

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

March 26, 2025

Romario V. Waller (ADC [REDACTED])
[REDACTED]

RE: **Claim No. 251322 – deficient filing**

Dear Mr. Waller,

This office received the enclosed claim documents relating to an incident. Your claim cannot be filed, however, because you did not complete a complaint form. This form is required for all claims. For your convenience, a complaint form is enclosed.

Please complete the enclosed form, sign it in the presence of a Notary Public, and return it to this office. Your other claim documents will be retained here to be filed upon receipt of your completed forms.

Contact my office with any questions.

Sincerely,

Mika Tucker

ES: cmcdaniel

Enclosures (supporting documents file-marked 3/7/2025, new complaint form)

ARKANSAS CLAIMS COMMISSION

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



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

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

CLAIM FORM

1. Claimant Information.

Mr. Waller Romario V. [REDACTED]
(title) (last name) (first name) (ADC Number)

2. Claimant's Legal Counsel.

An individual claimant may act as his or her own attorney (which is known as proceeding *pro se*). If a claimant is proceeding *pro se*, this section may be left blank.

(title) (last name) (first name) (email)
(address) (AR bar number)
(city) (state) (zip) (primary phone)

3. State Agency Involved.

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

4. Date of Incident _____

5. Location of Incident _____

6. **Explanation of Incident.** Please provide an explanation of your claim, including why you believe the above-listed state agency is liable for your damages under Arkansas law. You may attach additional pages to this form. Please note that a claimant who is an inmate of the Division of Correction or the Division of Community Correction at the time the claim is filed is subject to the page limitations set forth on page 4 of this form (*see* Ark. Code Ann. § 19-10-208(f)).

7. **Amount of Damages, if known:** _____

IMPORTANT!

A claim filed at the Commission is a lawsuit against a state agency. The Commission is the courthouse for these lawsuits. Please note that Commission staff can answer general questions about the claim process but cannot give legal advice. The Commission follows the Arkansas Rules of Civil Procedure and has its own rules of practice and procedure. Both sets of rules may be found in your law library.

STOP HERE!

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

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

Signature Page for Claim Filed by an Individual Claimant

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

Claimant Signature

ACKNOWLEDGEMENT

State of _____

County of _____

On this the ____ day of _____, 20____, before me, the undersigned notary, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

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

Signature of Notary Public

[seal of office]

My Commission Expires: _____

Ark. Code Ann. § 19-10-208(f)

- (1) A claimant who is an inmate in the Division of Correction or the Division 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.

BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS

MR. ROMARIO V. WALLER, Claimant Arkansas
State Claims Commission

VS.

STATE OF ARKANSAS, Respondent

MAR 07 2025

RECEIVED

Do Not write in this space		
CLAIM No. _____		
DATE FILED _____	(month)(day)(year)	
AMOUNT OF CLAIM \$ _____		
Filed: _____		

COMPLAINT

ROMARIO V. WALLER, (Add [REDACTED]) the above named claimant of: Post Office Box [REDACTED]
[REDACTED] Represented by: Plc.se,
Says State Agency involved: ARKANSAS DIVISION OF CORRECTIONS. Amount Sought \$75,000.00
(\$2,500.00 per day X 30 days).

Month, day, Year and Place of Incident or Service: July 20, 2024 - thru - Sept. 20, 2024 at
A.D. C-E.A.R.U. (ARK. DIV. OF CORR. - [REDACTED]) Punitive Isolation
385 cell which is monitored by still framed security video on July 20, 2024
in Her official capacity as Corporal at approximately 2:30 P.M. Matara Holcomb
falsified the 7/20/2024 ISSR-100 Report and Incident Report (005) number 2024-07-123
falsely alleging at/while serving Chow after opening cell 385 outer door she
allegedly (quote): "observed him standing at naked with an erection at the bar door.
I gave inmate Waller several direct orders to put clothes on and to cover-up but to
no avail. Waller then asked could I make a round and bring the key in which I replied
no and asked inmate Waller why. Inmate Waller proceeded to state "So you can come
back and perform a favor and suck my dick". I then left inmate Waller's cell." (end quote)

Corporal Holcomb charged me, the claimant ROMARIO V. Waller with Rules
12-3 110-3 110-7 for the alleged incident.

That is malicious arrest / malicious prosecution since it is totally FALSE.
The isolation-3 security video at that date/time 7-20-2024 - 1:30 P.M. - 3:30 P.M.
will reveal that instead of Corporal Holcomb (female) it was actually
Corporal Robinson (male) who opened cell 385 outer door & delivered my
(MR. Waller claimant) meal/drink and closed the door.

on 7-26-2024 when Corporal Sanders delivered me the ISSR-100 (disciplinary) it had
already had an "X" typed for "no witness" although upon service I did
request the security video as evidence and Corporal Robinson as witness.

According to Corporal Robinson He wrote a witness statement admitting it was He
not Holcomb who delivered my meals and that He'd kept (directed) Holcomb
away from cell 3-85 all day to keep down a problem.

At the 8-1-2024 Hearing, DHO (disciplinary Hearing Officer) Rolanda Scruggs admitted
she had the 7-20-2024 security video /CPI. Robinson's statement (see Teleconference video).

Although DHO SCRUGGS did Possess Evidence/Statement providing my innocence and that Cpl. Holcomb falsified the Reports DHO SCRUGGS disregarded the Video evidence and ~~seem~~ witness Statement and omitted it From the Written Record. (see ISSR-~~101~~ 101 Pa.2).

After withholding the Evidence From the Written Record DHO SCRUGGS made a False Guilty Verdict against me for Rule 10-3 (Indecent Exposure) but made Not Guilty verdicts for 12-3 (Failure or Refusal to obey orders) and 10-7 (Demanding Sexual Contact) though the same evidence warranted dismissal of Rules 12-3/10-7 also warranted dismissal of rule 10-3. I appealed the Verdict/Punishment to the warden (DHA) Disciplinary Hearing Administrator and Director, none of whom reviewed or referred to the security video evidence and they upheld DHO SCRUGGS decision. The Actions of ADE Staff as committed in their official capacities to falsify a charge that could result in criminal prosecution and the said Punishments to deny/deprive me evidence/witness /to disregard the evidence/witness/ to omit the evidence (security video) From written Record in order to maliciously prosecute arrest and Punish me, are not ~~advised~~ normal conditions of confinement since A.D.C Policy Prohibits falsification of Documents, And sanctions falsification by Staff with disciplinary termination as Punishment. Since the said Malicious Acts were committed by and upheld by Officers and Employees of ARKANSAS Division of Correction in their official capacities these Actions are under ARKANSAS STATE CLAIMS COMMISSION Jurisdiction.

