse/doctor reports. My valid claim # 250215 contains only true facts supported by evidence as alleged, stated and plead in the complaint/claim # 250215 with no theories, speculation, or statutory interpretations being made by myself Ronald M. Robinson the plaintiff/claimant in regard to

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my valid claim # 250215 filed with the Arkansas State Claims Commission. My pleading(s) before the "Commission" in regards to my specific valid, factual and meritorious claim # 250215 contain a "short and plain statement of the claim showing that the pleader in this claim # 250215 myself Ronald M. Robinson the claimant is entitled to relief. My valid claim # 250215 will survive this motion to dismiss as my claim # 250215 contains factual allegations & content that myself the claimant Ronald M. Robinson has stated in my specific factual valid claim # 250215 for which relief can be granted according to Ark. Admin Code 19-10-213 as it is a valid claim against the state to be paid from the miscellaneous revolving fund as my valid claim # 250215 is for an amount less than (\$15,000.00) fifteen thousand dollars with the exact amount of relief sought in claim # 250215 being (\$14,088.00) fourteen thousand and eighty eight dollars and as being a valid claim against the state for an amount less than (\$15,000.00) fifteen thousand dollars my valid

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claim # 250215 does not have to be RECEIVED heard by or presented to the general assembly according to Ark. Admin Code 19-10-213. These facts presented, stated, alleged and plead in my valid claim # 250215 are sufficient to plead the cause of action listed in my complaint/claim # 250215 and to establish a factual basis for which relief can be granted and each of these facts must be treated by the "Commission" as true and must be viewed in the light most favorable to myself Ronald M. Robinson the claimant according to the Arkansas Rules of Civil Procedure when reviewing this motion to Dismiss (Rule 12(b)(6)). My valid factual claim # 250215 pleads factual content that allows the court in regards to this case/claim the "Commission" to draw the reasonable inference that the defendant in regards to this case/claim # 250215 the respondent agency listed as the (ADC) is liable for the misconduct /factual content alleged, stated and plead in my valid factual claim # 250215 filed with the Arkansas state claims Commission after

I Ronald M. Robinson as the claimant properly exhausted "all available state or administrative remedies" **prior** to bringing this claim # 250215 before this "Commission" A.C.A. 19-10-223.

4. I Ronald M. Robinson as the claimant in regards to my valid factual claim # 250215 have properly exhausted "all available state or administrative remedies" with no resolution/relief prior to filing my valid factual claim # 250215 with the Arkansas State Claims Commission (the Commission) A.C.A 19-10-223 having completed "the administrative review process in accordance with the applicable procedural rules". Jones v. Bock 549 U.S. 199, 218 (2007). I Ronald M. Robinson as the claimant in regards to claim # 250215 have fully exhausted each of the 3 "three" levels of the established grievance procedure at the Cummins Unit in Grady Arkansas 71644 in compliance with the Unit/agency's deadlines and other critical procedural rules because no adjudicative system can function effectively without imposing some orderly struc

on the course of its proceedings." Woodford, 548 U.S. at 90-91. (First the informal resolution level 1, second the formal grievance level 2, and finally my appeal to pine bluff the ABC director and or appropriate person level 3 of my grievance) me Ronald M. Robinson as the claimant in regards to claim #250215 receiving a written decision or rejection of my level 3 grievance appeal on 3/9/2024 this date marking the completion of my proper exhaustion of "all available state or administrative remedies" prior to bringing this claim # 250215 before this Commission A.C.A. 19-10-223 after pursuing a resolution with the Cummin Unit's CO's (Correctional officers), their supervisors Sgt./Lt's and finally even Warden Young when he performed a round on the date of February 18th, 2024. (Dates, records, my grievance history, etc. included within my valid claim # 250215 and more detailed records are available upon request.) ~~Upon~~ ~~Completion~~, after a full proper exhaustion of all my available state or administrative remedies without any

resolution or relief I Ronald M. Robinson as the claimant in regards to my valid claim # 250215 have continued my next step in search of the relief I am entitled by filing my valid, factual, meritorious claim # 250215 with the Arkansas State Claims Commission in accordance with A.C.A. 19-10-223.

5. I Ronald M. Robinson as the claimant in regards to claim # 250215 while an inmate/convict housed at the Cummins Unit of the ADC in Grady, Ar. 71644 have properly and fully exhausted "all available" state or administrative remedies" prior to bringing this claim # 250215 before "this Commission" of the Arkansas State Claims Commission as required per A.C.A. 19-10-223 by completing "the administrative review process in accordance with the applicable procedural rules" Jones v. Bock 549 U.S. 199, 218 (2007) while being/operating in compliance with the appropriate agency's deadlines and other critical procedural rules set in place to ensure the adjudicative system

will function effectively" Woodford v. Ngo, 548 U.S. 81, 88(2006) at 90-91.

because the Supreme Court has held that exhaustion is no longer left to the discretion of the district court but is mandatory. Id. at 85.

6. The failure to exhaust administrative remedies is an affirmative defense Jones v. Bock, 549 U.S. 199, 223-24(2007)

This means that a prison inmate is not required "to allege and demonstrate exhaustion in his complaint.

With this being said, I Ronald M. Robinson as the claimant in regards to claim #

250215 have properly and fully exhausted the established three tiered

"three step" grievance system in

Compliance to the time tables/ deadlines prescribed for grievances at the [REDACTED]

Unit of the (ADU) in Grady Ar 71644

prior to filing my valid, factual, meritorious claim # 250215 with the

Arkansas State Claims Commission. My

valid, factual, meritorious claim # 250215

contains evidence and factual content

such the dates each of the 3 "three" levels

of grievance were submitted, names of signatures on grievance including ADC employee's numbers and date of response a written decision or rejection of my appeal for the 3rd level grievance appeal to director and or appropriate person at pine bluff this date of 3/9/2024 marking the complete and full proper exhaustion of my grievance procedure "all available state or administrative remedies" before I Ronald M. Robinson as the claimant brought claim # 250215 before this Commission A.C.A. 19-10-223. (more detailed content such as dates, my grievance record and other factual evidence, etc. are available upon request). The ADC even more specifically the [REDACTED] provided/ provided a [REDACTED] administrative process governed through ADC Administrative Directive (AD) 19-34 Doc 44-2 at all times referenced to in my valid factual claim # 250215. To fully and properly exhaust all administrative remedies available to him an ADC Prisoner must file:

(1.) a "Step One" informal resolution raising the claim with the designated unit level problem-solver within fifteen calendar days of the incident,

(2.) a "Step Two" formal unit level grievance raising that claim with the Warden within three business days of the denial of the informal resolution, and

(3.) an appeal to the appropriate ADC chief Deputy/Deputy/Assistant Director within five working days of the Warden's Decision "Step Three"

Id at 6-14 The grievance process ends and is fully exhausted when the appropriate Chief Deputy/Deputy/Assistant Director renders a written decision or rejection of an appeal. Id. at 14

Both my inmate grievance history at [REDACTED] Unit Penitentiary of the ADC available upon request and my written grievance history included in my valid factual claim # 250215 show and confirm that I Ronald M. Robinson as the claimant in regards to claim #250215 properly exhausted all available administrative remedies [with respect to my

factual claims alleged, stated as facts upon which relief can be granted and plead in my valid claim # 250215] prior to filing my claim # 250215 with the Arkansas State Claims Commission showing and confirming that I Ronald M. Robinson presented my claim in a timely filed grievance and went through all three steps of the ADC's grievance process in accordance with AD-19-34 prior to filing my valid factual claim # 250215 with the Arkansas State Claims Commission. My grievance history reflects that I properly exhausted all the ~~administrative~~ remedies or state remedies available to me throughout February and March of 2024 me as the claimant in regard to claim # 250215 receiving a written decision or rejection of my level 3 "three" grievance appeal on 3/9/2024 this date marking the completion of my proper exhaustion of all my available administrative remedies in accordance with AD 19-34. My valid, factual, meritorious claim # 250215 being filed with the Arkansas State Claims Commission after this date of 3/9/2024

being reflected by the filing date of my valid claim #250215. Under the "prison mailbox rule" a prisoner's complaint is deemed filed when he places it in the prison's internal mail system. *Sulik v. Taney County*, 316 F.3d 813, 815 (8th Cir. 2003), *revid on other grounds* 393 F.3d 765 (8th Cir. 2005). The mailing dates will provide additional undisputed evidence that I Ronald M. Robinson as the claimant in regards to claim # 250215 properly exhausted all my available administrative remedies in accordance with AD 19-34 prior to filing my valid, factual, meritorious claim # 250215 with the Arkansas State Claims Commission. Inmates/prisoner can be excused from the exhaustion requirements if there is "evidence prisoner officials prevented them from using the grievance process or administrative remedies were otherwise unavailable see 42 U.S.C § 1997e (8) (requiring prisoners to exhaust only "available" administrative remedies); *Ross v. Blake* 136 S. Ct 1850, 1860 (2016) (administrative remedies are "unavailable"

when prison administrators thwart inmates from taking advantage of a grievance through machination, misrepresentation or intimidation) This topic/factual point is touched/stated as factual evidence in my valid claim # 250215.

7. Courts in this circuit have an obligation to give a liberal construction to the filings of pro se litigants, especially when they are civil rights claims by inmates. This rule relieves pro se litigants from the strict application of procedural rules...") (NO. 2:21-CV-1340 KJNP); *Frost v. Symington*, 197 F.3d 348, 352-53 (9th Cir. 1999) (requiring liberal treatment of pro se plaintiff at summary judgment); *Ferdik v. Bunzler*, 963 F.2d 1258, 1261 (9th Cir. 1992) (noting liberal treatment of pro se plaintiff "claimant" is "particularly important in civil rights cases")

8. I Ronald M. Robinson, as the claimant in regards to my valid, factual, meritorious claim # 250215 filed with the Arkansas State Claims Commission after properly

exhausting any and all available state or administrative remedies A.C.A. 19-10-2 have alleged, stated as fact, and plead specific facts and factual content sufficient to state and establish a claim upon facts for which relief can be granted and have properly alleged all required elements of any action stated in claim #250215 all shown by my need as the claimant to file a motion for leave to exceed the page limitations set in Arkansas Code Ann § 19-10-208(f)(1) with this motion to exceed being filed on September 18, 2024 and on September 26, 2024 I Ronald M. Robinson needed these additional pages as the claimant in regards to claim #250215 to fully explain my claim or action and to establish a factual basis for my valid claim #250215 stated upon facts for which relief can be granted with my specific claim or action containing a "short and plain statement of the claim showing that the pleader 'claimant' is entitled to relief" Ashcraft v. Iqbal 556 U.S. 662 (2009) yet is sufficiently complex to warrant additional pages than

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the page limitations outlined in Ark. Code Ann § 19-10-208(c)(1). My motion as the claimant Ronald M. Robinson for leave to exceed the page limitations set in Ark. Code Ann § 19-10-208(c)(1) was presented/plead before the Arkansas State Claims Commission (the "Commission") and after a review of my complaint/claim # 250215 and supporting documentation including each piece of factual supporting evidence, provided by myself Ronald M. Robinson as the claimant the "Commission" granted my motion for leave accepting my complaint and supporting documentation provided with my complaint/claim # 250215 and my motion to exceed as the claimant Ronald M. Robinson being approved by the Arkansas State Claims Commission. I, Ronald M. Robinson as the claimant have established in my valid, factual, meritorious claim # 250215 a factual basis for the complaint/claim being plead to the Arkansas State Claims Commission - "the Commission" with my complaint/claim # 250215 being based on facts stated upon which relief can be granted. I, Ronald M. Robinson as the claimant in regard to

claim #250215 have included factual details, facts, allegations and content all supported by evidence and witnesses about how the respondent agency listed as the (ADC) was negligent and how this negligence caused my injuries: mental, physical and emotional harm; myself Ronald M. Robinson as the claimant in regards to claim # 250215 ~~stating~~ a factual claim upon which relief can be granted. I have used these additional pages to include more factual details, content and allegations than could be plead / provided / stated within the original page limitations outlined in Ark. Code Ann § 19-10-208(f) with myself Ronald M. Robinson as the claimant in regards to claim # 250215 stating a factual claim upon which relief can be granted. This is / was critical for me to do as the claimant in regards to my valid factual claim # 250215 to ensure that I have sufficiently plead each and every element of the cause of action listed / stated in my complaint / claim # 250215 and just as important is in correlation with the standard used

to review 12(b)(6) motions; more specifically because the Court in regards to my claim #250215 "the Commission" when deciding such motions must assume all factual allegations contained in the complaint/claim to be true, giving the plaintiff/claimant the full benefit of the doubt. I Ronald M. Robinson as the claimant in regards to claim #250215 recognized this making it vital that I as the claimant include in my valid claim #250215 every fact that could in anyway be relevant to the "court" or in regards to my claim #250215 "the Commission" and paint/ portray as complete a picture as possible; myself Ronald M. Robinson as the claimant stating facts upon which relief can be granted within my factual valid claim #250215 filed with the Arkansas State Claims Commission after properly exhausting "all the available state or administrative remedies." A.C.A. 19-10-223. My pleading(s) in regards to my valid claim #250215 contain a "short and plain statement of the claim

Showing that myself Ronald M. Robinson the pleader/claimant in regards to claim # 250215 is entitled to relief. My valid, factual, meritorious claim # 250215 as the claimant Ronald M. Robinson contains sufficient factual matter/content, when accepted as true, states a claim to relief that is plausible on its face. I Ronald M. Robinson the claimant/pleader have plead factual content that allows the court in regards to my claim # 250215 ("the Commission") to draw the reasonable inference that the defendant in regards to my claim # 250215 the respondent agency listed as the (ADC) is liable for the misconduct alleged, stated, ~~as fact~~ and plead. In the responsive pleadings prepared by Kris Alan Higdon # 2004115 Deputy General Counsel for the respondent agency the Arkansas Department/Division of Corrections (ADC) the respondent agency through their representative Kris Alan Higdon do not deny liability yet omit and fail to include in their responsive pleading their agency number, fundcode, appropriation code and activity/section/

unitlelement that this valid claim # 250215 should be charged against if liability is admitted or if the claims commission approves this valid claim for payment with this omitted information being necessary in the respondent agency's responsive pleading even if the agency denies liability which the ADC as the listed respondent agency has not done. The ADC does not deny liability in their responsive pleading prepared by their representative Kris Alan Higdon # 2004115 in response to my valid, factual, meritorious claim # 250215 filed with the Arkansas State Claims Commission After I Ronald M. Robinson as the claimant properly exhausted "all available state or administrative remedies" in accordance to A.C.A. 19-10-223. The respondent agency listed as the ADC in regards to my valid claim # 250215 is directly liable for my health and safety while I as a prisoner incarcerated at all times housed at the Cummins unit in Grady A 71644 even if not more so when housed/assigned to punitive housing.

9. All pages included in my original complaint/claim # 250215 were / are legible.

10. I Ronald M. Robinson as the claimant regarding my valid, factual, meritorious claim #250215 stated as facts upon which relief can be granted, hereby certify that a true and correct copy of this Rule 12(b)(6) motion to Dismiss prepared by Kris Alan Higdon # 24004115 Deputy General Counsel of the Arkansas Department of Corrections was not served upon myself Ronald M. Robinson as the claimant via first class mail on the 4th of December raising possible issues of Rule 12(b)(4) insufficiency of process and/or Rule 12(b)(5) insufficiency of service of process and furthermore no copy of complaint was included with the improper service.