As Part of this complaint, the claimant makes the statements and answers the following questions as indicated: Has the complaint been presented to any state department or officer thereof? YES; When? 8-2-2024 - 9-13-2024 - APPEALS and the following action was taken thereon? AFFIRMED and that \$0 was Paid thereon.

(2) Has any third Person or corporation any interest in this claim? No.

The undersigned states on OATH that HE (I) am familiar with the matters and things set forth in the above complaint and that (I) He verily believes they are true Pursuant 42 USC 1746. ROMARIO V. WALLER

[Signature]

CERTIFICATE OF SERVICE

The foregoing mailed to Arkansas State Claims Commission 101 East Capitol Avenue, Suite 410 Little Rock, Arkansas through First Class U.S. Postal service mail March 5, 2025.

ISSR100

Arkansas Department of Corrections

MAJOR DISCIPLINARY

If the C.S.O. determines that the violation(s) described on this document are felonious; he/she must hand carry this document to the Unit Warden who must immediately notify the Director.

Inmate: Waller, Romario

ADC#: [REDACTED]

Assignment: AM:Ext Restrictive Housing
PM:Direct Threat (Others/Safe/Secure Operations)

Title: Corporal

Class: IV is being charged by Holcomb, Matara L
with code violation(s):

12-3 Failure or refusing to obey verbal and/or written order(s) of staff

10-3 Indecent exposure and/or masturbation; may result in a referral for criminal prosecution (examples include, but are not limited to, verbal and/or non-verbal gestures).

10-7 Demanding Sexual Contact in Trade OR Protection from Physical Harm OR Mental Anquish, OR other victimization

Date & Time: 07/20/2024 2:30 PM

Notice of Charges:

Incident Report Unit: [REDACTED]

Incident Report Date/Time: 07/20/2024/02:30:07 PM

Incident Report Number: 2024-07-123

Incident Report Comments By: Matara L Holcomb

On 7-20-24 at approx. 2:30 pm I, Cpl. Holcomb was serving chow in iso 3 when I approached cell 85 which housed inmate Waller R. [REDACTED] After opening inmate Wallers outer cell door, I observed him standing naked with an erection at the bar door. I gave inmate Waller several direct orders to put clothes on and cover up but to no avail. Inmate Waller then asked could i make a round and bring the key in which I replied no and asked inmate Waller why. Inmate Waller then proceeded to state "so you can come back and perform a favor and suck my dick". I then left inmate Wallers cell. Inmate Waller [REDACTED] knows his actions are against ADC and unit policy therefore I Cpl. Holcomb am charging inmate Waller with the following rule violations 12-3, 10-3 and 10-7

(I affirm that the information in this report is true to the best of my knowledge)

Signature of Charging Officer

NOTIFICATION:

Officer

Cpl. Danders

Date & Time Notified

7-26-24

Witness Statements:

No ☒

If yes, list:

Inmate's Signature

ISSR100

Arkansas Department of Corrections

MAJOR DISCIPLINARY

If the C.S.O. determines that the violation(s) described on this document are felonious; he/she must hand carry this document to the Unit Warden who must immediately notify the Director.

Inmate: Waller, Romario

ADC#: [REDACTED]

Assignment: AM:Ext Restrictive Housing
PM:Direct Threat (Others/Safe/Secure Operations)

C.S.O. Review:		Outcome: <u>Refer to Hearing Officer/Comm.</u>	Date: <u>07/25/2024</u>
		By: <u>Allison, Tyrone D</u>	
Extension:	No ☒ Yes ☐	Has extension form been completed? ☐	
Presentation by Counsel - Substitute is required when it is determined that the inmate is illiterate or incompetent or that the issues are extraordinarily complex.			
Counsel-Substitute:		Assigned (Name) _____	Not Assigned _____

ISSR101

Arkansas Department of Correction

DISCIPLINARY HEARING ACTION

Inmate: Waller, Romario

ADC#: [REDACTED]

Unit: [REDACTED]

Code Violation(s):

- 12-3 Failure or refusing to obey verbal and/or written order(s) of staff
- 10-3 Indecent exposure and/or masturbation; may result in a referral for criminal prosecution (examples include, but are not limited to, verbal and/or non-verbal gestures).
- 10-7 Demanding Sexual Contact in Trade OR Protection from Physical Harm OR Mental Anquish, OR other victimization

Date/Time of Alleged Offense(s): 07/20/2024 2:30 PM

Hearing Date: 08/01/2024

Time: Start 7:47 AM

End 7:56 AM

Recorder: Scruggs, Rolonda R

Tape#:

Side:

Meter: From

To

Plea: Not Guilty, Not Guilty, Not Guilty

Attendance Waived: No

Has waiver form been completed? _____

Inmate's Statement:

when I was giving this disciplinary, I asked her to write down my witnessed, Robinson gave me my meal not Holcomb,

Signature of Inmate

Court Questions:

Do you have a statement?

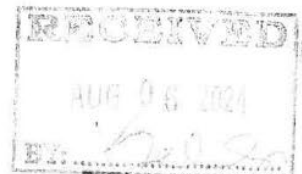
Sentencing Conditions:

Verdict: Not Guilty, Guilty, Not Guilty

Restriction Days to Serve

Commissary:	60	Days Suspended:	0
Phone:	60	Days Suspended:	0
Visitation:	60	Days Suspended:	0
Punitive Isolation Days to Serve:	30	Days Suspended:	0
GT Class Reduced to:	IV	Class Suspended:	

(63)



RECEIVED
F-831-4
Major Disciplinary Appeal Form

14127
AUG 19 2024

Inmate Name MR. ROMARIO V. MILLER ADC [REDACTED]

ADMINISTRATOR
DISCIPLINARY HEARINGS

Unit/Center [REDACTED] Punitive Isolation ☒ Yes ☐ No

Disciplinary (date) 7-20-2024 by (charging officer) MATARA HOLCOMB

Received
AUG 29 2024
Director
Arkansas Department of Correction
18746

8-2-2024 Appealed to Warden/Center Supervisor: Note, if you do not agree with the decision of the Disciplinary Hearing Date Officer, you have 15 business days from receipt of disciplinary action to appeal to the Warden/Center Supervisor.
Warden's Decision: Affirm ☒ Reverse ☐ Modify ☐ (See attached if modified)
Signature: [Signature] Date 8-8-24

8-13-2024 (Date Received) Appealed to Disciplinary Hearing Administrator: Note, if you do not agree with the response of the Warden/Center Date Supervisor, you may appeal within 15 business days from receipt of the Warden/Center Supervisor's response to the Disciplinary Hearing Administrator.
DHA's Decision: Affirm ☒ Reverse ☐ Modify AUG 19 2024 (See attached if modified)
Signature: [Signature] Date AUG 19 2024

8-27-2024 (Date Received) Appealed to Director: Note if you do not agree with the Disciplinary Hearing Administrator's response, you may Date appeal within 15 business days from receipt of the Disciplinary Hearing Administrator's decision to the Director.
Director's Decision: Affirm ☒ Reverse ☐ Modify ☐ (See attached if modified)
Signature: [Signature] Date 9-13-24

Notice to Inmate: This form is to be used for all appeal levels and responses. Briefly state reasons why conviction or punishment should be reversed or modified. This information will be considered at all three levels of appeal. Only information that is contained within this space on this form will be considered.

- (1) DHO ROLODA SCRUGGS FALSIFIED THE ISSR-101 BY NOT LISTING MY ACTUAL VERBAL STATEMENT AND OMITTING THAT I ARGUED S. SANDERS DID NOT LIST MY EVIDENCE REQUEST FOR THE SECURITY VIDEO INTO MY COPY OF THE ISSR-100.
- (2) DHO SCRUGGS ADMITTED THAT SHE SPECIFICALLY HAD THE SECURITY VIDEO (EVIDENCE) & CPI. ROBINSON WITNESS STATEMENT THAT HE DID NOT ALLOW HOLCOMB TO OPEN CELL 3-85 DOOR NOR DELIVER MY MEAL AND DIRECTED HER NOT TO GO TO CELL 3-85 AND THAT HE SERVED MY MEAL THE SECURITY VIDEO DEPICTS CPI. ROBINSON STOOD AT CELL 3-85 WITH THE DOOR CLOSED UNTIL HOLCOMB PASSED BY I WENT TO 386 CELL THEN ROBINSON HIMSELF OPENED 3-85 DOOR DELIVERED MY MEAL AND CLOSED/LOCKED THE DOOR. THEREFORE EVIDENCE (SECURITY VIDEO) & WITNESS STATEMENT EXIST THAT HOLCOMB FALSIFIED THE ISSR-100 IN VIOLATION OF A.R. 225 / A.R. 831 (IX).
- (3) THE 10-3 / 10-7 WERE DISMISSED BASED UPON THE EVIDENCE (VIDEO) & WITNESS STATEMENT BY CPI. ROBINSON PROVING HOLCOMB WAS NOT AT CELL 3-85. SINCE IT'S IMPOSSIBLE FOR FOR ME TO BE INNOCENT OF 10-3 (DISOBEYING ORDERS TO PUT CLOTHES ON) AND YET BE GUILTY OF 10-3 THE 10-3 SHOULD BE REVERSED.
- (4) THE ISSR-101 STATES "STAFF REPORT IS ACCEPTED". HOWEVER A.R. 831 PROHIBITS THE USE OF A FALSE REPORT. THE VIDEO / CPI. ROBINSON WITNESS STATEMENT PROVES THE ALLEGED 10-3 / 10-7 / 12-3 NEVER OCCURRED THEREFORE THE FALSE ISSR-100 SHOULD HAVE BEEN TOTALLY DISMISSED AND USED FOR A.R. 225 SANCTIONS - TERMINATION OF HOLCOMB.
- (5) I AM INNOCENT OF 10-3. SINCE THE SECURITY VIDEO / WITNESS CLEARLY PROVE HOLCOMB FALSIFIED A SEX CHARGE I ALSO REQUEST AN INTERNAL AFFAIRS INVESTIGATION ALONG WITH CUSA ON MYSELF / CPI. HOLCOMB / CPI. ROBINSON AND INVESTIGATOR TO PERSONALLY INTERVIEW ME BECAUSE THE FALSE 10-3 IS A P.R.E IN VIOLATION OF SECRETARIAL DIRECTIVE 2015-05.

Inmate's Signature: [Signature] Date: 8-1-2024

Original to be submitted for appeal; copies for inmate's use to proceed to next level if timely response not recieved.



Arkansas Department of Correction

MAJOR DISCIPLINARY APPEAL RESPONSE

[REDACTED]

Inmate Name: Romario Waller ADC [REDACTED] Bks: Iso/63

Disciplinary Date: 7/20/24 By: Charging Officer: Cpl. Holcomb

WARDEN/CENTER SUPERVISOR'S DECISION

You were written a Major Disciplinary on 7/20/2024 by Cpl. Holcomb and it's been reviewed. On 7/20/24 at approx.: 2:30pm Cpl. Holcomb written (you) Inmate R. Waller ADC: [REDACTED] for indecent exposure. I find you have not presented any new evidence that would merit a reversal or modification of this disciplinary. This type of behavior will not be tolerated here at the [REDACTED]; therefore, I am affirming your appeal that the Disciplinary Hearing Officer's decision will be upheld. End of statement.

If you disagree with my decision you may appeal to the Hearing Administrator, at Central Office, within 15 days.

[Signature]
Signature of Warden/Designee

Title

8-8-24
Date



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION

OFFICE OF THE DIRECTOR
DEXTER PAYNE

6814 Princeton Pike
Pine Bluff, AR 71602



MEMORANDUM

TO: Inmate Romario Waller, ADC [REDACTED]

FROM: Dexter Payne, Director

Dexter Payne

RE: Major Disciplinary Appeal

DATE: September 13, 2024

Please be advised that I am in receipt of your disciplinary appeal regarding the major disciplinary you received 07/20/2024 at 02:30 pm from Cpl. Holcomb.

You stated in your disciplinary appeal that it is a false report.