11. see attachment (Page 31 A-Q "attachment Number 11")

Wherefore the claimant Ronald M. Robinson prays this manipulative Rule 12(b)(6) Motion to Dismiss prepared by Kris Alan Higdon # 24004115 Deputy General Counsel of the Arkansas Department/Division of Corrections fails with the Rule 12(b)(6) Motion to Dismiss being denied by this "Commission" or the appropriate court; while the claimant Ronald M. Robinson in regards to claim # 250215 reserves his right of leave to amend his valid claim

if any legal cause of action was apparent from the facts pled in Claim #250215. The claimant Ronald M. Robinson praying when this Rule 12(b)(6) Motion to Dismiss is denied all relief entitled to himself as the claimant is immediately granted which in regards to claim #250215 the relief being sought / respectfully demanded is the exact amount of (C\$14,088.00) fourteen thousand and eighty eight dollars being less than (C\$15,000.00) fifteen thousand dollars, which according to Ark. Admin. Code 19-10-213 as a valid claim filed with the Arkansas State Claims Commission is to be paid from the Miscellaneous Revolving fund and does not have to be heard by or presented to the general assembly. If this motion to Dismiss is granted or no relief can be granted it is prayed By the Claimant Ronald M. Robinson that this manipulative Rule 12(b)(6) motion to Dismiss is converted to a summary judgment motion

Respect fully submitted,
 Claimant: Ronald M. Robinson
 Signature: Ronald M. Robinson

Attachment Number (11) [Improper handling of my Legal Mail]

11. Prison inmates remain under the protection of the Constitution and retain certain liberty interests while incarcerated which the State may not abridge without meeting minimum standards see *Finney v. Mabry* 528 F. Supp 567 (E.D. Ark 1981). The [REDACTED] Unit prison officials and mailroom supervisor Lindsay Hill and/or mailroom staff's interference, tampering and disposal of my legal mail containing my hand written response to the ADC's Rule 12(b)(6) motion to Dismiss regarding my valid Claim # 250215 with my hand written response being a 25-30 page document violated my constitutional rights retained as a prisoner housed in a Unit of the ADC to Due Process Protection, of access to the Courts and such interference may violate my First Amendment right to free speech as a prisoner having the right to be free from unjustified government interference with communication me

Ronald M. Robinson the claimant in regard to claim # 250215 having First Amendment rights to petition the government for grievances see *California Motor Transport Co. v. Trucking Unlimited*, 404 U.S. 508, 510, 92 S.Ct. 609 Page 821, 611, 30 L. Ed. 2d 642 (1972). A prisoner is prohibited from

P. 21-a

unreasonably limiting an inmates access to legal personnel who can provide legal advice *Bounds U.S. at 828, 97 S. Ct at 1948.* ¶ Ronald M. Robinson as the claimant in regards to my valid claim #250215 must emphasize that the Supreme Court in *Thornburgh* made it clear that a distinction still exists between incoming mail and outgoing prison mail. See *Thornburgh* 490 U.S. at 413, 109 S. Ct at 1881. Specifically the Court recognized that the implications of outgoing correspondence for prison security are of a categorically lesser magnitude than the implications of incoming materials. In regards to my claim #250215 filed with the Arkansas State Claims Commission my outgoing legal mail was improperly "censored" by mailroom supervisor Lindsay Hill or other mail room staff and other [REDACTED] Unit officials without a legitimate penological interest other than preventing myself Ronald M. Robinson the claimant in regards to claim #250215 from having access to the courts and or access to legal personnel who can provide legal advice with

my legal mail containing my handwritten response to the ADC's Rule 12(b)(6) being handled by unauthorized Cummins staff, tampered with and/or disposed of rather than being mailed out/sent out as outgoing mail by [REDACTED] unit mailroom after being inspected for possible contraband by Lt. Heiney, sealed, signed and brought to Cummins mailroom with an endorsed check to Cummins Unit for postage attached to it when brought to mailroom by Lt. Heiney myself Ronald M. Robinson following/operating in compliance to all outgoing legal mail policies/procedures established at the [REDACTED] Unit Prison in Grady Ar 71644. I Ronald M. Robinson as the claimant in regards to claim # 250215 must additionally stress that for decades the Supreme Court has acknowledged a prisoner's right to be free of completely arbitrary censorship of his outgoing mail see *Stennett*, 532 F.2d at 469; *Guajardo* 580, F.2d at 753-59. Prior to my claim # 20215 being filed with the Arkansas State Claims Commission I Ronald M. Robinson as the claimant had very little to no trouble or limitations of accessing the Courts ~~not~~ any unreasonable

limitation of my access as an inmate/prisoner to personnel who can provide legal advice; See my outgoing legal mail correspondant and/or legal mailing with my legal mail being inspected for possible contraband, signed and sealed by a Sgt. and/or a Lt. or above on 7-30-2024 brought to the mailroom by Sgt./Lt or above who signed it being mailed out as supposed to be with a postage stamp date of 8-1-2024 yet in December immediately after my valid claim # 250215 was filed with the Arkansas State Claims my outgoing legal mail containing my handwritten response to the ADC's motion to Dismiss Rule 12(b)(6) was purposefully and intentionally not processed by the [REDACTED] Unit mailroom supervisor Lindsay Hill and/or mailroom staff (multiple witnesses) with the acts of tampering and/or disposing of my legal mail rather than sending it out as outgoing mail even though the same core procedure was followed by myself Ronald M Robinson the Claimant in regard to claim # 250215 as I did prior to my claim being filed with the Arkansas State Claims Commission with the legal mail being brought to mailroom in compliance to all outgoing legal mail policies and guidelines

Part 1-D

established by the administration at
 the [REDACTED] Unit Prison. My legal
 mail containing my handwritten response ²⁵⁻³⁰¹
 Doc. to ADC's motion to Dismiss Rule 12(b)(6)
 was looked through for possible contraband
 being signed by Lt. Haines" after sealing it
 with an endorsed inmate check attached
 for postage payable to the [REDACTED] Unit mailroom.
 Lt. Haines saying he would seal it with clear
 tape and then he brought it to the Cummins
 Unit mailroom on ~~Jan 2-17-2024~~ to be sent out
 as outgoing mail as supposed to be myself
 Ronald M. Robinson as the claimant
 in regards to claim # 250215 operating
 in compliance to all outgoing legal
 mail guidelines set in place by
 Cummins Unit Administration while
 he Ronald M. Robinson was locked down
 23-1 indefinitely assigned/ confined in
 restrictive housing a.k.a administrative segregation
 as a form of punishment. The mailroom supervisor
 Lindsay Hill and/or other mailroom staff and
 today date January 2, 2025 has not and would
 my legal brought to the mailroom by Lt. Haines
 per outgoing legal policy/procedures; never
 sending it out in mail as supposed to nor putting
 any postage on it even with an attached inmate check

JAN 13 2025

filled out payable to [REDACTED] mailroom RECEIVED
and endorsed also signed by Sgt. or above
for postage. The mailroom supervisor
Lindsay Hill and/or other Cummins mailroom
staff not following the protocol for
outgoing legal mail writing "not legal
mail" in red ink on my inmate check
attached to my legal mail for postage and
than having a CO "Correctional officer"
Meadows bring my legal mail back
to me the following day at mail call
at approx 5:48 (see video) rather than
sending my legal mail out after it
was brought to the [REDACTED] Unit mailroom
by Lt. Haines per outgoing legal mail procedure
established by Cummins Prison Administration.
No CO "Correctional officer" is supposed
to touch/handle my legal mail after
it is inspected, sealed and signed by a
Lt./Sgt. or above and brought to mailroom
to be sent out as my legal mail containing
my hand written response a 25-30 pg doc to
the ADC's Rule 12(b)(6) was by Lt. Haines
on January 12-17-24 with an endorsed inmate
check payable to Cummins mailroom for
postage. The CO officer Meadows asking
me to sign my legal mail because the
Pa. 31-F.

mailroom said and had written on it in red ink on my inmate check that it was "not legal mail." I wrote on bottom of inmate check that it is time sensitive legal mail that needs sent out and then he Co meadows brought my legal mail back to the mailroom to be mailed out; my legal mail containing my hand written 25-30 pg. response to the ADC's Rule 12(b)(6) motion to Dismiss regarding my valid claim #250215 stated as facts upon which relief can be granted filed with the Arkansas State Claims Commission. The second time my legal mail was brought to [REDACTED] mailroom the mailroom staff and/or mailroom supervisor Lindsay Hill still did not send out my legal mail containing my response to the ADC's motion to Dismiss Rule 12(b)(6) regarding my valid claim #250215 filed with the Arkansas State Claims Commission. The only reason for these actions/inactions by mailroom supervisor Lindsay Hill and/or other [REDACTED] mailroom staff being to prevent me Ronald M. Robinson the claimant in regard to claim #250215

from accessing the courts specifically
 the Arkansas State Claims Commission
 and to unreasonably limit my ability
 to access legal personnel who can
 provide legal advice as I followed
 the strict guidelines set in place by
 the [REDACTED] Unit administration (Outgoing
 legal mail) by having a Sgt. and or Lt./
 above inspect my outgoing legal mail
 for possible contraband (specifically
 Lt. Hainey) before he sealed and signed
 my legal mail containing my response
 to the ADC's motion to Dismiss Rule
 12(b)(6) regarding my valid claim # 250215
 and attached an inmate check written and
 endorsed payable to the [REDACTED] Unit
 mailroom for postage and finally Lt.
 Hainey bringing my inspected, sealed
 and signed legal mail to the Cummins
 Unit mailroom to be sent out in
 outgoing mail something the mailroom
 supervisor L. Hill and/or other [REDACTED]
 mailroom staff failed to do as supposed
 to writing in red ink on my inmate
 check endorsed payable to [REDACTED] mailroom
 for postage that my legal mail brought
 to them by Lt. Hainey is "not legal mail"

On 21-A

The following night during the night shift after shift change I asked Lt. Hainey why the mailroom had not sent out my legal mail that he had inspected, sealed, signed and brought to mailroom to be sent out as outgoing mail with an endorsed inmate check payable to [REDACTED] mailroom being attached for postage. He told me it should have been mailed out he had brought it "as legal mail" to [REDACTED] mailroom after inspecting it, sealing it and signing it as legal mail and there was an inmate check attached for postage so there was no reason for it not to be mailed out as it was supposed to. He said he would look into it and email - Capt Johnson to make sure it was mailed out. The following day during day shift the mailroom supervisor at the Cummins Unit Lindsay Hill carried/brought my legal mail along with my endorsed inmate check payable to [REDACTED] unit mail room for postage attached with her as she was escorted to 143K outside 53 cell 14-400 by Co. Mr. Jones. The mailroom supervisor at [REDACTED] Lindsay Hill telling me my legal mail was not legal mail and she would not process nor send out my legal mail brought to her

by Lt. Haines saying I will only process
 it as regular mail telling the CO "officer"
 to open it as legal mail, the correction officer,
 Ms. Jones telling the mailroom supervisor
 Lindsay Hill that she as a CO was not
 authorized to handle my legal mail. I
 told the mailroom supervisor I needed
 my legal mail sent out it is time sensitive
 legal mail brought to the [REDACTED]
 mailroom by Lt. Haines in compliance to all
 procedures established by Cummins administration
 regarding outgoing legal mail with an endorsed
 inmate check attached payable to the [REDACTED]
 mailroom for postage myself Ronald M Robinson, the cl
 r claim # 250211 telling her it is very important that my legal
 mail is sent out and for her as the mailroom supervisor
 to do what it takes to mail it out as she is supposed to
 she as the mailroom supervisor L. Hill again
 saying I absolutely will not process your legal
 mail. I said the last time I had sent
 mail out to the same correspondent as regular
 mail with no Lt/Sgt or above signature she
 had sent it back to me with a printed note
 saying it was legal mail that had to be
 signed by a Sgt./Lt. or above. (see legal mail
 signed on 7-30-2024 signed by Lt/Sgt./above with
 postage stamp on 8-1-2024 and that my legal

in her possession today "on that day" has been brought to her as the [REDACTED] mail room supervisor and on the [REDACTED] mail room according to Lt. Hainey after I Ronald M. Robinson as the claimant in regard to claim #250215 followed/was in compliance with all guidelines/procedures established by the administration at the [REDACTED] Unit regarding outgoing mail. I told her the mailroom supervisor Lindsay Hill that it is legal mail and I need it sent out immediately because it is time sensitive she Lt. Hill said you have no proof I am bringing it to the Captain after the Co. Ms. Jones said she was unauthorized to handle my legal mail but as of today's date 1-04-2025 my legal mail is yet to be mailed out nor has it been returned to me as a result of [REDACTED] Unit staff trying to thwart my due process rights of access to the courts while I Ronald M. Robinson as the claimant of claim #250215 was assigned indefinitely to in administrative segregation as a form of punishment in 143K-400 regarding my valid claim # 250215 for which I am seeking relief as plead before the Arkansas

state Claims Commission my claim being stated as facts upon which relief can be granted. From the time/date the mailroom supervisor Lindsay Hill disposed of my legal mail containing my handwritten response to AOC's Rule 12(b)(6) motion to dismiss my valid claim #250215 along with my inmate check attached for postage payable to [REDACTED] Unit mailroom rather than mailing it out as supposed to do I Ronald M. Robinson as the claimant in regards to claim #250215 have sought assistance from several problem solvers at the [REDACTED] Unit and put in requests of interview to both the mailroom supervisor L. Hill and Lt. Hainey. On Dec 20th Lt. Hainey told me there was no reason she "L. Hill the mailroom supervisor" should not send my legal mail out in mails as it would email Capt. Johnson and make sure it was mailed out on Monday. Other problem solvers Sgt's telling me there is a lot of bullshit going on with legal mail and I didn't sign it so I don't/won't go behind someone else since Lt. Hainey signed it while others telling me they would check on it for me. Lt. Hainey

telling me on another day the mailroom supervisor L. Hill and another mailroom staff had left my legal mail unsorted in a control booth. Sgt. Gosset telling me he would bring it "my legal mail" to me when I asked him when he found out it was in the east building control booth after I asked what control booth it was left in but he never did. Lt. James telling me one day it was returned by the warden's secretary to east building and on another day saying Sgt. King should have brought it back to me. I asked Lt. the day after Christmas again why my legal mail he brought to the Cummins mailroom had not/had not been sent out nor had I received any type of receipt for my inmate check payable to Cummins mailroom for postage that was attached and why was it left in East Building control booth after he had brought it to the mailroom to be sent out as supposed to be. He said on this day it was no longer in the east building control booth so it should have been mailed out, yet as of today's date 1-04-25 it has not been nor have I received any type of receipt

P. 21-M

from [REDACTED] mailroom for ms in note
 check attached to my legal mail for
 postage payable to Cummins, mailroom
 and their is/was at all time referenced
 to in this response more than enough (\$)
 money on my books to cover postage.
 A witness to these events by mailroom
 supervisor Lindsay Hill and/or other cummins
 mailroom staff along with actions/inactions
 of Cummins unit problem solver is ms
 cellie at the time/date of event Bobby Hunt
 ADc# [REDACTED] As of today's date January
 fourth, 2025 my legal mail containing
 my hand written response a (25-30 ps document)
 to the ADc's Rule 12(b)(6) motion to Dismiss
 regarding my valid claim #250215 has
 been disposed of by the mail room
 supervisor Lindsay Hill and/or other cummins
 mailroom staff with my legal mail being
 disposed of and left in east building
 control booth being handled by many unauthorized
 cummins unit staff rather than being
 sent out in mail as supposed to be.
 The Cummins unit east building being the
 location my claim #250215 occurred during
 Feb 9, Feb 18, 2024 and Capt. Johnson being
 the East building supervisor during Dec 2024 and
 on 21-21

Januarys 2025 to present, I Ronald M. Robinson as the claimant in regard to claim # 250215 have never seen or been in possession of my legal mail containing my handwritten response (a 25-30 pg. document) to the ADC's Rule 12(b)(6) motion to Dismiss after mailroom supervisor Lindsay Hill said I absolutely will not process your legal mail am bringing it to the captain you have no proof on / around 9:45a 2-3d 95, after brought to the mailroom by Lt. Hainey. (Captain Johnson is/was the East building supervisor "Darnest Johnson" at all times, my legal mail was mishandled and disposed of rather than being sent out as supposed to be.) My witnesses of all actions ^{inactions} by mailroom supervisor L. Hill, and/or other mailroom staff and/or Cummins Unit problem solvers are my cellie Bobby Hunt and CO Jones who told the mailroom supervisor L. Hill that she herself has no authority to handle my legal mail containing my handwritten response to the ADC's Rule 12(b)(6) motion to Dismiss regarding my claim # 250215. The mailroom ^{superior-warden} The mailroom staff tampering and/or disposed of my legal mail, after having numerous unauthorized Cummins staff such as CO's and possibly warden's secretaries and having left

my legal mail and my endorsed check payable to the [REDACTED] mail room for postage that was attached to my legal mail unattended and unsecure in the east building which is the location my valid claim # 250215 occurred on around the dates of Feb. 9 - Feb. 18, 2024. Cummins mail room supervisor Lindsay Hill and/or mail room staff at the [REDACTED] Unit Prison of the ADC failing to follow / operate in compliance with established policies and administrative directives in their operation of the unit's mailroom regarding my legal mail an outgoing legal document containing my response as the claimant listed in claim # 250215 to the ADC's Rule 12(b)(6) motion to Dismiss regarding my valid claim # 250215 stated upon facts for which relief can be granted by the Arkansas State Claims Commission. This response being presented to the Arkansas State Claims Commission and on another appropriate party is the second hand written copy prepared by myself Ronald M. Robinson as the claimant listed in claim # 250215 after the first response a 25 to 30 pg document was placed into the internal mail at the [REDACTED] Unit by Lt. Haines on around 12-17-2024

although rather than being mailed out as
 supposed to by mailroom supervisor Lindsay Hill
 and/or mailroom staff it was subsequently
 disposed of by mailroom supervisor
 Lindsay Hill and/or mailroom staff after being
 placed into the internal mail by Lt. Higgins
 per administrative directives/policies regarding
 outgoing mail in an attempt to thwart my
 constitutional right of access to the
 courts specifically the Arkansas State
 Claims Commission and unreasonably
 limit myself as a prisoner of access
 to legal counsel who can provide
 legal advice after the mailroom supervisor
 Lindsay said she would not process my
 legal mail saying I have no proof rather
 than sending it out in outgoing mail
 as supposed to per administrative
 directives and procedures for outgoing mail
 at the [REDACTED] Unit. My second hour
 written response to the ADOC's
 Rule 12(b)(6) motion to Dismiss regarding
 my habeas claim # 250215 being completed on
 January 6th, 2025 and placed internal
 mail at the curing Unit to be sent out
 the same week.