Your disciplinary states, "On 7-20-24 at approx. 2:30 pm I, Cpl. Holcomb was serving chow in iso 3 when I approached cell 85 which housed inmate Waller R [REDACTED]. After opening inmate Wallers outer cell door, I observed him standing naked with an erection at the bar door. I gave inmate Waller several direct orders to put clothes on and cover up but to no avail. Inmate Waller then asked could i make a round and bring the key in which I replied no and asked inmate Waller why. Inmate Waller then proceeded to state " so you can come back and perform a favor and suck my dick". I then left inmate Wallers cell. Inmate Waller [REDACTED] knows his actions are against ADC and unit policy therefore I Cpl. Holcomb am charging inmate Waller with the following rule violations 12-3, 10-3 and 10-7."

You stated during your disciplinary hearing "When I was giving this disciplinary, I asked her to write down my witnessed, Robinson gave me my meal not Holcomb."

After a thorough review of all the documents pertaining to this matter, I am upholding the guilty verdicts of rule violation 10-3/Indecent Exposure and/or Masturbation; may result in a referral for a criminal prosecution; therefore, your disciplinary is upheld.

DP:ls

cc: Warden / Inmate File / File

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

September 15, 2025

Romario V. Waller (ADC [REDACTED])
[REDACTED]

RE: **Claim No. 251322 – deficient filing**

Dear Mr. Waller,

Your claim has been filed but has not been transmitted to the Arkansas Department of Correction because the claim documents you filed on March 7, 2025, and July 8, 2025, cumulatively exceed the page limitations set out in Ark. Code Ann. § 25-44-208(f). The text of this subsection is set out on the following page for your review. I am enclosing your filings for your convenience.

Pursuant to Ark. Code Ann. § 25-44-208(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. § 25-44-208(f)(3)(C).

If you intended that only your July 8, 2025, filing constitutes your complaint, you may simply notify the Commission accordingly without resubmitting these documents.

Sincerely,

Mika Tucker

ES: cmcdaniel

Enclosures (supporting documents file-marked 3/7/2025, claim form and supporting documents file-marked 7/8/2025)

Ark. Code Ann. § 25-44-208(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.
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 - (A) If an inmate files a claim or action that exceeds the page limitations under this subsection, the commission shall:
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 - (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:
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 - (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.
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Acts of 1949, Act 462, § 3; Acts of 1983, Act 470, § 3; Acts of 2019, Act 785, § 2, eff. July 24, 2019.

ARKANSAS CLAIMS COMMISSION

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Questions? Send an email to
ascc.new.claims@arkansas.gov
Arkansas
State Claims Commission

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

JUL 08 2025

RECEIVED

CLAIM FORM

1. Claimant Information.

Mr. Waller Romario V. [REDACTED]

(title) (last name) (first name) (ADC Number)

[REDACTED]

(city) (state) (zip)

2. Claimant's Legal Counsel. An individual claimant may act as his or her own attorney (which is known as proceeding *pro se*). If a claimant is proceeding *pro se*, this section may be left blank.

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

(address) (AR bar number)

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

3. State Agency Involved. The Commission can only receive claims against agencies of the State of Arkansas. Please review the Commission's jurisdictional statutes, including Ark. Code Ann. § 19-10-204 and Ark. Code Ann. § 21-5-701, for more information. This information is required for any claim filed at the Commission. ARKANSAS DIVISION OF CORRECTIONS (A.D.C.) [REDACTED]

4. Date of Incident JULY 20, 2024 - thru - September 30, 2024

5. Location of Incident [REDACTED]

6. **Explanation of Incident.** Please provide an explanation of your claim, including why you believe the above-listed state agency is liable for your damages under Arkansas law. You may attach additional pages to this form. Please note that a claimant who is an inmate of the Division of Correction or the Division of Community Correction at the time the claim is filed is subject to the page limitations set forth on page 4 of this form (see Ark. Code Ann. § 19-10-208(f)).

On July 20, 2024 (2024) Matura Holcomb acting in her official capacity as A.D.C. security corporal was recorded on Isolation 3 (ISOL. 3) Security video conducting dinner (last chow) at cells 384 / 386 while Corporal Robinson was at Cell 3-85 where I was located in Punitive Isolation. Holcomb falsified an F-831-1 (ISSR-100) [Disciplinary Report] with false indecent exposure allegations against me. [EX. 1]. The report is false as evidenced by the fact Matura Holcomb falsely alleged she'd entered cell 3-85 at last chow when the alleged indecent exposure occurred while security video reveals male officer Robinson is the one who entered cell 3-85 at dinner and served my food/drink. Robinson is further recorded on the video standing at cell 3-85 with the outer door completely closed and he did not open the door or enter until after Holcomb had walked totally past cell 3-85 and went to 3-86. When Corporal Sanders delivered (served) the copy (ISSR-100) to me it had several Administrative Code/Directive violations: Matura Holcomb failed to sign her mandatory Affirmation of Truth on the ISSR-100; the ISSR-100 had an "X" typed onto it falsely indicating there were no witness statements prior to my being notified of the allegations/report; Sanders refused to document my request for evidence: "Isolation 3 security video for cell hallway 376-390 which recorded Holcomb/Robinson's movements at this timeframe of alleged incident. According to Robinson he wrote a witness statement admitting he did not allow Holcomb to come into cell 3-85 on this day. Disciplinary Officer Rolanda-Scruggs (Hearing Officer) admitted at the Teleconference Hearing she did "have" both the security video and Robinson's statement as evidence. Robinson admitted to myself C.S.O Tyrone Allison, MS. Hammock [mental health counselor] that he did not allow Holcomb to come into cell 3-85 at this time, hence the allegations were impeached by Robinson as being false.

(see attached)
(Page 2 A)

7. **Amount of Damages, if known:** \$ 75,000.00

IMPORTANT!

A claim filed at the Commission is a lawsuit against a state agency. The Commission is the courthouse for these lawsuits. Please note that Commission staff can answer general questions about the claim process but cannot give legal advice. The Commission follows the Arkansas Rules of Civil Procedure and has its own rules of practice and procedure. Both sets of rules may be found in your law library.

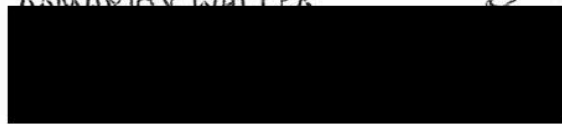
Although DHO scruggs did possess evidence/statement providing my innocence and that Cpl. Holcomb falsified the Reports DHO scruggs disregarded the video evidence and ~~see~~ witness statement and omitted it from the written Record. (see ISSR-~~101~~ 101 Pg. 2).