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Dear [Arkansas State Claims Commission] the Commissioners and or appropriate persons

Arkansas State Claims Commission

MAR 17 2025

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Arkansas Admin Code 030.00.1-2.2 outlines the length of time the respondent agency; which in regards to my valid claim NO. 250215 being stated upon facts for which relief can be granted to the claimant Ronald M. Robinson is listed as the Arkansas Department of Corrections Division of Correction (ADC) who as the respondent agency has to file it's responsive pleadings in original and 3 copies within an amount of time \leq one month unless granted an extension by the director of the Arkansas State Claims Commission according to Arkansas Administration Codes.

As of today's date March the 10th, 2025 no extension has been granted by the director of the Arkansas State Claims Commission and no responsive pleadings in original and 3 copies has been filed by the respondent agency (ADC) or a respondent agency representative except for a Rule 12(b)(6) motion to Dismiss submitted by Kris Alan Higdon # 2004115 Deputy General Counsel of the Arkansas Department of Correction. This Rule 12(b)(6) motion to Dismiss is only a delay or stall tactic by the Arkansas Department of Correction General Counsel having no merit and should be denied.

Pg 2

The respondent agency "the ADC" has never denied liability and is directly liable for the factual content allegations plead by the claimant Ronald M. Robinson in his factual valid claim NO. 250215 stated as facts upon which relief can be granted to the claimant with his pleadings in claim NO. 250215 containing "a short and plain statement of the claim showing that the pleader/claimant Ronald M. Robinson is entitled to relief" Ashcraft V. Iqbal 556 U.S. 662 (2006).

I Ronald M. Robinson as the claimant in regards to claim NO. 250215 have submitted and filed a motion in response to this Rule 12(b)(6) motion to Dismiss. No Ruling has been made by the Arkansas State Claims Commission because of "waiting for the respondent agency "(the ADC)" to respond". The (ADC) as the respondent agency in regards to my valid claim NO. 250215 has failed to meet or exceed the guidelines outlined in the Arkansas Administration Codes. My valid claim NO. 250215 against the State is for less than (\$15,000.00) fifteen thousand dollars with the exact amount of my claim being (\$14,088.00) fourteen thousand and eighty eight dollars.

According to Arkansas Administration Code 19-10-21 same type claim filed with the Arkansas State

Claims Commission when it is a valid claim against the state and is for an amount less than (\$15,000.00) fifteen thousand dollars is to be paid from the miscellaneous revolving fund and does not have to be heard by or presented to the general assembly. I as the claimant Ronald M. Robinson am respectfully demanding immediate payment of my valid claim NO. 250215 in the amount of (\$14,088.00) fourteen thousand and eighty eight dollars per the guidelines outlined in the Arkansas Administration Codes as neither the respondent agency nor a respondent agency representative has filed any responsive pleadings except for a Rule 12(b)(6) motion to Dismiss and then has filed no motion subsequently to my motion filed in response to this Rule 12(b)(6) motion to Dismiss

My valid, factual and meritorious Claim NO. 250215 pleads all the elements of the cause of action listed in my claim and includes a complete and detailed set of facts, which according to the Arkansas Rules of Civil Procedure the court in regards to this specific claim/case "the commission" must treat as true and view each of these facts in the light most favorable to the plaintiff in this case/claim NO. 250215 the claimant must Donald M. Robinson who that

Pg 4

the commissioners and "the Commission" are deciding and making a ruling for or against this Rule 12(b)(6) motion to Dismiss which should be denied as it has no merit and is only a delay or stall tactic used by the Arkansas Department of Correction General Counsel.

This unresponsiveness in its totality by the respondent agency listed as "the ADC" in my valid claim NO. 250215 prevents the "Commission" from making a ruling and denying this Rule 12(b)(6) Motion to Dismiss. The ADC as the respondent agency in regards to my valid claim NO. 250215 filed with the Arkansas State Claims Commission after having exhausted "all available state or administrative remedies" is totally unresponsive to my motion filed in response to the Rule 12(b)(6) motion to Dismiss thus preventing the Arkansas State Claims Commission from making a ruling and denying this Rule 12(b)(6) motion to Dismiss.

I the claimant Ronald M. Robinson am requesting that the Commissioners of the Arkansas State Claims Commission grant immediate payment of my valid claim NO. 250215 in the amount of (\$14,088.00) fourteen thousand and eighty eight dollars and no cents.

From: [Misty Scott](#) on behalf of [ASCC Pleadings](#)
To: [Tawnie Rowell \(DOC\)](#); [Miles S. Morgan](#); [Trent Rigdon \(DOC\)](#)
Cc: [ASCC Pleadings](#); [Yolanda Charles \(DOC\)](#); [Mika Tucker](#)
Subject: ORDER: Ronald Robinson v. ADC, Claim No. 250215
Date: Tuesday, April 8, 2025 3:14:00 PM
Attachments: [Ronald Robinson v. ADC .pdf](#)
[Ronald Robinson-Order.pdf](#)

Dear Counselors:

Please see attached. Contact Mika Tucker with any questions.

Thank you,

Misty

Misty Scott
Arkansas State Claims Commission

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

April 8, 2025

Mr. Ronald Robinson (ADC [REDACTED])
[REDACTED]

Ms. Tawnie Rowell
Mr. Miles Morgan
Mr. Trent Rigdon
Arkansas Division of Correction
1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114

(via email)

Re: ***Ronald Robinson v. Arkansas Division of Correction***
Claim No. 250215

Dear Mr. Robinson, Ms. Rowell, Mr. Morgan, and Mr. Rigdon:

Enclosed please find an Order entered on April 3, 2025, by the Arkansas State Claims Commission. If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: msscott

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

RONALD ROBINSON (ADC [REDACTED])

CLAIMANT

V.

CLAIM NO. 250215

ARKANSAS DIVISION OF
CORRECTION

RESPONDENT

ORDER

Now before the Arkansas State Claims Commission (the “Commission”) is a motion filed by the Arkansas Division of Correction (the “Respondent”) to dismiss the claim of Ronald Robinson (the “Claimant”). Based upon a review of the motion, the arguments made therein, and the law of Arkansas, the Commission hereby finds as follows:

1. Claimant filed his claim on August 7, 2024, seeking \$14,088.00 in damages related to his allegations of unsanitary living conditions.

2. Respondent filed a motion to dismiss arguing, *inter alia*, that Claimant failed to exhaust his administrative remedies.

3. Claimant filed a response arguing, *inter alia*, that his grievance documents are “available upon request.”

4. Upon review of the pleadings, the Commission agrees with Respondent that dismissal is proper. Claimant has failed to attach any documentation that he exhausted his administrative remedies. Under the doctrine of exhaustion of administrative remedies, a claimant must utilize and exhaust the administrative remedies before seeking relief from the Claims Commission. *See Ark. Dept. of Health and Human Servs. v. Smith*, 370 Ark. 490, 492-93 (2007). The purpose of this doctrine is to provide the agency with an opportunity to address the issue. *See*

id. Where a claimant fails to exhaust his or her administrative remedies, the Commission lacks jurisdiction to hear the claim.

5. An additional basis to dismiss exists pursuant to Ark. Code Ann. § 19-10-223, which provides that dismissal is proper “if the claimant has failed to submit . . . documentation that the claimant has exhausted all available . . . administrative remedies.”

6. Respondent’s motion to dismiss is GRANTED, and Claimant’s claim is DISMISSED without prejudice.

7. If Claimant did exhaust his administrative remedies, Claimant may refile his claim and attach the relevant documentation as required by Arkansas law.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Dee Holcomb



ARKANSAS STATE CLAIMS COMMISSION
Paul Morris, Chair



ARKANSAS STATE CLAIMS COMMISSION
Sylvester Smith

DATE: April 3, 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 the 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).

Cover Page

Arkansas
State Claims Commission

MAY 10 2025

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Before the Arkansas State Claims Commission
is a Motion for Hearing/Reconsideration
Ark. Code Ann § 0-30-00, 1-7.1 and/or a Notice
of Appeal with the Arkansas Claims Commission
Ark. Code Ann § 19-10-211(a)(1)

Claim No. 250215

Ronald Robinson	v.	Arkansas Division of Corrections
Claimant	v.	Respondent

Evidence attached as supplemental documentation
showing claimant did exhaust his administrative remedies

1. Grievance Receipt [REDACTED] 24-00292
attachment V - acknowledgment of grievance appeal
or rejection of appeal dated 04/01/2024 as received
2. Grievance Receipt [REDACTED] 24-00228
attachment V - acknowledgment of grievance appeal
or rejection of appeal dated 04/02/2024 as received
3. Grievance Receipt [REDACTED] 24-00311
attachment V - acknowledgment of grievance appeal
or rejection of appeal dated 04/16/2024 as received
4. Grievance Receipt [REDACTED] 24-00729
attachment V - acknowledgment of grievance appeal
or rejection of appeal dated 07/31/2024 as received

Cover Page Continued

Evidence attached as supplemental documentation showing claimant did exhaust his administrative remedies.

5. Returned Grievance from inmate Grievance Supervisor Administration Building on March 13, 2024 for: Previously Answered/Rejected or A Duplicate G. (Attachment I) Unit Level Grievance Form and Acknowledgement or Rejection of Unit Level Grievance (Attachment II) for each grievance receipt listed above

(27) twenty seven page motion followed by attached supplemental documentation listed above showing claimant did exhaust his administrative remedies

Order to Dismiss received by myself claimant on the date of 04/14/2024, this motion in response being submitted to Arkansas State Claims Commission on 05/03/2024.

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State Claims Commission

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Before The Arkansas State Claims Commission
is a Motion for Hearing/Reconsideration
Ark. Code Ann § 0-30.00.1-7.1 and on a Notice
of Appeal with the Arkansas Claims Commission
Ark. Code Ann § 19-10-211(a)(1).

Claim No. 250215

Ronald Robinson V. Arkansas Division of Correction
claimant V. Respondent

Now before the Arkansas State Claims Commission
(the "Commission") is a motion filed by
the claimant Ronald M. Robinson for a
Hearing/Reconsideration A.C.A. 0-30.00.1-7.1
and on a Notice of Appeal with the Arkansas
Claims Commission A.C.A. 19-10-211(a)(1).
This motion for a Hearing/Reconsideration
and on Notice of Appeal with the Arkansas
Claims Commission is timely and filed/submitted
in accordance with Ark. Code Ann § 0-30.00.1-7.1
and Ark. Code Ann § 19-10-211(a)(1).

1. Claimant Ronald M. Robinson has filed a valid,
factual, meritorious claim no. 250215 on August
7, 2024 with the Arkansas state claims Commission
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seeking \$(14,088.00) fourteen thousand and eighty eight dollars in relief for damages after Ronald M. Robinson as the claimant exhausted "all available state or administrative remedies" by filing a grievance in accordance with AD 19-34 Inmate Grievance Procedure with no resolution/relief prior to filing his valid factual claim NO. 250215 with the Arkansas State Claims Commission A.C.A 19-10-2230n August 7, 2024.

2. Inter Alia is Latin for "among other things" translated into english as "et-cetra" indicating that the details given are only an extract from the whole. Before an order to dismiss the claim of Ronald M. Robinson the claimant in regards to his claim NO. 250215 can be made/issued ~~properly~~ as required by Arkansas Law the claimant's arguments made in response to the Respondents Rule 12(b)(6) for "failure to state a claim" ~~must~~ be reviewed and analyzed in their entirety as a whole by "Commission" rather than just reviewing and analyzing only an extract from the whole. The legal standard of review when reviewing 12(b)(6) motions to dismiss and more importantly when deciding such a motion per Arkansas Law requires the court

which in regards to my case/claim NO. 250215 is the Arkansas State Claims Commission "the Commission" to assume all factual content/allegations contained in the Complaint to be true and must view them in the light most favorable to the claimant. My response as the claimant to the Respondent's listed as the (ANC's) Rule 12(b)(6) motion to Dismiss "failure to state a claim" includes over twenty-five (25) total pages of argument(s) and supporting documentation yet section three (3) of this order issued by the Arkansas Claims Commission to Dismiss **claim** NO. 250215 states; ["claimant filed a response arguing inter alia that his grievance documents are "available upon request.""]. This order to dismiss Claim NO. 250215 was made/issued with an improper review of the claimant's response/pleadings made in argument to the respondent's Rule 12(b)(6) "Failure to state claim" based on the required standard of review for a Rule 12(b)(6) motion to Dismiss according to Arkansas Law and should be reconsidered as the claimant's pleadings made in argument to the respondent's Rule 12(b)(6) motion to dismiss was not reviewed and analyzed in its entirety as a whole. In section (4) four and (6) six of my pleadings as the

Claimant made in argument to respondent's Rule 12(b)(6) motion to Dismiss an argument was made that "Dates, signatures, my grievance history along with records of my properly exhausted grievance procedure are included/contained in my valid claim NO. 250215 and more detailed records are available upon request" section three (3) of this order to Dismiss issued by the Claims Commission demonstrates that this order to Dismiss was made/issued with an improper review of claimant's pleadings made in argument to the respondent's Rule 12(b)(6) "Failure to state claim" motion to Dismiss because rather than review the motion a twenty-five (25) plus page document in its entirety as a whole a section of a single sentence was taken out of context as stated in section three (3) of this order to dismiss that grievance documents are "available upon request" with this partial portion of a single sentence used as the ^{entire} material pleadings reviewed by the "Commission". The claimant's response ~~as a~~ whole was ignored by the "Commission" when reviewing pleadings where claimant presents an argument that "my factual pleadings within my valid claim NO. 250215 are supported by evidence including but not limited to my proper exhaustion of the

3-step grievance procedure established at the [REDACTED] Unit in Grady Ar beginning with my step 1 informal resolution followed by my step 2 formal grievance coordinator, and finally my step 3 appeal to Pine Bluff the ADC Director or appropriate person for which I received a written decision/acknowledgment or rejection of my level 3 grievance," by the Chief Deputy Director of the ADC evidence of the proper exhaustion of "all my available state or administrative remedies in accordance with AD 19-34 Inmate Grievance Procedure.

3. After I Ronald M. Robinson as the claimant in regards to Claim NO. 250215 submitted a motion in response to respondent's Rule 12(b)(6) "Failure to State a Claim" motion to Dismiss the Claims Commission was called by my representative/agent the Claims Commission saying a hearing would be held before a ruling was made with the date of this hearing being notified to claimant with the opportunity to be present via video conference. I Ronald M. Robinson as the claimant am submitting this motion for a Hearing/Reconsideration

in accordance to Ark. Code Ann §
 0.30.00.1-7.1 and/or as a Notice of
 Appeal in accordance with Ark. Code.
 Ann § 19-10-211(a)(1). I as the claimant
 am submitting this Notice of Appeal and
 need this hearing/reconsideration because
 as the Claimant I have properly exhausted
 each of the three (3) levels of the established
 grievance procedure at the [REDACTED] Unit in
 Grady Arkansas 71644 in accordance to
 AD 19-34 Inmate Grievance Procedure
 1st the informal resolution level 1, 2nd
 the formal grievance level 2 and finally
 my appeal to Pine Bluff the director or
 appropriate person level 3 of my grievance;
 myself Ronald M. Robinson as the
 claimant receiving a written decision, acknowledgment
 or rejection of my level 3 appeal from the
 Chief Deputy Director of the ADC. [see
 pleadings section 4 and section 6 of my
 motion in response as claimant to Respondent's
 Rule 12(b)(6) "Failure to State a Claim" motion
 to Dismiss and reference as evidence attached
 documentation Grievance Receipt [REDACTED] 24-00292,
 [REDACTED] - 24-00228, [REDACTED] - 24-0311, and [REDACTED] - 24-00729.

4. See and review section six (6) of my pleadings of my motion submitted in response as the claimant to Respondent's Rule 12(b)(6) "failure to state a claim" Motion to Dismiss. The argument is made as the claimant that "the failure to exhaust all available administrative remedies is an affirmative defense Jones v. Bock 549 U.S. 199, 223-24 (2007). This means that a prison inmate is not required "to allege and demonstrate exhaustion in his complaint." it is just necessary that it happens.

4.a. Page 13 of AD 19-34 Inmate Grievance Procedure states according to current Arkansas Law Effective Date 12/2/2019 how and when a grievance is properly exhausted even more specifically section G (Page 12-14) steps to Appeal the Unit Level Grievance Procedure of AD 19-34 Sub-Section G-4, G-5, G-6, and G-7. Subsection (G-4) of AD 19-34 states "All Appeals will be answered by the Chief Deputy/Deputy/Assistant Director regardless of whether those individuals are named in the grievance." Subsection (G-6) states "A decision or rejection of an appeal at this level is the end of the grievance process. The

response shall be in written format." I Ronald M. Robinson as the claimant have utilized and exhausted the administrative remedies under the doctrine of exhaustion as required by Arkansas Law established in AD 19-34 before seeking relief from the Claims Commission when filing my Claim NO. 250215 on August 7, 2024 see Arkansas Dept. of Health and Human Serv. V. Smith, 370 Ark. 490, 492-93 (2007) My grievance receipt CU-24-00292, CU-24-00228, CU-24-00311, and CU-24-00729 being properly exhausted in accordance to AD 19-34 Inmate Grievance Procedure section E-step one: Informal Resolution Procedure, Section F Step Two: the formal Grievance Procedure and Section G's steps to Appeal the Unit Level Grievance Decision - The third and final step. This evidence of proper exhaustion of my administrative remedies Grievance receipt CU-24-00292, CU-24-00228, CU-24-00311 and CU-24-00729 are attached to this motion in accordance to Arkansas Law show and prove the commission has legal jurisdiction to hear my claim NO. 250215.

4. b. Definitions: Per AD 19-34 Inmate Grievance Procedure

Informal Resolution - the first step consisting of a written complaint (Unit Level Grievance Form, Attachment I) by an inmate that is intended to allow staff the opportunity to resolve an issue on an informal basis, and to serve as a prerequisite to the second step, a formal grievance

Grievance - the second (formal) step where a written complaint using the same form used for the Informal Resolution (Unit Level Grievance Form, Attachment I) is submitted on the inmate's own behalf (an inmate cannot grieve on behalf of another inmate) regarding:

1. A policy applicable within his or her unit/center of assignment that personally affects the inmate;
2. A condition in the facility that personally affects the inmate;
3. An action of another inmate, or inmates, that personally affects the inmate;
4. An action of an employee(s), contractor(s), or volunteer(s) that personally affects the inmate;
5. An incident occurring within his or her facility that personally affects the inmate.

Appeal - a written request directed to a Chief Deputy/Deputy/Assistant Director for further action to resolve the issue or complaint in the grievance based upon the inmate's assertion that the issue has not been resolved at the Unit Level. (The appeal cannot raise new or additional issues or complaints.) A decision or rejection of an appeal at this level is the end of the grievance process.

I Ronald M. Robinson as the claimant in regards to my claim NO. 250215 filed with the Arkansas state Claims Commission on August 7, 2024 have properly exhausted "all my available state or administrative remedies" in accordance to A.C.A. 19-10-223 before I filed my claim NO. 250215 with the Arkansas Claims Commission on August 7, 2024 by a grievance in accordance with AD 19-34 as shown by evidence of my grievance receipt [REDACTED] 24-00292, [REDACTED] 24-00228, [REDACTED] 24-00311, and [REDACTED] 24-00729. Each grievance receipt listed above is attached to this motion submitted before the "Commission" as evidentiary documentation that I Ronald M. Robinson as the claimant in regards to my claim NO. 250215 has "exhausted all available... administrative remedies" showing/proving the "Commission" has legal jurisdiction to

hear my claim NO. 250215.

4.C. The evidence being submitted with this motion as documentation of my proper exhaustion of my administrative remedies showing/proving the Arkansas State Claims Commission has legal jurisdiction to hear my claim NO. 250215 filed on August 7, 2024 being identified as the written acknowledgment of my grievance appeal or written rejection of my grievance appeal by Chief Deputy of Director of the ADC for my grievance receipt [REDACTED]-24-00292, [REDACTED]-24-00228, [REDACTED]-24-00311 and [REDACTED]-00729. This evidence/documentation is attached to and submitted with my motion for a hearing/reconsideration and/or my Notice of appeal being filed timely in accordance with Ark. Code Ann. § 0.30.001-7.1 and Ark. Code Ann. § 19-10-211(a)(C)

4.D. According to AD 19-34 Inmate Grievance Procedure Section G Steps to Appeal the Unit Level. Grievance Decision sub section (7) seven "If a grievance appeal is a duplicate of one previously appealed by the inmate with regard to the staff member named, the date of the incident, and the subject of the grievance the inmate will

sent an Acknowledgment of Grievance Appeal/ Rejection on Attachment V and it will be noted as "Duplicate of _____" and the earlier grievance number will be filled in the blank, the duplicate will be returned to the inmate with the Attachment V." This acknowledgment of Grievance Appeal/ Rejection in written format at this level is the end of the grievance process" according to Section G, subsection (6) six of the AD 19-34 Inmate Grievance Procedure. I Ronald M. Robinson, as the claimant in regards to my claim NO. 250215 filed on August 7, 2024 received an acknowledgment of my Grievance Appeal/ Rejection of Appeal from the Chief Deputy Director of the ADC in written format on March 13, 2024 being noted as "Previously Answered/ Rejected, or a Duplicate with this evidence according to Arkansas Law meaning I properly exhausted all my administrative remedies in accordance to AD 19-34 section G subsection 7 giving the "Commission" legal jurisdiction to hear my claim NO. 250215 filed on August 7, 2024. I Ronald M. Robinson as the claimant submitted a copy of this documentation as evidence with my Claim NO. 250215 filed on August 7, 2024

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meaning no additional basis to dismiss my claim No. 250215 pursuant to Ark. Code Ann § 19-10-223 existed because

For the claimant submitted a copy of this documentation as evidence with my claim that the claimant Ronald M. Robinson has exhausted all available administrative remedies prior to filing claim No. 250215 on August 7, 2024 with the Arkansas State Claims Commission and as such a reconsideration of my claim No. 250215 should occur with relief of \$(14,088.00) fourteen thousand and eighty eight dollars being granted to the claimant Ronald M. Robinson according to current Arkansas Law. I have resubmitted this documentation as well as the supporting documentation of my grievance receipt [REDACTED]-24-00292, [REDACTED]-24-00228 [REDACTED]-24-00311, and [REDACTED]-24-00729 with my motion for hearing/reconsideration and a notice of appeal to the Arkansas State Claims Commission

5. Four separate Grievances have been filed by myself Ronald M. Robinson as the claimant in regards to the factual content and allegations made in Claim No. 250215 with each individual grievance being properly exhausted by completing

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"the administrative review process in accordance with the applicable procedural rules." Jones v. Bock U.S. 199, 218 (2007) prior to claim NO. 250215 being filed with the Arkansas State Claims Commission on August 7, 2024. A.C.A. 19-10-223 According to AD 19-34 Inmate Grievance Procedure the grievance process ends and is fully exhausted when the appropriate Chief Deputy / Deputy / Assistant renders a written decision or rejection of an appeal. [See section six (6) of my pleadings submitted as claimant in response to Respondent's Rule 12 (b) (6) "Failure to state claim" motion to Dismiss] The argument made in section six (6) of my motion submitted in response as the claimant to the Respondent's Rule 12 (b) (6) motion to Dismiss pleads that "Both my inmate grievance history at the Cummins Unit Penitentiary available upon request and my written grievance history included / contained in my valid, factual, meritorious claim NO. 250215 show and confirm that I as the claimant properly exhausted all my available administrative remedies with respect to my factual claims alleged and factual content stated and plead in my factual claim NO. 250215 prior to filing my claim NO 250215 with the Arkansas State Claims Commission

on August 7, 2024. This evidence showing that I as the claimant filed my grievance and went through all three steps of the ABC's grievance process in accordance to AB 19-34 prior to filing my valid factual claim No. 250215 with the Arkansas State Claims Commission on August 7, 2024, in accordance to Ark. Code Ann. § 19-10-223.

6. I received an acknowledgment of my grievance Appeal or a rejection of my grievance Appeal from the Chief Deputy Director of the ABC for grievance receipt [REDACTED]-24-00292 on the Date of 04/01/2024 for the appeal of my grievance dated 03/09/2024; as well as receiving an acknowledgment of my grievance appeal or a rejection of my grievance appeal from the Chief Deputy Director for grievance receipt [REDACTED]-24-00228 on the Date of 04/02/2024 for the appeal of my grievance dated 03/04/2024; as well as receiving an acknowledgment of my grievance appeal or a rejection of my grievance appeal from the Chief Deputy Director of the ABC for Grievance Receipt [REDACTED]-24-00311 on the Date of 04/16/2024 for the appeal of my grievance dated 03/16/2024; as well as

receiving an acknowledgment of my grievance
 appeal or a rejection of my grievance
 appeal from the Chief Deputy Director of
 the ADC for grievance Receipt [REDACTED]-24-00729
 on the Date of 07/31/2024 for the appeal
 of my grievance Dated 06/18/2024. Each
 of these four grievances submitted by myself
 Ronald M. Robinson, as the claimant were written
 in regards to the factual content and
 allegations made in claim NO. 250215 with
 acknowledgment or rejection of my grievance appeal
 by the Chief Deputy Director of the ADC
 being in written format in accordance to AD 19-34.
 Each of these four grievances with a
 grievance receipt of [REDACTED]-24-00292, [REDACTED]-24-00228,
 [REDACTED]-24-00311, and [REDACTED]-24-00729 were properly
 exhausted in accordance with AD-19-34
 Inmate Grievance Procedure before I Ronald
 M. Robinson as the claimant brought my
 claim NO. 250215 before this Commission
 A. C. A. 19-10-223. My claim NO. 250215
 being filed on August 7, 2024 with the
 Arkansas State Claims Commission.

7. The attachment (II) and attachment (III) form
 provided by the Cummins Unit to appeal the
 Warden's Center/Supervisor's Decision Step (II)

of the established grievance procedure differs from the Attachment (II) and Attachment (III) forms identified in AD 19-34 Inmate Grievance Procedure to appeal the warden's Center Supervisor Decision. These differing forms are the forms necessary to proceed to step (3) three of the established Grievance Procedure and properly exhaust all available state or administrative remedies prior to bringing a claim before this Commission A.C.A. 19-10-223 by filing a grievance in accordance with AD 19-34 Inmate Grievance Procedures.

8. My valid factual claim NO. 250215 stating facts upon which relief can be granted being filed with the Arkansas state Claims Commission on August 7th, 2024 after the date I received a written acknowledgment of my grievance appeal or a written rejection of my grievance appeal by the Chief Deputy Director of the ADC to my grievance receipt [REDACTED] 24-00292 on the Date of 04/01/2024, [REDACTED] 24-00228 on the Date of 04/02/2024, [REDACTED] 24-00311 on the Date of 04/16/2024, [REDACTED] 24-00729 on the Date of 07/31/2024.

The Date I received this written acknowledgment or

written rejection of my grievance appeal made by the Chief Deputy Director of the ADC for each of these four grievances listed above filed and exhausted in accordance with AD 19-34 by Ronald M. Robinson, the claimant in regards to the factual content/allegations made in Claim NO. 250215 marks the end of proper exhaustion in accordance with AD 19-34 of "all my available state or administrative remedies" before bringing a claim before this commission A.C.A. 19-10-223 with my claim NO. 250215 being filed with the Arkansas State Claims Commission on August 7, 2024 as AD 19-34 states "the grievance process ends and is fully exhausted when the appropriate Chief Deputy/Deputy/Assistant renders a written decision or rejection of an appeal." [see section six (6) of my pleadings made in response ~~as~~ claimant to Respondent's Rule 12(b)(6) motion to Dismiss]. My valid factual claim NO. 250215 stated upon facts for which relief can be granted being filed on August 7, 2024 after I Ronald M. Robinson as the claimant properly exhausted "all my available state or administrative remedies" by filing a grievance in accordance with AD 19-34

prior to bringing my claim NO. 250215 before
 the Commission on August 7, 2024 Ark. Code
 Ann. § 19-10-223 giving the Commission
 legal jurisdiction to hear my claim NO. 250215.
 The Date I received a written acknowledgment
 or a written rejection of my grievance appeal
 by the Chief Deputy Director of the ABC
 to my grievance Receipt [REDACTED] 24-00292,
 [REDACTED] 24-00228, [REDACTED] 24-00311, and [REDACTED] 24-00729
 reflecting this as evidence that I Ronald M.
 Robinson as the claimant in regards to
 claim NO. 250215 by filing a grievance
 in accordance to AD 19-34 properly
 exhausted "all my available state or administrative
 remedies" before I filed claim NO. 250215
 on August 7, 2024 before the Arkansas
 State Claims Commission A.C.A. 19-10-223
 giving the "Commission" legal jurisdiction
 to hear my claim NO. 250215. [My grievance
 receipt [REDACTED] 24-00292, [REDACTED] 24-00228, [REDACTED] 24-00311,
 and [REDACTED] 24-00729 is submitted as documentation, with this
 motion showing that I Ronald M. Robinson as the
 claimant did exhaust administrative remedies
 as required by Arkansas Law]

9. My valid factual claim NO. 250215
 stating facts upon which relief can be granted

being filed on August 7, 2024 after the date I received a written acknowledgment of my grievance appeal and a written rejection of my grievance appeal by the Chief Deputy Director of the ADC on the date of 04/01/2024 for my grievance appeal dated 03/09/2024 grievance receipt [REDACTED]-24-00292, after the date of 04/02/2024 for my grievance appeal dated 03/04/2024 grievance receipt [REDACTED]-24-00228, after the date of 04/16/2024 for my grievance appeal dated 03/16/2024 grievance receipt [REDACTED]-24-00311 and after the date of 07/31/2024 for my grievance appeal dated 06/18/2024 grievance receipt [REDACTED]-24-00729. The date I received a written acknowledgment or written rejection of my grievance appeal by the Chief Deputy Director of the ADC to my grievance receipt [REDACTED]-24-00292, [REDACTED]-24-00228, [REDACTED]-24-00311, and [REDACTED]-24-00729 evidence that I Ronald M. Robinson as the claimant in regards to claim NO: 250215 utilized and exhausted all administrative remedies before seeking relief from the Claims Commission as required under the doctrine of exhaustion of administrative Remedies see Ark. Dept. of Health and Human Servs. v. Smith,

370 Ark. 490, 492-93 (2007) proving that I as the claimant Ronald M. Robinson properly exhausted my administrative remedies giving the "Commission" legal jurisdiction to hear this claim NO. 250215. [My grievance receipt [REDACTED] 24-00292, [REDACTED] 24-00228, [REDACTED] 24-00311, and [REDACTED] 24-00729 is submitted as documentation with this motion as evidence showing I Ronald M. Robinson as the claimant did exhaust my administrative remedies as required by Arkansas Law]

9.a. Under the "prison mailbox rule" a prisoners complaint is deemed filed when he places it in the prison's internal mail system Sulik v. Taney County, 316 F.3d 813, 815 (8th Cir. 2003) and on another grounds 393 F.3d 765 (8th Cir. 2005). [See section six (6) of my pleading as argument made in response to Respondent's Rule 12(b)(6) "Failure to state a claim" Motion to Dismiss] These mailing dates will also provide undisputed evidence that I Ronald M. Robinson as the claimant properly exhausted all my available administrative remedies prior to filing my valid factual claim NO. 250215 on August 7, 2024 with the Arkansas State Claims Commission Ark. Code Ann §19-10-2

My properly exhausted grievance being filed in accordance with AD 19-34 Inmate Grievance Procedure.