After withholding the evidence from the written Record DHO scruggs made a False Guilty Verdict against me for Rule 10-3 (Indecent Exposure) but made Not Guilty verdicts for 12-3 (Failure or Refusal to obey orders) and 10-7 (Demanding sexual contact) though the same evidence warranting dismissal of Rules 12-3/10-7 also warranted dismissal of rule 10-3. I appealed the verdict/punishment to the warden (DHA) Disciplinary Hearing Administrator and Director, none of whom reviewed or referred to the security video evidence and they upheld DHO scruggs decision. The actions of ADE staff as committed in their official capacities to falsify a charge that could result in criminal prosecution and the said punishments to deny deprive me evidence/witness /to disregard the evidence/witness/ to omit the evidence (security video) from written Record in order to maliciously prosecute, arrest and punish me, are not ~~admitted~~ normal conditions of confinement since A.D.C. Policy prohibits falsification of documents, and sanctions falsification by staff with disciplinary termination as punishment. Since the said malicious acts were committed by and upheld by officers and employees of Arkansas Division of Correction in their official capacities those actions are under ARKANSAS STATE CLAIMS COMMISSION Jurisdiction.

As part of this complaint, the claimant makes the statements and answers the following questions as indicated: Has the complaint been presented to any state department or officer thereof? YES; When? 8-2-2024 - 9-13-2024 - Appeals; and the following action was taken thereon? Affirmed; and that \$0 was paid thereon.

(2) Has any third person or corporation any interest in this claim? No.

The undersigned states on OATH that HE (I) am familiar with the matters and things set forth in the above complaint and that (I) He verily believes they are true Pursuant 42 USC 1746.

ROMANTYX WALLER


CERTIFICATE OF SERVICE

The foregoing mailed to ARKANSAS State Claims Commission 101 East Capitol Avenue, Suite 410 Little Rock, ARKANSAS through First Class U.S. Postal Service mail March 5, 2025, and July 3, 2025.



Page 2A-OF-4

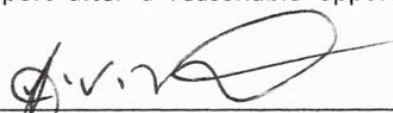
STOP HERE!

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

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

Signature Page for Claim Filed by an Individual Claimant

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


 Claimant Signature

ACKNOWLEDGEMENT

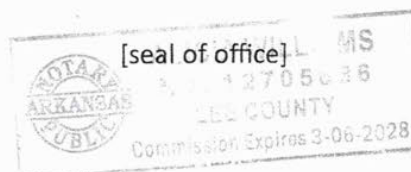
State of Arkansas
 County of Lee

On this the 17th day of June, 2025, before me, the undersigned notary, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

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


 Signature of Notary Public

My Commission Expires: 3-06-2028



Ark. Code Ann. § 19-10-208(f)

- (1) A claimant who is an inmate in the Division of Correction or the Division 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.

7.85

ISSR100

Arkansas Department of Corrections
[REDACTED]
MAJOR DISCIPLINARY

If the C.S.O. determines that the violation(s) described on this document are felonious; he/she must hand carry this document to the Unit Warden who must immediately notify the Director.

Inmate: Waller, Romario

ADC#: [REDACTED]

Assignment: AM:Ext Restrictive Housing
PM:Direct Threat (Others/Safe/Secure Operations)

Class: IV is being charged by Holcomb, Matara L
with code violation(s):

Title: Corporal

- 12-3 Failure or refusing to obey verbal and/or written order(s) of staff
- 10-3 Indecent exposure and/or masturbation; may result in a referral for criminal prosecution (examples include, but are not limited to, verbal and/or non-verbal gestures).
- 10-7 Demanding Sexual Contact in Trade OR Protection from Physical Harm OR Mental Anquish, OR other victimization

Date & Time: 07/20/2024 2:30 PM

Notice of Charges:

Incident Report Unit: [REDACTED]

Incident Report Date/Time: 07/20/2024/02:30:07 PM

Incident Report Number: 2024-07-123

Incident Report Comments By: Matara L Holcomb

On 7-20-24 at approx. 2:30 pm I, Cpl. Holcomb was serving chow in iso 3 when I approached cell 85 which housed inmate Waller R. [REDACTED] After opening inmate Wallers outer cell door, I observed him standing naked with an erection at the bar door. I gave inmate Waller several direct orders to put clothes on and cover up but to no avail. Inmate Waller then asked could i make a round and bring the key in which I replied no and asked inmate Waller why. Inmate Waller then proceeded to state " so you can come back and perform a favor and suck my dick". I then left inmate Wallers cell. Inmate Waller [REDACTED] knows his actions are against ADC and unit policy therefore I Cpl. Holcomb am charging inmate Waller with the following rule violations 12-3, 10-3 and 10-7

(I affirm that the information in this report is true to the best of my knowledge)

Signature of Charging Officer

NOTIFICATION: Officer Cpl Danders Date & Time Notified 7.26.24

Witness Statements: No X If yes, list:

[REDACTED]

Inmate's Signature

EX. 1

ISSR100

Arkansas Department of Corrections
[Redacted]
MAJOR DISCIPLINARY

If the C.S.O. determines that the violation(s) described on this document are felonious; he/she must hand carry this document to the Unit Warden who must immediately notify the Director.