9.b. As the claimant in regards to Claim No. 250215 in my motion submitted in response to the Respondent's Rule 12(b)(6) "Failure to state a claim" motion to Dismiss I Ronald M. Robinson made the argument in section six (6) of my pleadings that inmates/prisoners can be excused from the exhaustion requirement if there is evidence prisoners or officials prevented them the inmate/prisoner from using the grievance process or administrative remedies were otherwise unavailable see 4.2 U.S (1997) (8) (requiring prisoners to exhaust only "available" administrative remedies); Ross v. Blake 136 S. Ct. 1850, 1860 (2016). (Administrative Remedies are "unavailable" when "prison administrators thwart inmates from taking advantage of a grievance process through machination, misrepresentation or intimidation") This topic/factual point being touched stated as factual evidence and pled in my valid, factual meritorious claim No. 250215. Please review Grievance receipt # CU-24-00311 which was properly exhausted in accordance to AD 19-34 for which I received a written acknowledgment of my

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grievance appeal or a written rejection of my grievance appeal from the Chief Deputy Director of the ADC on the Date of 04/16/2024; with grievance CU-24-00311 stating [REDACTED] staff has destroyed or purposely not returned an original grievance signed and submitted on 2-19-2024 at the step 1 informal resolution level by Sgt. Miller saying he does not know why they aren't doing what they are supposed to do when asked why I have not received a reply to informal resolution. The inmate receipt I retained "yellow copy" was submitted to grievance coordinator due to the problem solver not responding to informal resolution within allotted time yet was not accepted by grievance coordinator Ashley King because it was not original grievance. I have submitted 3 more step 1 informal resolution for same complaint being grieved; 2 on 2/27/24 again not being replied to by problem solver or being purposely destroyed with the 3rd one on 3/4 being signed and returned to me yet still not being accepted by grievance coordinator Ashley King. I even tried to appeal to pine bluff yet being told on 3-9-24 an appeal would not be accepted unless it was original grievance/informal

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resolution which was either purposely destroyed or just never returned to me is an attempt by Cummins staff to evade the established grievance process for a complaint I made that has merit."

10. The failure to exhaust all available administrative remedies is an affirmative defense Jones v. Bock, 549 U.S. 199, 223-24 (2007). This means that a prison inmate is not required to allege and demonstrate exhaustion in his Complaint." With this being said, I Ronald M. Robinson as the claimant have properly exhausted the established three tiered grievance system in compliance to the time tables/deadlines prescribed for grievances at the Cummins Unit in Grand Ar. 71644 in accordance with Ar 19-34 prior to filing my valid, factual, meritorious claim no. 250215 with the Arkansas State Claims Commission, August 7, 2024. My valid, factual, meritorious claim no. 250215 contains evidence and factual content such as dates each of the three (3) levels of my grievance were submitted, names of signatures on grievance when submitted including ADC employees numbers, and date of response - a written decision or written rejection of my appeal

to direction at pine bluff. This argument made in section six (6) of my pleadings submitted as the claimant in response to the Respondent's Rule 12(b)(6) "Failure to State Claim" motion to Dismiss in regard to claim NO-250215 filed on August 7, 2024.

The date I received a written acknowledgment or written rejection of my grievance appeal from the Chief Deputy Director of the ADC to my grievance receipt [REDACTED] 24-00292, [REDACTED] 24-00228, [REDACTED] 24-00311, and [REDACTED] 24-00729 acting as evidence that I Ronald M. Robinson as the claimant in regards to claim NO-250215 exhausted "all available state or administrative remedies" by filing a grievance in accordance with AD 19-34 Inmate Grievance Procedure before I as the claimant filed my claim NO-250215 before I as the claimant filed my claim NO-250215 on the date of August 7, 2024 A.C.A. 19-10-223 and as such the commission has legal jurisdiction to hear the claim.

[My grievance receipt [REDACTED] 24-00292, [REDACTED] 24-00228, [REDACTED] 24-00311, and [REDACTED] 24-00729 is submitted as documentation with this motion as evidence showing I Ronald M. Robinson as the claimant in regards to my claim NO-250215 filed on August 7, 2024 did properly exhaust my administrative

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remedies as required by Arkansas Law]

11. I Ronald M. Robinson as the claimant in regards to Claim No. 250215 have exhausted all my administrative remedies as shown by the evidence and attached documentation, of the written acknowledgment of my grievance appeal or written rejection of my grievance appeal by the Chief Deputy Director of the ADC for my grievance receipt [REDACTED] 24-00292 on the date of 04/01/2024, [REDACTED] 24-00228 on the date of 04/02/2024, [REDACTED] 24-00311 on the date of 04/16/2024 and [REDACTED] 24-00729 on the date of 07/31/2024. The date I received a written acknowledgment of my grievance appeal or a written rejection of my grievance appeal by the Chief Deputy Director of the ADC to my grievance receipt [REDACTED] 24-00292, [REDACTED] 24-00228, [REDACTED] 24-00311, and [REDACTED] 24-00729 being ~~documentational~~ evidentiary evidence attached submitted with this motion that I Ronald M. Robinson as the claimant properly exhausted "all my available state or administrative remedies" by filing a grievance in accordance with AD 19-34 Inmate Grievance Procedure prior to filing my claim no. 250215 on the Date of

August 7, 2024 with the Arkansas State
 Claims Commission A.C.A. 19-10-223
 giving the "Commission" legal jurisdiction
 to hear my claim NO. 250215. [My grievance
 receipt [REDACTED] 24-00292 attachment V- acknowledgment
 of my grievance appeal or rejection of my
 grievance appeal - dated 04/01/2024 as received,
 my grievance receipt [REDACTED] 24-00228 attachment V-
 acknowledgment of my grievance appeal or
 rejection of my grievance appeal - dated 04/02/2024
 as received, my grievance receipt [REDACTED] 24-00311
 attachment V- acknowledgment of my grievance
 appeal or rejection of my grievance appeal
 dated 04/16/2024 as received, my grievance
 receipt [REDACTED] 24-00729 attachment V- acknowledgment
 of my grievance appeal or rejection of my
 grievance appeal - dated 07/31/2024 as received,
 my returned grievance from inmate Grievance
 Supervisor Administration Building on the
 Date of March 13, 2024 for: previously
 Answered (Rejected) or Duplicate, and
 (Attachment I) Unit Level Grievance Forms and
 Acknowledgement or Rejection of Unit Level
 Grievance (Attachment II) for each grievance listed
 above is evidence attached as supplemental
 documentation showing claimant Ronald M.
 Robinson did exhaust "all available state or

administrative remedies," by filing a grievance in accordance to AD 19-34 Fructe grievance procedure before ~~Claimant~~ filed his claim NO. 250215 with the Arkansas state Claims Commission on August 7, 2024 A.C.A. 19-10-22 giving the "Commission legal jurisdiction to hear claim NO. 250215"]

12. I Ronald M. Robinson as the Claimant in regards to claim NO. 250215 have attached the relevant documentation showing that I Ronald M. Robinson as the Claimant did exhaust "all available state or administrative remedies" by filing a grievance in accordance to AD 19-34 before I filed claim NO. 250215 on August 7, 2024 A.C.A. 19-10-223 as required by Arkansas law with my motion submitted for a hearing/ reconsideration and on Notice of Appeal with the Arkansas state Claims Commission being filed timely in accordance with Ark. Code Ann. § 0.30.001-7.1 and Ark. Code Ann. § 19-10-211(a)(1). This documentation being attached and submitted with this motion is itemized on cover page one and cover page two and shows the claimant did properly exhaust his administrative remedies as required by Arkansas Law.

ACKNOWLEDGEMENT OF GRIEVANCE APPEAL OR REJECTION OF APPEAL

Attachment V 00

TO: Inmate Robinson, Ronald M.
FROM: Reed, Marshall (Dale) D
RE: Receipt of Grievance -24-00292

ADC#:
TITLE: Chief Deputy Director
DATE: 04/01/2024

Please be advised, the appeal of your grievance dated 03/09/2024 was received in my office on this date 04/01/2024

Your grievance appeal is being returned pursuant to the Administrative Directive on Inmate Grievances due to one of the following:

- Checked box: The time allowed for appeal has expired
Other options: The matter is non-grievable and does not involve retaliation (a-g); You did not send the proper Attachments (a-g); This appeal was REJECTED because it was a duplicate of , or was frivolous or vexatious

FAILURE TO FOLLOW POLICY HAS RESULTED IN A REJECTION FOR THIS APPEAL AND MARKS THE END OF THE APPEAL PROCESS

RECEIVED

APR 01 2024

INMATE GRIEVANCES SUPERVISOR ADMINISTRATION BUILDING

ACKNOWLEDGEMENT OR REJECTION OF UNIT LEVEL GRIEVANCE

TO: Inmate Robinson, Ronald M.
FROM: Green, Shakita S
DATE: 03/25/2024

ADC#: [REDACTED]
TITLE: ADC Inmate Grievance Coord
GRIEVANCE #: [REDACTED]-4-00292

Please be advised, I have received your Grievance dated 03/09/2024 on 03/25/2024.
Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious.

SIGNATURE OF ADC INMATE GRIEVANCE COORD



SHAKITA GREEN, ADC INMATE GRIEVANCE COORD
MAR 25, 2024 09:46:51 CDT

CHECK ONE OF THE FOLLOWING

- This Grievance will be addressed by the Warden/Center Supervisor or designee.
- This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- This Grievance has been determined to be an emergency situation, as you so indicated.

- This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
- This Grievance was REJECTED because it was either non-grievable (), untimely, was a duplicate of , or was frivolous or vexatious.

FAILURE TO FOLLOW POLICY HAS RESULTED IN A REJECTION FOR THIS APPEAL AND MARKS THE END OF THE APPEAL PROCESS

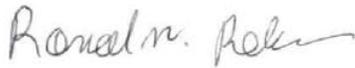
RECEIVED
APR 01 2024

INMATE'S APPEAL

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

If you disagree with a rejection, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director. If you do not receive communication regarding your grievance by the date listed above, you may move to the next level of the process. To do so, indicate in the Inmate's Appeal Section below that you did not receive a response and mail it to the appropriate Chief Deputy/Deputy/Assistant Director within five working days. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

INMATE SIGNATURE



On 3-9-24 my appeal was rejected at one bluff made for a step 2 level "formal" grievance (my grievance + his grievance submitted same day as incident occurred within 15 day allotted time period so grievance is not untimely and the issue being grieved is that commiss staff has purposed not returned or destroyed my "original" steel informal grievance signed/ submitted by Sgt. Miller

If appealing a rejection, please include both the Unit Level Grievance Form (Attachment I) and the Rejection (Attachment II) on 2-19-24.

Only thing untimely about grievance is "enabler" soldier did not respond to this grievance "Sgt Miller" within 3 day allotted time period so another grievance steel informal resolution was filled out by me which Sgt. Miller signed and submitted at step 2 formal grievance on 3-22-24 him

RECEIVED CUMMINS UNIT

MAR 25 2024

Project: Untimely

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center [redacted] Name Ronald M. Robinson ADC# [redacted] Brks # E-4 Job Assignment NIA

FOR OFFICE USE ONLY
GRV. # [redacted] 24-00292
Date Received: 3-25-24
GRV. Code #: 305

3-9-24 (Date) STEP ONE: Informal Resolution

3-22-24 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: I have not received

a response to original step one grievance submitted 2-19-24

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In an Emergency, state why:

Is this Grievance concerning Medical or Mental Health Services? If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print):

[redacted] staff has destroyed or purposely not returned an original grievance signed/submitted at step one informal resolution by Sgt. Miller. Sgt. Miller saying he doesn't know why they aren't doing what they are supposed to do when I ask why I have not received a reply to informal resolution. The inmate receipt I retained "yellow copy" was submitted to grievance coordinator due to the problem solver not responding to "informal resolution" within a allotted time yet was not accepted by grievance coordinator Ashley King because it was not original grievance. I have submitted 3 more step one informal resolution for the same complaint being grieved [2 on 2/27 again not being replied to by problem solver or being purposely destroyed with the 3rd one on 3/4 being signed and returned to me yet still not being accepted by grievance coordinator Ashley King. I even tried to appeal to one bluff yet being told on 3-9-24 my appeal would not be accepted unless it was original grievance "informal resolution" which was purposely destroyed or just never returned to me as attested by cummins staff to evade the established grievance process. Failure to follow a complaint I made that has merit submitted on 2-19-24 HAS RESULTED IN

Ronald M. R

RECEIVED

Date 3-9-24

Inmate Signature

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on [redacted] (date) and determined to be Step One and/or an Emergency Grievance NO (Yes or No). This form was forwarded to medical or mental health? NO (Yes or No). If yes, name of the person in that department receiving this form [redacted] Date

Sgt. James Gossink [redacted] Sgt. R. Miller 3-11-24
PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: your grievance original date is out of date for processing. I'm unaware of your appearance allegations to begin you did not state it in this grievance

Staff Signature & Date Returned Sgt. R. Miller 3-22-24 Inmate Signature & Date Received Ronald M. R 3-22-24

This form was received on 3-22-24 (date), pursuant to Step Two. Is it an Emergency? NO (Yes or No).

Staff Who Received Step Two Grievance: Sgt. R. Miller Date: 3-22-2024

Action Taken: (Forwarded to Grievance Officer/Warden/Other) Date:

If forwarded, provide name of person receiving this form: Date:

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE - Grievance Officer; ORIGINAL - Given back to Inmate after Completion of Step One and Step Two.