Inmate: Waller, Romario

ADC#: [Redacted]

Assignment: AM:Ext Restrictive Housing
PM:Direct Threat (Others/Safe/Secure Operations)

C.S.O. Review:		Outcome:	Refer to Hearing Officer/Comm.	
		By:	Allison, Tyrone D	Date 07/25/2024
Extension:	No ☒	Yes ☐	Has extension form been completed? ☐	
Presentation by Counsel - Substitute is required when it is determined that the inmate is illiterate or incompetent or that the issues are extraordinarily complex.				
Counsel-Substitute:		Assigned (Name) _____		Not Assigned _____

ISSR101

Arkansas Department of Correction

DISCIPLINARY HEARING ACTION

Inmate: Waller, Romario

ADC#: [redacted] Unit: [redacted]

Code Violation(s):
12-3 Failure or refusing to obey verbal and/or written order(s) of staff
10-3 Indecent exposure and/or masturbation; may result in a referral for criminal prosecution (examples include, but are not limited to, verbal and/or non-verbal gestures).
10-7 Demanding Sexual Contact in Trade OR Protection from Physical Harm OR Mental Anquish, OR other victimization

Date/Time of Alleged Offense(s): 07/20/2024 2:30 PM
Hearing Date: 08/01/2024 Time: Start 7:47 AM End 7:56 AM
Recorder: Scruggs, Rolonda R Tape#: Side: Meter: From To
Plea: Not Guilty, Not Guilty, Not Guilty Attendance Waived: No
Has waiver form been completed? _____

Inmate's Statement:

when I was giving this disciplinary, I asked her to write down my witnessed, Robinson gave me my meal not Holcomb,

Signature of Inmate

Court Questions:

Do you have a statement?

Sentencing Conditions:
Verdict: Not Guilty, Guilty, Not Guilty

Restriction Days to Serve			
Commissary:	60	Days Suspended:	0
Phone:	60	Days Suspended:	0
Visitation:	60	Days Suspended:	0
Punitive Isolation Days to Serve:	30	Days Suspended:	0
GT Class Reduced to:	IV	Class Suspended:	

RECEIVED
F-831-4
Major Disciplinary Appeal Form

14127
AUG 19 2024 Inmate Name MR. ROMARIO V. MILLER ADC# [REDACTED]

ADMINISTRATOR
Unit/Center
DISCIPLINARY HEARINGS

Punitive Isolation ☒ Yes ☐ No

Disciplinary (date) 7-20-2024 by (charging officer) MATARA HOLCOMB

8-2-2024 Appealed to Warden/Center Supervisor: Note, if you do not agree with the decision of the Disciplinary Hearing Officer, you have 15 business days from receipt of disciplinary action to appeal to the Warden/Center Supervisor.
Warden's Decision: Affirm ☒ Reverse ☐ Modify ☐ (See attached if modified)
Signature: [Signature] Date 8-8-24

8-15-2024 Appealed to Disciplinary Hearing Administrator: Note, if you do not agree with the response of the Warden/Center Supervisor, you may appeal within 15 business days from receipt of the Warden/Center Supervisor's response to the Disciplinary Hearing Administrator.
DHA's Decision: Affirm ☒ Reverse ☐ Modify ☐ (See attached if modified)
Signature: [Signature] Date AUG 19 2024

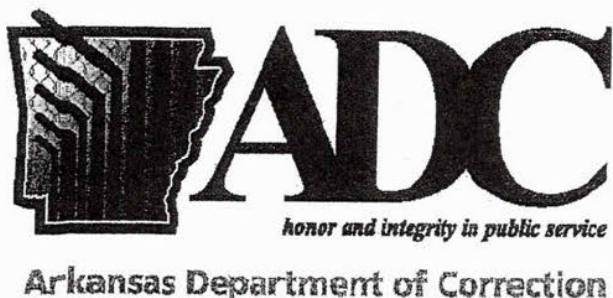
9-27-2024 Appealed to Director: Note if you do not agree with the Disciplinary Hearing Administrator's response, you may appeal within 15 business days from receipt of the Disciplinary Hearing Administrator's decision to the Director.
Director's Decision: Affirm ☒ Reverse ☐ Modify ☐ (See attached if modified)
Signature: [Signature] Date 9-27-24

Notice to Inmate: This form is to be used for all appeal levels and responses. Briefly state reasons why conviction or punishment should be reversed or modified. This information will be considered at all three levels of appeal. Only information that is contained within this space on this form will be considered: (1) DHO ROLODA SCRUGGS FALSIFIED THE ISSR-101

- BY NOT LISTING MY ACTUAL VERBAL STATEMENT AND OMITTING THAT I ARGUED S. BARBERS DID NOT LIST MY EVIDENCE REQUEST FOR THE SECURITY VIDEO INTO MY COPY OF THE ISSR-100.
(2) DHO SCRUGGS ADMITTED THAT SHE SPECIFICALLY HAD THE SECURITY VIDEO (EVIDENCE) & CPI. ROBINSON WITNESS STATEMENT THAT HE DID NOT ALLOW HOLCOMB TO OPEN CELL 3-85 DOOR NOR DELIVER MY MEAL AND DIRECTED HER NOT TO GO TO CELL 3-85 AND THAT HE SERVED MY MEAL. THE SECURITY VIDEO DEPICTS CPI. ROBINSON STOOD AT CELL 3-85 WITH THE DOOR CLOSED UNTIL HOLCOMB PASSED BY, WENT TO 386 CELL THEN ROBINSON HIMSELF OPENED 3-85 DOOR DELIVERED MY MEAL AND CLOSED/LOCKED THE DOOR. THEREFORE EVIDENCE (SECURITY VIDEO) & WITNESS EXIST THAT HOLCOMB FALSIFIED THE ISSR-100 IN VIOLATION OF A.R. 225 / A.R. 831 (IX).
(3) THE 10-3 / 10-7 WERE DISMISSED BASED UPON THE EVIDENCE (VIDEO) & WITNESS STATEMENT BY CPI. ROBINSON PROVING HOLCOMB WAS NOT AT CELL 3-85. SINCE IT'S IMPOSSIBLE FOR FOR ME TO BE INNOCENT OF 10-3 (DISOBEYING ORDERS TO PUT CLOTHES ON) AND YET BE GUILTY OF 10-3 THE 10-3 SHOULD BE REVERSED.
(4) THE ISSR-101 STATES "STAFF REPORT IS ACCEPTED". HOWEVER A.R. 831 PROHIBITS THE USE OF A FALSE REPORT. THE VIDEO / CPI. ROBINSON WITNESS STATEMENT PROVES THE ALLEGED 10-3 / 10-7 / 12-3 NEVER OCCURRED THEREFORE THE FALSE ISSR-100 SHOULD HAVE BEEN TOTALLY DISMISSED AND USED FOR A.R. 225 SANCTIONS-TERMINATION OF HOLCOMB.
(5) I AM INNOCENT OF 10-3. SINCE THE SECURITY VIDEO / WITNESS CLEARLY PROVE HOLCOMB FALSIFIED A SEARCHARGE I ALSO REQUEST AN INTERNAL AFFAIRS INVESTIGATION ALONG WITH CUSA ON MYSELF / CPI. HOLCOMB / CPI. ROBINSON AND INVESTIGATOR TO PERSONALLY INTERVIEW ME BECAUSE THE FALSE 10-3 IS A P.R.E IN VIOLATION OF SECRETARIAL DIRECTIVE 2015-05.

Inmate's Signature: [Signature] Date: 8-1-2024

Original to be submitted for appeal; copies for inmate's use to proceed to next level if timely response not recieved.



MAJOR DISCIPLINARY APPEAL RESPONSE

[Redacted]

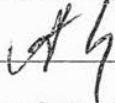
Inmate Name: Romario Waller ADC: [Redacted] Bks: Iso/63

Disciplinary Date: 7/20/24 By: Charging Officer: Cpl. Holcomb

WARDEN/CENTER SUPERVISOR'S DECISION

You were written a Major Disciplinary on 7/20/2024 by Cpl. Holcomb and it's been reviewed. On 7/20/24 at approx.: 2:30pm Cpl. Holcomb written (you) Inmate R. Waller ADC# [Redacted] for indecent exposure. I find you have not presented any new evidence that would merit a reversal or modification of this disciplinary. This type of behavior will not be tolerated here at the [Redacted]; therefore, I am affirming your appeal that the Disciplinary Hearing Officer's decision will be upheld. End of statement.

If you disagree with my decision you may appeal to the Hearing Administrator, at Central Office, within 15 days.

		
Signature of Warden/Designee	Title	Date



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE
6814 Princeton Pike
Pine Bluff, AR 71602



MEMORANDUM

TO: Inmate Romario Waller, ADC [REDACTED]
FROM: Dexter Payne, Director *Dexter Payne*
RE: Major Disciplinary Appeal
DATE: September 13, 2024

Please be advised that I am in receipt of your disciplinary appeal regarding the major disciplinary you received 07/20/2024 at 02:30 pm from Cpl. Holcomb.

You stated in your disciplinary appeal that it is a false report.

Your disciplinary states, "On 7-20-24 at approx. 2:30 pm I, Cpl. Holcomb was serving chow in iso 3 when I approached cell 85 which housed inmate Waller R. [REDACTED] after opening inmate Wallers outer cell door, I observed him standing naked with an erection at the bar door. I gave inmate Waller several direct orders to put clothes on and cover up but to no avail. Inmate Waller then asked could i make a round and bring the key in which I replied no and asked inmate Waller why. Inmate Waller then proceeded to state " so you can come back and perform a favor and suck my dick". I then left inmate Wallers cell. Inmate Waller [REDACTED] knows his actions are against ADC and unit policy therefore I Cpl. Holcomb am charging inmate Waller with the following rule violations 12-3, 10-3 and 10-7."

You stated during your disciplinary hearing "When I was giving this disciplinary, I asked her to write down my witnessed, Robinson gave me my meal not Holcomb."

After a thorough review of all the documents pertaining to this matter, I am upholding the guilty verdicts of rule violation 10-3/Indecent Exposure and/or Masturbation; may result in a referral for a criminal prosecution; therefore, your disciplinary is upheld.

DP:ls

cc: Warden / Inmate File / File

BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS

MR. ROMARIO V. WALLER, Claimant
US: STATE OF ARKANSAS, Respondent

MAR 07 2025

RECEIVED

Do Not Write in this Space		
CLAIM NO.		
DATE FILED	(month)	(day) (Year)
AMOUNT OF CLAIM \$		
Filed:		

COMPLAINT

ROMARIO V. WALLER, (AOC# [REDACTED]) the above named claimant of: Post Office Box [REDACTED] Represented by: Pro. Se.,
Says State Agency involved: ARKANSAS Division of Correction. Amount sought \$75,000.00
(\$2,500.00 per day X 30 days).

Month, day, Year and Place of Incident or service: July 20, 2024 thru Sept. 20, 2024 at A.D.C.E.A.R.U (Ark. Div. of Corr.) - [REDACTED] Punitive Isolation 385 cell which is monitored by still framed security video on July 20, 2024
In Her Official Capacity as Corporal at approximately 2:30 P.m. Mafara Holcomb falsified the 712012024 ISSR-100 Report and Incident Report (005) Number 2024-07-123 falsely alleging at/while serving Chow after opening cell 385 outer door she allegedly (Quote): "observed him standing at daked with an erection at the bar door. I gave inmate Waller several direct orders to put clothes on and to cover-up butto no avail. Waller then asked could I make a round and bring the key in which I perha no and asked inmate Waller why. Inmate Waller proceeded to state "so you can come back and perform a favor and suck my dick". I then left inmate Wallers cell." (End Quote)

Corporal Holcomb charged me, the claimant ROMARIO V. Waller with Rules 12-3 110-3 110-7 for the alleged incident.

That is malicious arrest / malicious prosecution since it is totally FALSE.

The isolation-3 security video at that date/time 7-20-2024 - 1:30 P.M. - 3:30 P.M will reveal that: Instead of Corporal Holcomb (female) it was actually Corporal Robinson (male) who opened cell 385 outer door and delivered my (MR. Waller claimant) meal/drink and closed the door.

on 7-20-2024 when Corporal Sanders delivered me the ISSR-100 (disciplinary) it had already had an "X" typed for "No witness" although upon service I did request the security video as evidence and Corporal Robinson as witness.

According to Corporal Robinson He wrote a witness statement admitting it was He not Holcomb who delivered my meals and that He'd kept (directed) Holcomb away from cell 3-85 all day to keep down a problem.