ACKNOWLEDGEMENT OF GRIEVANCE APPEAL OR REJECTION OF APPEAL

Attachment V
00

TO: Inmate Robinson, Ronald M.
FROM: Reed, Marshall (Dale) D
RE: Receipt of Grievance [redacted]-24-00228

ADC#: [redacted]
TITLE: Chief Deputy Director
DATE: 04/02/2024

Please be advised, the appeal of your grievance dated 03/04/2024 was received in my office on this date 04/02/2024

Your grievance appeal is being returned pursuant to the Administrative Directive on Inmate Grievances due to one of the following:

- The time allowed for appeal has expired
- The matter is non-grievable and does not involve retaliation:
 - (a) Parole and/or Release matter
 - (b) Transfer
 - (c) Job Assignment (Unrelated to Medical Restriction)
 - (d) Disciplinary matter
 - (e) Matter beyond the Division's control and/or matter of State/Federal law
 - (f) Involves an anticipated event
 - (g) Publication
- You did not send the proper Attachments:
 - (a) Unit Level Grievance Form (Attachment 1)
 - (b) Warden's/Center Supervisor's Decision (Attachment III); or Health Services Response (Attachment IV for Health Issues Only)
 - (c) Acknowledgement and/or Rejection form (Attachment II)
 - (d) Step Two was appropriately rejected
 - (e) Did not give reason for disagreement in space provided for appeal
 - (f) Did not complete Attachment III or IV by signing your name, ADC#, and/or the date
 - (g) Unsanitary form(s) or documents received
- This appeal was REJECTED because it was a duplicate of , or was frivolous or vexatious

FAILURE TO FOLLOW
POLICY HAS RESULTED IN
A REJECTION FOR THIS
APPEAL AND MARKS THE END
OF THE APPEAL PROCESS

RECEIVED
APR 02 2024
INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

mailed on 3-20-24
wednesday

WARDEN'S/CENTER SUPERVISOR'S DECISION

INMATE NAME: Robinson, Ronald M.

ADC #: [REDACTED]

GRIEVANCE #: [REDACTED]-24-00228

WARDEN/CENTER SUPERVISOR'S DECISION:

I have reviewed your grievance dated March 4, 2024. You stated "I am grieving living conditions of assigned housing from Feb/9-18/24 being indwellable and actions: actions of [REDACTED] staffin correlation to it indwellability. Feb18 Warden Young stay would into. On/around Feb 9 [REDACTED] staff painted or had hall/adjoining cells painted while I/cellie left in cell smelling toxic paint fumes even smelling fumes overnight while falling asleep. After days of smelling paint fumes wall vents were opened/left open to outside exposing living qtrs. To harsh extremely cold temps near or below 32 for multiple days. Feb 13 around noon [REDACTED] staff confiscated all cold weather state issue clothing everything except socks, underwear, t-shirts saying you will follow our rules not your rules when asked about warm clothes. That evening tier/cells filled with smoke around 3 chow being left in cell no attempt made to move inmates or ventilate living qtrs. Feb 15 toilet in my cell #6 flooded cell/hallway with shit water when cells unwand of 6 flushed if I flushed then it flooded. [REDACTED] Unit staff attempted to fix problem unable to I being left in cell and cleaned shit/piss vate-in all by hand Howell Soap then [REDACTED] staff brought squeegee/chemicals given to me to use. Feb 16 my cell flooded when others flushed again, shift water left on floor overnight, still not fixed when staff"

You have listed multiple issues in your complaint and only one will be addressed per AD 19-34 Inmate Grievance Procedure. The maintenance staff has been notified of the needed plumbing repairs for the East Wing/Cell #6 and the work has been completed. Therefore, I find your grievance resolved.

SIGNATURE OF WARDEN/SUPERVISOR OR DESIGNEE

Musselwhite

3-18-24

Date

Warden

Title

FAILURE TO FOLLOW
POLICY HAS RESULTED IN
A REJECTION FOR THIS
APPEAL AND MARKS THE END
OF THE APPEAL PROCESS

RECEIVED

APR 02 2024

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

The response does nothing to address the fact that on

Feb 16/17 I was left in cell 6 with a non-working non-flushable toilet with other people's shit/piss on the floor of my cell during the evening, overnight and the next day over a 24hr period "multiple days" when problem was known about by community staff and does not address the issue being grieved the unsafe and unsanitary living conditions I was subjected to during a 9 day period. I disagree with the above response because on Feb 16 maintenance manager (mate) came to cell and said community staff would not let them go outside at night leaving me being left in my assigned cell overnight with a non-working non-flushable toilet with other people's shit/piss on my floor with no chemicals given to me to clean my assigned cell. On Feb 17th when I told community staff of problem again it was ignored me being told "you gotta let it sit to let her cells toilet overflow again when other cells flushed with other people's shit/piss the plumbing repairs not being completed on Feb 16/17 when I in cell 6 with a recurring issue even during my week's interim in Tuesday when I was moved to 4 cell when staff painted 6 cell toilet over

INMATE SIGNATURE

Ronald M. Robinson

with no chemicals given to me. The recurring issue (smoke by staff) was not addressed and does not address the issue being grieved the indwellable unsafe and unsanitary living conditions of my

assigned cell for a 9 day period at least a safety and sanitation policy violation, and response was not addressed when I in cell on Feb 16 with shit/piss water left on my cell floor for multiple days in cell 6 with a non-working non-flushable toilet.

ACKNOWLEDGEMENT OR REJECTION OF UNIT LEVEL GRIEVANCE

TO: Inmate Robinson, Ronald M. **ADC#:** 1 [REDACTED]
FROM: Green, Shakita S **TITLE:** ADC Inmate Grievance Coord
DATE: 03/11/2024 **GRIEVANCE #:** [REDACTED]-24-00228

Please be advised, I have received your Grievance dated 03/04/2024 on 03/11/2024. You should receive communication regarding the Grievance by 04/08/2024

SIGNATURE OF ADC INMATE GRIEVANCE COORD

Shakita Green

SHAKITA GREEN, ADC INMATE GRIEVANCE COORD
MAR 11, 2024 12:48:01 CDT

CHECK ONE OF THE FOLLOWING

- This Grievance will be addressed by the Warden/Center Supervisor or designee.
- This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- This Grievance has been determined to be an emergency situation, as you so indicated.

- This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
- This Grievance was REJECTED because it was either non-grievable (), untimely, was a duplicate of , or was frivolous or vexatious.

INMATE'S APPEAL

If you disagree with a rejection, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director. If you do not receive communication regarding your grievance by the date listed above, you may move to the next level of the process. To do so, indicate in the Inmate's Appeal Section below that you did not receive a response and mail it to the appropriate Chief Deputy/Deputy/Assistant Director within five working days. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

INMATE SIGNATURE

[Empty signature box]

If appealing a rejection, please include both the Unit Level Grievance Form (Attachment I) and the Rejection (Attachment II)

RECEIVED CUMMINS UNIT

MAR 11 2024

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center [redacted] max

Name Ronald M. Robinson

GRIEVANCE OFFICE

Brks # E-4 Job Assignment N/A

FOR OFFICE USE ONLY	
GRV. #	[redacted]-24-00228
Date Received:	3-11-24
GRV. Code #:	508

3-4-24 (Date) STEP ONE: Informal Resolution

3-4-24 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally). If the issue was not resolved during Step One, state why: safety and/or sanitation policies were violated

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In an Emergency, state why:

Is this Grievance concerning Medical or Mental Health Services? ____ If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, **date**, place, name of personnel involved and how **you** were affected. (Please Print): I am grieving living conditions of assigned housing from Feb 1-18/24 being indwellable and actions/inactions of Cummins staff in correlation to its indwellability. Feb 18 warden Young said would look into. On/around Feb 9 [redacted] staff painted or had hall adjoining cells painted while I/cellie left in cell smelling toxic paint fumes even smelling fumes overnight when falling asleep. After days of smelling paint fumes wall vents were opened/left open to outside exposing living qtrs to harsh extremely cold temps near or below 32° for multiple days. Feb 13 around noon Cummins staff communicated all cold weather state issue clothing everything except socks, under-wear +-shirts saying you will follow our rules not your rules when asked about warm clothes. That evening tier/cell filled with smoke around 3rd Chow being left in cell no attempt made to move inmates or ventilate living qtrs. Feb 15 toilet in my cell #6 flooded cell/hallway with shit water when cellie up and out & flushed, shit flushed then flooded Cummins staff attempted to fix problem & toilet Feb 15 left in cell and cleaned shit p.s. water in cell by hand Howell soap the [redacted] staff brought squeeze chemicals giving me to use. Feb 16 my cell flooded when others flushed again, shit water left on floor overnight, still not fixed when staff informed. Feb 17 staff told 2nd Chow to let shit fucked up, responded with you act like I fix to let after 2nd Chow toilet backed up again other people shit on my floor & left in cell our benches 3:30 PM before shit pushed in air vent in hall floor. 3-4-24

Inmate Signature

Date

If you are harmed, threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on 3-4-24 (date), and determined to be Step One and/or an Emergency Grievance

NO (Yes or No) This form was forwarded to medical or mental health? NO (Yes or No). If yes, name of the person in that department received

Demetria Mooney

[redacted]

[Signature]

3/4/24

Describe action taken to resolve complaint, including dates: Maintenance was advised of this issue and chemical RECEIVED provided to you.

APR 02 2024

Staff Signature & Date Returned

3/4/24

INMATE GRIEVANCES SUPERVISOR

Inmate Signature & Date Received

This form was received on 3-7-20 (date), pursuant to Step Two. Is it an Emergency? 2-7-21 (Yes or No).

Staff Who Received Step Two Grievance: F Childs Date: 3-7-21

Action Taken: FTGO (Forwarded to Grievance Officer/Warden/Other) Date:

If forwarded, provide name of person receiving this form: Date:

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE - Grievance Officer; ORIGINAL - Given back to Inmate after Completion of Step One and Step Two.

ACKNOWLEDGEMENT OF GRIEVANCE APPEAL OR REJECTION OF APPEAL

Attachment V 00

TO: Inmate Robinson, Ronald M.
FROM: Reed, Marshall (Dale) D
RE: Receipt of Grievance 24-00311

ADC#:
TITLE: Chief Deputy Director
DATE: 04/16/2024

Please be advised, the appeal of your grievance dated 03/16/2024 was received in my office on this date 04/16/2024

Your grievance appeal is being returned pursuant to the Administrative Directive on Inmate Grievances due to one of the following:

- The time allowed for appeal has expired
The matter is non-grievable and does not involve retaliation:
(a) Parole and/or Release matter
(b) Transfer
(c) Job Assignment (Unrelated to Medical Restriction)
(d) Disciplinary matter
(e) Matter beyond the Division's control and/or matter of State/Federal law
(f) Involves an anticipated event
(g) Publication
You did not send the proper Attachments:
(a) Unit Level Grievance Form (Attachment 1)
(b) Warden's/Center Supervisor's Decision (Attachment III); or Health Services Response (Attachment IV for Health Issues Only)
(c) Acknowledgement and/or Rejection form (Attachment II)
(d) Step Two was appropriately rejected
(e) Did not give reason for disagreement in space provided for appeal
(f) Did not complete Attachment III or IV by signing your name, ADC#, and/or the date
(g) Unsanitary form(s) or documents received
This appeal was REJECTED because it was a duplicate of , or was frivolous or vexatious

RECEIVED

APR 16 2024

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

FAILURE TO FOLLOW
POLICY HAS RESULTED IN
A REJECTION FOR THIS
APPEAL AND MARKS THE END
OF THE APPEAL PROCESS

WARDEN'S/CENTER SUPERVISOR'S DECISION

East/E4

INMATE NAME: Robinson, Ronald M.

ADC #: [REDACTED]

GRIEVANCE #: [REDACTED] 24-00311

WARDEN/CENTER SUPERVISOR'S DECISION:

I have reviewed your complaint. You state the following: "[REDACTED]'s staff has destroyed or purposely not returned an original grievance signed and submitted on 2-19-2024 at the step 1 informal resolution level by Sgt. Miller. Sgt. Miller saying he doesn't know why they aren't doing what they are supposed to do when I asked why I have not received a reply to informal resolution. The inmate receipt I retained "yellow copy" was submitted to grievance coordinator due to the problem solver not responding to informal resolution within allotted time yet was not accepted by grievance coordinator Ashley King because it was not original grievance. I have submitted 3 more step 1 informal resolution for same complaint being grieved; 2 on 2/27 again not being replied to by problem solver or being purposely destroyed with the 3rd one on 3/4 being signed and returned to me yet still being not accepted by grievance coordinator Ashley King. I ever tried to appeal to pine bluff yet being told on 3-9-24 an appeal would not be accepted unless it was original grievance/informal resolution which was either purposely destroyed or just never returned to me in an attempt by [REDACTED] staff to evade the established grievance process for a complaint I made that has merit."

Ashley King (Inmate Grievance Coordinator) advised that all grievances are processed or returned in accordance with AD 19-34 Inmate Grievance Procedure. Records indicate your grievance was returned to you as incomplete in accordance with policy. Therefore, I find your grievance without merit.

SIGNATURE OF WARDEN/SUPERVISOR OR DESIGNEE


Date: 3-29-24 Title: Warden

FAILURE TO FOLLOW POLICY HAS RESULTED IN A REJECTION FOR THIS APPEAL AND MARKS THE END OF THE APPEAL PROCESS

RECEIVED

APR 16 2024

INMATE'S APPEAL

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

I disagree with the above response because my original

Step 1 informal resolution (the white or blue copy signed, received, and submitted by Sgt. Miller to the problem solver as of today on 4-1-24 has never been responded to by problem solver and he turned to me so I can proceed to step 2 formal grievance rather being destroyed or purposely not returned to me. I have a record of every informal res. and formal grievance I have submitted at the inmate unit and not one grievance I have submitted has ever been returned to me as incomplete. I did try to submit the yellow copy of original step 1 informal res. I retained as a receipt to the grievance coordinator Ashley King; at the step 2 formal grievance level me is original step 1 informal resolution within the allotted time "3 days" (now over 1 month) which was not accepted by grievance office because it was not the original white copy. I submitted 2 more step 1 informal res. on the same complaint grieved on 2-19-24 one signed by a common staff Sgt on 2/27 and by Sgt on 2/28 and the other one being received by problem solver and never returned to me. I tried to appeal to inmate grievance supervisor admin building received on 3-4-24 me being told that to appeal an inmate must

INMATE SIGNATURE



include the original unit level grievance "white/blue" for the original, being grieved on 2-19-24 which is the reason this grievance appeal - it was destroyed or purposely never returned/rejected to me. I then let common staff to evade this established grievance process.

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center [Redacted]

Name Ronald M Robinson

Brks # E-4 Job Assignment N/A

FOR OFFICE USE ONLY
GRV. # <u>3/28/24</u>
Date Received <u>24-00311</u>
GRV. Code #: <u>713</u>

Ashley King

3-16-24 (Date) STEP ONE: Informal Resolution - *I explained to inmate that I believe grievances as to what is directed to*

3-22-24 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)
 If the issue was not resolved during Step One, state why: *I still have not received*

 , (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In an Emergency, state why: *clear state clear*

Is this Grievance concerning Medical or Mental Health Services? If yes, circle one: *medical or mental*

BRIEFLY state your one complaint/concern and be specific as to the complaint, **date**, place, name of personnel involved and how **you** were affected. (Please Print): *[Redacted] Staff has destroyed or purposely not returned an original grievance signed and submitted on 2-19-2024 at the step 1 informal resolution level by Sgt. Miller. Sgt. Miller saying he doesn't know why they aren't doing what they are supposed to do when I asked why I have not received a reply to informal resolution. The inmate receipt I retained "yellow copy" was submitted to grievance coordinator due to the problem solver not responding to informal resolution within allotted time yet was not accepted by grievance coordinator Ashley King because it was not original grievance, I have submitted 3 more step 1 informal resolution for same complaint being grieved: 2 on 2/27 again not being replied to by problem solver or being purposely destroyed with the 3rd one on 3/4 being signed and returned to me yet still being not accepted by grievance coordinator Ashley King. I even tried to appeal to pine bluff yet being told on 3-9-24 an appeal would not be accepted unless it was original grievance informal resolution which was either purposely destroyed or just never returned to me in an attempt by [Redacted] staff to evade the established grievance process for a complaint I made that **RECEIVED***

Ronald M. Robinson APR 16 2024 3-16-24
 Inmate Signature Date

INMATE GRIEVANCES SUPERVISOR
 If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on 3-22-24 (date), and determined to be Step One and/or an Emergency Grievance no (Yes or No). This form was forwarded to medical or mental health? no (Yes or No). If yes, name of the person in that department receiving this form: Date

Robert Miller [Redacted] Sgt. Robert Miller 3-22-2024
 PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature Date Received

Describe action taken to resolve complaint, including dates: Explained process of
and grievances are processed.

3-22-24 [Redacted] [Redacted] 3-22-24
 Staff Signature & Date Returned Inmate Signature & Date Received

This form was received on 3-22-24 (date), pursuant to Step Two. Is it an Emergency? no (Yes or No).
 Staff Who Received Step Two Grievance: Sgt. Robert Miller Date: 3-22-2024

Action Taken: (Forwarded to Grievance Officer/Warden/Other) Date: 3-22-2024
 If forwarded, provide name of person receiving this form: Date:

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; **BLUE** - Grievance Officer; **ORIGINAL** - Given back to Inmate after Completion of Step One and Step Two.

**ACKNOWLEDGEMENT OF GRIEVANCE APPEAL
OR REJECTION OF APPEAL**

Attachment V
00

TO: Inmate Robinson, Ronald M.
FROM: Reed, Marshall (Dale) D
RE: Receipt of Grievance [redacted] 24-00729

ADC#: [redacted]
TITLE: Chief Deputy Director
DATE: 07/31/2024

Please be advised, the appeal of your grievance dated 06/18/2024 was received in my office on this date 07/31/2024

Your grievance appeal is being returned pursuant to the Administrative Directive on Inmate Grievances due to one of the following:

- The time allowed for appeal has expired
- The matter is non-grievable and does not involve retaliation:
 - (a) Parole and/or Release matter
 - (b) Transfer
 - (c) Job Assignment (Unrelated to Medical Restriction)
 - (d) Disciplinary matter
 - (e) Matter beyond the Division's control and/or matter of State/Federal law
 - (f) Involves an anticipated event
 - (g) Publication
- You did not send the proper Attachments:
 - (a) Unit Level Grievance Form (Attachment 1)
 - (b) Warden's/Center Supervisor's Decision (Attachment III); or Health Services Response (Attachment IV for Health Issues Only)
 - (c) Acknowledgement and/or Rejection form (Attachment II)
 - (d) Step Two was appropriately rejected
 - (e) Did not give reason for disagreement in space provided for appeal
 - (f) Did not complete Attachment III or IV by signing your name, ADC#, and/or the date
 - (g) Unsanitary form(s) or documents received
- This appeal was REJECTED because it was a duplicate of [redacted], or was frivolous or vexatious

**FAILURE TO FOLLOW
POLICY HAS RESULTED IN
A REJECTION FOR THIS
APPEAL AND MARKS THE END
OF THE APPEAL PROCESS**

RECEIVED
JUL 31 2024
INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

7/12/24, 10:11 AM

IGTT400 - Grievance Acknowledgement Ltr

Attachment II
00

ACKNOWLEDGEMENT OR REJECTION OF UNIT LEVEL GRIEVANCE

TO: Inmate Robinson, Ronald M.
FROM: King, Ashley N
DATE: 07/12/2024

ADC#: [REDACTED]
TITLE: ADC Inmate Grievance Coord
GRIEVANCE #: [REDACTED]-24-00729

16/323

mailed 7-18-24

Please be advised, I have received your Grievance dated 06/18/2024 on 07/12/2024.
Your grievance was rejected as either non-grievable, untimely, duplicative, frivolous, or vexatious.

SIGNATURE OF ADC INMATE GRIEVANCE COORD

Ashley King

ASHLEY KING, ADC INMATE GRIEVANCE COORD
JUL 12, 2024 10:11:52 CDT

CHECK ONE OF THE FOLLOWING

- This Grievance will be addressed by the Warden/Center Supervisor or designee.
- This Grievance is of a medical nature and has been forwarded to the Health Services Administrator who will respond.
- This Grievance involves a mental health issue and has been forwarded to the Mental Health Supervisor who will respond.
- This Grievance has been determined to be an emergency situation, as you so indicated.

- This Grievance has been determined to not be an emergency situation because you would not be subject to a substantial risk of personal injury or other serious irreparable harm. Your Grievance will be processed as a Non-Emergency.
- This Grievance was **REJECTED** because it was either non-grievable (), **untimely**, was a duplicate of , or was frivolous or vexatious.

INMATE'S APPEAL

If you disagree with a rejection, you may appeal this decision within five working days by filling in the information requested below and mailing it to the appropriate Chief Deputy/Deputy/Assistant Director. If you do not receive communication regarding your grievance by the date listed above, you may move to the next level of the process. To do so, indicate in the Inmate's Appeal Section below that you did not receive a response and mail it to the appropriate Chief Deputy/Deputy/Assistant Director within five working days. Keep in mind that you are appealing the decision to reject the original complaint. Address only the rejection; do not list additional issues, which were not a part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

INMATE SIGNATURE

Ronald M Robinson 7-16-24

RECEIVED

JUL 31 2024

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

FAILURE TO FOLLOW
POLICY HAS RESULTED IN
A REJECTION FOR THIS
APPEAL AND MARKS THE END
OF THE APPEAL PROCESS

If appealing a rejection, please include both the Unit Level Grievance Form (Attachment I) and the Rejection (Attachment II)

UNIT LEVEL GRIEVANCE (Attachment I)
Unit/Center [REDACTED]

FOR OFFICE USE ONLY
GRV. # [REDACTED] 24-00729
Date Received: 7/12/24
GRV. Code #: 700

Name [REDACTED]
16-32 Job Assignment JUL 12 2024

RECEIVED
CUMMINS UNIT

6-18-24 (Date) STEP ONE: Informal Resolution

GRIEVANCE OFFICE

6-28-24 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)
If the issue was not resolved during Step One, state why: not resolved within 90 days + 3 weeks

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In an Emergency, state why:

Is this Grievance concerning Medical or Mental Health Services? NO If yes, circle one: medical or mental
BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were harmed.

[REDACTED] if purposely destroyed or destroyed legal mail as my legal mail document was never returned to me when being notarized an Ar State Claims Submission form. I am incarcerated so I am limited to a notary who is a Sgt or Lt. The Lt. I found to notarize for me was/is named Lt Taylor. I am locked down 23-1 and the CO on the floor a recently hired Co named of CO/JT Miller said Lt Taylor wanted it brought to her (the form) to be notarized (still unsigned by me) This at approx 10:45 on June 17th Mon. He said it would be brought back to me so I could submit my claim. It was/has never been returned to me. Today on June 18th I asked CO/JT Miller if I would receive it today. He said no, Lt Taylor said it was notarized and put in mail with another envelope/legal mail/document addressed to someone else, along with other excuses asking if I knew how to get another form I told him it is/was time sensitive. I never signed the legal doc so I know it wasn't notarized so the notary Lt Taylor or of CO/JT Miller lost or destroyed my legal doc or purposely didn't return it to me. I need my Ar State Claims Commission form returned form so it can be submitted in the appropriate time frame. Thank You
Ronald M
6-18-24

Inmate Signature

Date

If you are harmed, threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on 6-21-24 (date), and determined to be Step One and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health? NO (Yes or No). If yes, name of the person in that department receiving this form: Date

PRINT STAFF NAME (PROBLEM SOLVER) ID Number Staff Signature

RECEIVED

Date Received 6-21-24

Describe action taken to resolve complaint, including dates:

JUL 31 2024

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATION BUILDING

A REJECTION FOR THIS
APPEAL AND MARKS THE END
OF THE APPEAL PROCESS

Staff Signature & Date Returned

Inmate Signature & Date Received

This form was received on 7-3-24 (date), pursuant to Step Two. Is it an Emergency? (Yes or No).

Staff Who Received Step Two Grievance: Sgt Lewis Date: 7-3-24

Action Taken: (Forwarded to Grievance Officer/Warden/Other) Date:

If forwarded, provide name of person receiving this form: Date:

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE - Grievance Officer; ORIGINAL - Given back to Inmate after Completion of Step One and Step Two.

REQUEST FOR INTERVIEW

[Redacted]

DATE: 2-27-2024

TO: Ashley King

OFFICE: Inmate Grievance Coordinator

FROM: Ronald M Robinson
(Inmate's Name)

BKS: E-4

JOB ASSIGNMENT: N/A

SUPERVISOR: N/A

WORKING HOURS: N/A TO: N/A

GIVE A DETAILED REASON FOR INTERVIEW: I re-submitted a grievance 2nd level today on the 27th of a grievance 2nd level submitted on 2-24 - because the ~~the~~ grievance was returned because only the (Original/White) (copy) was written in ink, I want to make sure the grievance is filled out correctly and that I know how to correct

fill out/complete any possible grievances. Ronald M. Robinson

(Inmate's Signature)

ADC-CDC-614

I think the Sgt signed it in incorrect color under steel rather than steel 2. please make sure and let me know under

[Redacted]

ment I)

FOR OFFICE USE ONLY	
GRV. #	_____
Date Received:	_____
GRV. Code #:	_____

Name Ronald M Robinson

Brks # E-6 Job Assignment NIA

Feb 18, 2024 (Date) STEP ONE: Informal Resolution

Feb 23, 2024 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: The problem solver has not responded to "informal resolution" within the allotted time.

_____, (Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm: emergency grievances are not for ordinary problems that are not of serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. In an Emergency, state why: _____

Is this Grievance concerning Medical or Mental Health Services? _____ If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): I am grieving the living conditions / assigned housing or an extended amount of time being indwellable specifically Feb 9-18 2024 and the actions / inactions of Cummins staff in correlation to it's dwellability. On/around Feb 9 [Redacted] staff had hall / adjoining cells gated while I / cellie left in cell smelling toxic fumes still smelling paint fumes in cell when falling asleep overnight. After day(s) of smelling paint fumes wall vents in hallway were opened / left open to outside exposing living qtr. to harsh extremely cold temps near or below 32° for multiple days. On / around Feb 13 at noon (12:00) [Redacted] staff confiscated all cold weather state issue clothes thermal etc except socks / underwear and t-shirts saying we will follow our rules not your rules when asked about warm clothes. On/around evening of Feb 13 the tier / cell filled with smoke around 3rd chow being left in cell (no attempt to move inmates or ventilate). On/around Feb 15 toilet in my [Redacted] hallway with shit water when other cells upward of 6 flushed when I flushed there flooded [Redacted] staff attempted to fix plumbing problem but were unable to I left in cell and cleaned shit / piss water in cell by hand / towel / soap then [Redacted] staff brought squeegee chemicals giving me Feb 16 my cells toilet flooded again when other cells flushed shit water / left in cells overnight problem still not fixed when staff informed Feb 17 [Redacted] staff told at 2nd chow toilet were still fucked up: after 2nd chow 2 toilets flooded / backed up other peoples shit / piss on my cell floor. I left in cell had to catch hall porter with squeegee, no chemicals given to me to clean cell. Shit / piss water whed into air vent in hall floor way air still smells like shit and plumbing not fixed. [Redacted] before

Inmate Signature Ronald M Robinson Date 2-18-2024

If you are harmed, threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on _____ (date), and determined to be Step One and/or an Emergency Grievance _____ (Yes or No). This form was forwarded to medical or mental health? _____ (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

PRINT STAFF NAME (PROBLEM SOLVER) _____ ID Number _____ Staff Signature _____ Date Received _____

Describe action taken to resolve complaint, including dates: _____

MAR 13 2024

STAFF SIGNATURE & DATE RETURNED

INMATE GRIEVANCES SUPERVISOR
ADMINISTRATOR

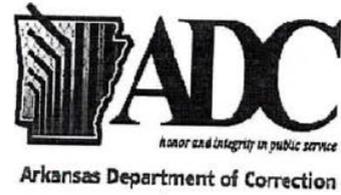
This form was received on 2-24-24 (date), pursuant to Step Two. Is it an Emergency? NO (Yes or NO)
Staff Who Received Step Two Grievance: Demetria Mooney Date: 2-24-24

Action Taken: _____ (Forwarded to Grievance Officer/Warden/Other) Date: _____
If forwarded, provide name of person receiving this form: _____ Date: _____

DISTRIBUTION: YELLOW & PINK - Inmate Receipts; BLUE - Grievance Officer; ORIGINAL - Given back to Inmate after Completion of Step One and Step Two.

RETURNED TO INMATE FOR THE FOLLOWING REASON(S): NOT PROCESSED, PREVIOUSLY ANSWERED/REJECTED, OR A DUPLICATE

To: ROBINSON, RONALD M.
ADC#: [REDACTED] Barracks: East/E4
Received: 2/26/2024
Date: 2/26/2024



Please be advised, your grievance has been received by [REDACTED] Grievance Office. However, your grievance is being returned to you, due to the form not being properly completed. You cannot change a grievance form once the Step-One: Informal Resolution process has initiated. On the grievance form(s) you have submitted, you have written over the original complaint. Therefore, you need to resubmit another copy, the original completed form, or a new completed form.

Any further questions you have pertaining to the grievance office will be answered upon request for interview submitted to the grievance office.

Note: The grievance office has been advised not to accept copies that have been traced or altered. They must be legible in their original state. Only the original (white copy) may be written in ink.

X Ashley King
Ashley King
Inmate Grievance Coordinator

**ADDITIONAL DOCUMENTS &
DUPLICATES WILL NOT BE
CONSIDERED AS PART OF
YOUR APPEAL**

ADDITIONAL DOCUMENTS &
 DUPLICATES WILL NOT BE ^{7/28/2024}
 CONSIDERED AS PART OF
 YOUR APPEAL

Dear Appropriate Grievance Officer,

I submitted a step 1 informal Resolution at [REDACTED] unit level on Feb. 19, 2024 trying to accomplish this in a timely fashion after the issue occurrence being grieved. On Feb 23, 2024 I re-submitted the original copy I retained as a copy as an inmate receipt me never being given a response by the appropriate problem solver and never being given back the original form or the blue form given to the grievance officer. On 2/26/24 I had the grievance officer, by way of the inmate grievance coordinator Ashle King return the yellow step 2 formal grievance returned to me saying (read attached paper / correspondence). No Sgt or Lt. at my unit will sign a newly completed form at the step 2 level and I have not been given either the white original form with a response back or the blue form back and the original form I retained as an original inmate receipt to be used if not responded to in a timely manner was rejected (not accepted)



staff wof 3-9-24 has yet to
return reply original grievance to me
white/blue copy - This is the original
inmate receipt I retained which describes
the matter originally grieved.

ADDITIONAL DOCUMENTS &
DUPLICATES WILL NOT BE
CONSIDERED AS PART OF
YOUR APPEAL

Arkansas
State Claims Commission

JUL 24 2025

RECEIVED

Supplemental motion for rehearing/reconsideration
and or notice of Appeal Page 1

Dear, Arkansas Claims Commission, Director or Appropriate Person

Ronald M. Robinson as the claimant has brought Claim # 250215 against the state listing the Arkansas Division/Department of Corrections "the ADC" as the respondent and the specific agency board, Commission or institution of the state that his valid, factual and meritorious claim # 250215 is lodged against. Claim # 250215 is a claim authorized to be heard by and considered by the Commission as a claim written and filed/submitted in accordance to Arkansas Admin Code 030.00.1-2.1 having a statement of facts sufficiently clear to identify the claimant, the respondent state agency, the circumstances giving rise to the claim and the amount of monetary damages which in regards to claim no. 250215 is C\$14,088.00 fourteen thousand and eighty eight dollars with zero cents. The "Commission" within and in accordance to Ar. Admin Code Ann. § 030.00.1-2.1 reserves the right to require further info before hearing the claim when it's judgement justice and equity may require additional information. I Ronald M. Robinson as the claimant in regards to my claim no 250215 have provided

this additional information as requested by the Arkansas Claims Commission in my Motion for Re-hearing / Reconsideration and or Notice of Appeal filed timely in accordance to Arkansas Admin. Code Ann. 030.001-7.1. This additional further information being requested by the Commission and being provided by myself Ronald M. Robinson as the claimant in regards to Claim No. 250215 being identified as-evidence that I properly exhausted all my available state and or administrative remedies by exhausting the grievance procedure established at the [REDACTED] in Grady Arkansas in accordance to AD 19-34-Inmate Grievance Procedures prior to bringing my Claim No. 250215 before the Arkansas State Claims Commission something that I Ronald M. Robinson as the claimant did in fact do. My Motion for a Re-hearing / Reconsideration and or Notice of Appeal filed by myself as the Claimant Ronald M. Robinson in regards to Claim No. 250215 should be entertained

per/in accordance to Arkansas Admin Code Ann. § 030.00.1-7.1 because new additional evidence was set forth which was not available to the moving party identified as "the Commission" at the time of the scheduled hearing. If any additional books, accounts, records, or related documents in relation/correlation to proof/evidence of myself Ronald M. Robinson properly exhausting the established grievance procedure established at the [REDACTED] [REDACTED] [REDACTED] pray/request that a subpoena be served in accordance to Ark. Admin Code Ann. § 030.00.1-3.2 against/to the respondent in my claim No. 250215 listed as the Arkansas Department/Division of Correction (ADC) so the respondent listed as the (ADC) will be legally obligated to produce my grievance records showing that I Ronald M. Robinson did in fact properly exhaust all my available state and or administrative remedies by properly exhausting the grievance procedure established at the [REDACTED] Unit in accordance to AD 19-34 inmate grievance procedure or inmate hearing mechanism.

before the Arkansas State Claims Commission. According to Arkansas Admin Code Ann. § 030.00.1-3.1 "Notice of Hearing" the Commission Director shall issue all notices of hearings and other process as may be directed by the Commission. All notices of sessions and hearings are to be served upon the parties and such other interested parties as may be entitled to receive notice and shall show the date, time and place of the hearing with at least two (2) months advance notice when possible with all hearings before the Commission to be open to the public and press. As the respondent in regard to my claim No. 250215 I was given no notice nor was I served any notice that a hearing was to be made upon my claim in regard to the respondent's Rule 12(b)(6) motion to Dismiss "Failure to state a claim." Arkansas Admin Code Ann § 030.00.1-1.9 states the Duties of the Director of the Arkansas Claims Commission being that the Director in most instances will/shall attempt to notify all parties

at least two months in advance when a claim will be docketed for a hearing before the "Commission." No attempt in regards to my claim NO. 250215 was made to notify myself Ronald M. Robinson as the claimant when my claim NO. 250215 was documented for hearing before the "Commission." This non-notification by the Director of the "Commission" was biased and prejudicial to myself Ronald M. Robinson as the claimant because it prevented myself Ronald M. Robinson as the claimant ~~from receiving~~ my right to a pre-hearing conference as allowed and mandated under Arkansas Admin Code Annf 030.00.1-4.2 Pre-hearing conference which states that "if the interested parties prior to the hearing of a claim on the merits are unable to agree upon the facts or issues or cannot stipulate the questions of facts in issue, the "Commission" will arrange a hearing conference to rule upon motions pending or determine the evidential value to assist parties in determining the factual basis of a claim. This prayer requested that a pre-hear-

conference be granted in regards to my Claim NO. 250215 so that a hearing conference is arranged to rule upon motions pending and or determine the evidential value to assist parties in determining the factual basis of Claim NO. 250215 and it is prayed/ requested that my motion for rehearing/ reconsideration and/or notice of appeal all governed by Arkansas Admin Code Ann § 030.00.1-7.1 be granted as I the claimant Ronald M. Robinson in regards to my claim NO. 250215 have properly exhausted multiple grievances correlating to my claim NO. 250215 in accordance to AD-19-34 Inmate grievance procedures prior to filing my claim NO. 250215 before the Arkansas State Claims Commission with each individual grievance # listed in my first motion for rehearing/ reconsideration, and/or notice of appeal, as well as on the grievance which was attached to this motion, evidential documentation. The factual evidence of this proper exhaustion of all my available state or a dainist state remedy is included within my motion, for rehearing/ reconsideration and/or notice of appeal and it is requested with

this supplemental motion that the books, accounts, records or related documents showing my proper exhaustion of the grievance procedure in accordance to AD 19-34 Inmate Grievance procedure be subpoenaed from the respondent listed within my claim No. 250215 as the Arkansas Division / Department of Correction (ADC), It is prayed / requested that upon the production of my grievance records showing that I as the claimant properly exhausted all my available state and or administrative remedies prior to filing my claim No. 250215 before the Arkansas State Claim Commission" the "Commission" grants the award of \$(14,088.00) fourteen thousand and eighty eight dollars recognizing my claim No. 250215 as an approved claim finding my claim No. 250215 as a claim that should be paid and has received a favorable recommendation by the Commission.

From: [Misty Scott](#) on behalf of [ASCC Pleadings](#)
To: [Tawnie Hughes \(DOC\)](#); [Miles Morgan \(DOC\)](#); [Trent Rigdon \(DOC\)](#); [Taylor Reavis \(DOC\)](#)
Cc: [ASCC Pleadings](#); [Mika Tucker](#); [Yolanda Charles \(DOC\)](#)
Subject: ORDER: Ronald Robinson v. ADC, Claim No. 250215
Date: Monday, November 10, 2025 3:32:28 PM
Attachments: [Ronald Robinson v. ADC.pdf](#)
[Ronald Robinson-order.pdf](#)

Dear Counselors:

Please see attached. Contact Kathryn Irby with any questions.

Please see attached. Contact Mika Tucker with any questions.

Thank you,

Misty

Misty Scott
Arkansas State Claims Commission

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

November 10, 2025

Mr. Ronald Robinson (ADC [REDACTED])
[REDACTED]

Ms. Tawnie Hughes
Mr. Miles Morgan
Mr. Trent Rigdon
Ms. Taylor Reavis
Arkansas Division of Correction
1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114

(via email)

Re: ***Ronald Robinson v. Arkansas Division of Correction***
Claim No. 250215

Dear Mr. Robinson, Ms. Hughes, Mr. Morgan, Mr. Rigdon, and Ms. Reavis:

Enclosed please find an Order entered on November 7, 2025, by the Arkansas State Claims Commission. If you have any questions, please do not hesitate to contact my office.

Sincerely,

Mika Tucker

ES: msscott

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

RONALD ROBINSON (ADC [REDACTED])

CLAIMANT

V.

CLAIM NO. 250215

ARKANSAS DIVISION OF
CORRECTION

RESPONDENT

**ORDER ON CLAIMANT'S
MOTION FOR RECONSIDERATION**

Now before the Arkansas State Claims Commission (the "Commission") is a motion filed by Ronald Robinson (the "Claimant") for reconsideration of the Commission's April 3, 2025, order denying and dismissing Claimant's claim against the Arkansas Division of Correction (the "Respondent"). Based upon a review of the motion, the arguments made therein, and the law of Arkansas, the Commission hereby unanimously finds as follows:

1. Claimant filed his claim on August 7, 2024, seeking \$14,088.00 in damages related to his allegations of unsanitary living conditions.
2. Respondent filed a motion to dismiss arguing, *inter alia*, that Claimant failed to exhaust his administrative remedies.
3. Claimant filed a response to the motion dismiss, arguing, *inter alia*, that his grievance documents are "available upon request."
4. The Commission granted Respondent's motion to dismiss on April 3, 2025, because Claimant failed to provide any documentation that he exhausted his administrative remedies. The Commission's order provided that the claim was dismissed without prejudice and, if Claimant did exhaust his administrative remedies, Claimant may refile his claim and attach the relevant documentation as required by Arkansas law.

5. Claimant thereafter filed the instant motion for reconsideration, arguing, *inter alia*, that he did exhaust his administrative remedies. Claimant attaches documentation regarding three grievances, which indicates that these grievances were rejected prior to the filing of his claim due to Claimant's failure to follow the grievance procedures.

6. Respondent did not respond to the motion for reconsideration.

7. In analyzing a motion for reconsideration, Rule 7.1 of the Commission Rules and Regulations states that motions for reconsideration "will only be entertained if they set forth new or additional evidence which was not [previously] available"

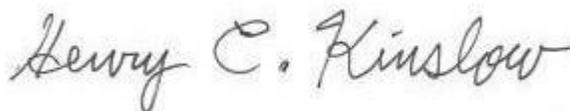
8. The Commission finds that the motion does not set forth new or additional evidence not previously available. The Commission notes that the documentation regarding the rejection of grievances attached to Claimant's motion for reconsideration predate the filing of his claim. The Commission further notes that, when a grievance is rejected due to a claimant's failure to follow the agency's deadlines and procedural rules, a claimant has failed to exhaust his administrative remedies. *See Woodford v. Ngo*, 548 U.S. 81, 90, 126 S. Ct. 2378, 2385 (2006). As such, Claimant's motion for reconsideration is DENIED, and the April 3, 2025, Commission order remains in effect.

9. The Commission notes that Claimant's motion for reconsideration contains a notice of appeal. Therefore, the Commission will transmit this claim file to the Arkansas General Assembly pursuant to Ark. Code Ann. § 25-44-211.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Dee Holcomb



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow



ARKANSAS STATE CLAIMS COMMISSION
Paul Morris, Chair

DATE: November 7, 2025

Notices which may apply to this 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 Commission. Ark. Code Ann. § 25-44-211(a)(1). If a Motion for Reconsideration is denied, that party then has twenty (20) days from the transmission of the denial of the Motion for Reconsideration to file a Notice of Appeal with the Commission. Ark. Code Ann. § 25-44-211(a)(1)(B)(ii). A decision of the Commission may only be appealed to the General Assembly. Ark. Code Ann. § 25-44-211(a)(3).
- (2) If a Claimant is awarded \$15,000.00 or less by the Commission at hearing, that award is held forty (40) days from the date of disposition before payment will be processed to allow either party to utilize its remedies under Ark. Code Ann. § 25-44-211(a). Note: This does not apply to agency admissions of liability and negotiated settlement agreements.
- (3) Awards or negotiated settlement agreements of more than \$15,000.00 are referred to the General Assembly for approval and authorization to pay. Ark. Code Ann. § 25-44-215(b).

Motion for Claim #: 250215

Arkansas
State Claims Commission

DEC 10 2025

Arkansas State Claims Commission

RECEIVED Pg 1

On the date of 12-01-2025 my brother called the Arkansas State Claims Commission after I contacted him by a letter asking him to check on the status of my claim. He spoke with Kaitlain and was told that my claim had been sent/processed to a "BLR" a.k.a. a Board Legislative review and was told a legal mail correspondence had been sent to myself Ronald M. Robinson as the claimant on/around November the 10th 2025. As of 12-03-2025 I have yet to receive any legal mail from the Arkansas State Claims Commission or any other type of regular mail either from the Arkansas State Claims Commission during the month of November or December. I am currently locked down 23 and 1 and with the newly updated mailing system policy at the Commission all regular mail is now sent to Florida and scanned and processed to a securus platform which I have no access to while locked down in restrictive housing 23 and 1 as my tablet/securus provided software was left on charging station in 9-B block where I was locked up from early in a.m. 4/11/2025 and never been able to make a claim since 11/11/2025

Pg 2

all legal mail is processed at the unit by staff being opened and scanned before being destroyed and a copy / printed copy being provided to an ADC inmate / convict in the Lt and/or captain's office. I have not been brought from my cell where I am locked down 23 and 1 to receive any legal mail from the Arkansas State Claims Commission during the months of November or December 2025 and no legal mail has been brought to me by ADC staff to my cell while I am locked down 23 and 1 during November or December 2025 so I Ronald M. Robinson the claimant am notifying the Arkansas State Claims Commission that any legal mail and or regular mail sent to me during the months of November and December 2025 prior to the date of this motion have been either destroyed by the ADC who is also the respondent in my claim or purposefully not brought / delivered to me the claimant by ADC staff in an attempt to

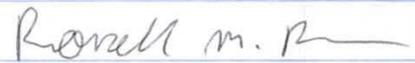
I want my right of access to the courts and pg 3.
 make myself Ronald M. Robinson
 miss any possible deadline, and force
 my claim to be dismissed as a result
 of a missed deadline or lack of
 response by myself Ronald M. Robinson,
 the claimant. As such, I Ronald
 M. Robinson request in this motion
 that any legal and/or regular mail
 sent to me by the Arkansas State
 Claims Commission since / after the
 date of July 2025 when I was
 assigned to restrictive housing
 [REDACTED] Unit of the ADC be re-issued
 and pray that any deadline I
 may have missed or opportunities to respond
 as the claimant as a result of the
 unprofessional conduct displayed by
 ADC staff when my legal mail ^{and/or} regular
 mail correspondence was not delivered
 to myself the claimant be
 overlooked by the Commission as I never
 received any mail from the Arkansas
 State Claims Commission while locked down
 23 and 1 from the date of July 2025 to
 the present date of this motion being
 prepared. I the claimant Ronald
 M. Robinson pray that my claim before

Pg. 4

The Arkansas State Claims Commission
even more specifically before the BLR a.k.a.
Board of Legislative Review be
granted/ approved and any and all
forms of relief be granted/ approved to and
for Ronald M. Robinson as the claimant.

Sincerely with
utmost respect,

Claimant: Ronald M. Robinson.

Signature: 

Date 12-04-2025

Motion For Hearing claim # 250215

Page

Ar. St. § 25-44-206 Meetings (B) states that the Commission may hold a special meeting of the Commission upon request by the interested parties and (C) that the Commission shall meet in Little Rock but may conduct hearings elsewhere in the state if the Commission determines that hearing is relevant to business before the Commission.

Ar. St. § 25-44-210 Notice and hearings (2) states that A party to a claim or action is not entitled to a hearing as a matter of law but may request a hearing before the Commission; and (C) that a hearing on a motion filed by a party shall be set: (1) upon request of one of the parties and (2) if the Commission finds that oral argument or witness testimony, or both will benefit the Commission in deciding on the motion or claim itself.

I Ronald M. Robinson an interested party in regards to my claim No. 250215 as the claimant request a meeting be held by the Commission as a hearing is relevant to the business before the Commission.

even more specifically the BLR a.k.a.
 the Board of Legislative Review when
 deciding my claim NO. 250215
 I Ronald M. Robinson the claimant
 in regards to my claim NO. 250215
 am not entitled to a hearing as a matter
 of the law but as the claimant an
 interested party am requesting a
 hearing before the Commission and/or
 the Board of Legislative Review and
 pray that a hearing on all motions
 filed by myself Ronald M. Robinson
 in regards to my claim NO. 250215
 be ~~held~~^{scheduled} by the Commission and/or the
 Board of Legislative Review as I the
 claimant have requested a hearing date
 be scheduled as I the claimant Ronald
 M. Robinson know the Commission and/or
 the Board of Legislative Review will find
 that oral argument and or witness testimony
 will benefit the Commission, the Board
 of Legislative Review and all interested
 parties when the Commission and/or the
 Board of Legislative Review is
 making a decision on my claim NO. 250215
 I the claimant Ronald M. Robinson
 pray that my claim before the Arkansas
 State Claims Commission even more specifically

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before the BLR a.k.a. the Board of Legislative Review be granted / approved and any and all forms of relief be granted / approved to and for Ronald M. Robinson as the claimant.

Sincerely with
utmost respect,

Claimant Ronald M. Robinson

Signature: 

Date: 12-04-2025

From: [ASCC New Claims](#)
To: [REDACTED]
Subject: REQUESTED ORDER: Ronald Robinson v. ADC, Claim No. 250215
Date: Thursday, December 11, 2025 3:20:00 PM
Attachments: [Ronald Robinson v. ADC.pdf](#)
[Ronald Robinson-order.pdf](#)

Dear Mr. Robinson,

Per our conversation, please see attached.

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: [O O](#)
To: [ASCC New Claims](#)
Subject: Re: REQUESTED ORDER: Ronald Robinson v. ADC, Claim No. 250215
Date: Thursday, December 11, 2025 3:24:19 PM

Thank you, I got it.

On Thu, Dec 11, 2025 at 3:21 PM ASCC New Claims <ASCC.New.Claims@arkansas.gov> wrote:

Dear Mr. Robinson,

Per our conversation, please see attached.

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