At the 5-1-2024 Hearing, DHO (disciplinary Hearing Officer) Relanda Scruggs admitted she had the 7-20-2024 Security Video /Cpl. Robinsons statement (see Teleconference video)

Although DHO scruggs did possess evidence/statement providing my innocence and that cpl. Holcomb falsified the Reports DHO scruggs disregarded the video evidence and ~~seem~~ witness statement and omitted it from the written Record. (see ISSR ~~101~~ 101 Pg.2),

After withholding the evidence from the written Record DHO scruggs made a False guilty verdict against me for rule 10-3 (Indecent Exposure) but made Not Guilty verdicts for 12-3 (Failure or Refusal to obey orders) and 10-7 (Demanding sexual contact) though the same evidence warranted dismissal of Rules 12-3/10-7 also warranted dismissal of rule 10-3. I appealed the verdict/punishment to the warden (DHA) Disciplinary Hearing Administrator and Director, none of whom reviewed or referred to the security video evidence and they upheld DHO scruggs decision. The actions of ADE staff as committed in their official capacities to falsify a charge that could result in criminal prosecution and the said punishments to deny, deprive me evidence/witness /to disregard the evidence/witness/ to omit the evidence (security video) from written Record in order to maliciously prosecute, arrest and punish me are not ~~normal~~ normal conditions of confinement since A.D.C Policy prohibits falsification of documents, and sanctions falsification by staff with disciplinary termination as punishment. Since the said malicious acts were committed by and upheld by officers and employees of Arkansas Division of Correction in their official capacities those actions are under ARKANSAS STATE CLAIMS COMMISSION Jurisdiction.

As part of this complaint, the claimant makes the statements and answers the following questions as indicated: Has the complaint been presented to any state department or officer thereof? YES when? 8-2-2024 - 9-13-2024 - Appeals and the following action was taken thereon? Affirmed and that \$0 was paid thereon.

(a) Has any third person or corporation any interest in this claim? No

The undersigned states on OATH that HE (I) am familiar with the matters and things set forth in the above complaint and that (I) HE verily believes they are true Pursuant 42 USC 1746.

ROMARIO V. WALLER

[Signature]

CERTIFICATE OF SERVICE

The foregoing mailed to ARKANSAS State Claims Commission 101 East Capitol Avenue, Suite 410 Little Rock, ARKANSAS through First Class U.S. Postal service mail March 5, 2025.

I.85

ISSR100

Arkansas Department of Corrections
[REDACTED]
MAJOR DISCIPLINARY

If the C.S.O. determines that the violation(s) described on this document are felonious; he/she must hand carry this document to the Unit Warden who must immediately notify the Director.

Inmate: Waller, Romario

ADC#: [REDACTED]

Assignment: AM:Ext Restrictive Housing
PM:Direct Threat (Others/Safe/Secure Operations)

Title: Corporal

Class: IV is being charged by Holcomb, Matara L
with code violation(s):

- 12-3 Failure or refusing to obey verbal and/or written order(s) of staff
- 10-3 Indecent exposure and/or masturbation; may result in a referral for criminal prosecution (examples include, but are not limited to, verbal and/or non-verbal gestures).
- 10-7 Demanding Sexual Contact in Trade OR Protection from Physical Harm OR Mental Anquish, OR other victimization

Date & Time: 07/20/2024 2:30 PM

Notice of Charges:

Incident Report Unit: [REDACTED]

Incident Report Date/Time: 07/20/2024/02:30:07 PM

Incident Report Number: 2024-07-123

Incident Report Comments By: Matara L Holcomb

On 7-20-24 at approx. 2:30 pm I, Cpl. Holcomb was serving chow in iso 3 when I approached cell 85 which housed inmate Waller R. [REDACTED] After opening inmate Wallers outer cell door, I observed him standing naked with an erection at the bar door. I gave inmate Waller several direct orders to put clothes on and cover up but to no avail. Inmate Waller then asked could i make a round and bring the key in which I replied no and asked inmate Waller why. Inmate Waller then proceeded to state " so you can come back and perform a favor and suck my dick". I then left inmate Wallers cell. Inmate Waller # [REDACTED] knows his actions are against ADC and unit policy therefore I Cpl. Holcomb am charging inmate Waller with the following rule violations 12-3, 10-3 and 10-7

(I affirm that the information in this report is true to the best of my knowledge)

Signature of Charging Officer

NOTIFICATION: Officer Cpl Danders Date & Time Notified 7.26.24

Witness Statements: No X If yes, list:

Inmate's Signature

ISSR100

Arkansas Department of Corrections

MAJOR DISCIPLINARY

If the C.S.O. determines that the violation(s) described on this document are felonious; he/she must hand carry this document to the Unit Warden who must immediately notify the Director.

Inmate: Waller, Romario

ADC#: [redacted]

Assignment: AM:Ext Restrictive Housing
PM:Direct Threat (Others/Safe/Secure Operations)

C.S.O. Review:		Outcome:	Refer to Hearing Officer/Comm.	
		By:	Allison, Tyrone D	
			Date 07/25/2024	
Extension:	No	X	Yes	Has extension form been completed?
Presentation by Counsel - Substitute is required when it is determined that the inmate is illiterate or incompetent or that the issues are extraordinarily complex.				
Counsel-Substitute:		Assigned (Name)		Not Assigned



ISSR101

Arkansas Department of Correction

DISCIPLINARY HEARING ACTION

Inmate: Waller, Romario ADC#: Unit:

Code Violation(s):
12-3 Failure or refusing to obey verbal and/or written order(s) of staff
10-3 Indecent exposure and/or masturbation; may result in a referral for criminal prosecution (examples include, but are not limited to, verbal and/or non-verbal gestures).
10-7 Demanding Sexual Contact in Trade OR Protection from Physical Harm OR Mental Anquish, OR other victimization

Date/Time of Alleged Offense(s): 07/20/2024 2:30 PM
Hearing Date: 08/01/2024 Time: Start 7:47 AM End 7:56 AM
Recorder: Scruggs, Rolonda R Tape#: Side: Meter: From To
Plea: Not Guilty, Not Guilty, Not Guilty Attendance Waived: No
Has waiver form been completed? _____

Inmate's Statement:

when I was giving this disciplinary, I asked her to write down my witnessed, Robinson gave me my meal not Holcomb,

Signature of Inmate

Court Questions:

Do you have a statement?

Sentencing Conditions:

Verdict: Not Guilty, Guilty, Not Guilty

Restriction Days to Serve			
Commissary:	60	Days Suspended:	0
Phone:	60	Days Suspended:	0
Visitation:	60	Days Suspended:	0
Punitive Isolation Days to Serve:	30	Days Suspended:	0
GT Class Reduced to:	IV	Class Suspended:	

RECEIVED
F-831-4
Major Disciplinary Appeal Form

AUG 19 2024

ADMINISTRATIVE
DISCIPLINARY HEARINGSInmate Name MAR. DOMINIC V. MILLER ADC [REDACTED]Unit/Center [REDACTED] Punitive Isolation ☒ Yes ☐ NoDisciplinary (date) 7-20-2024 by (charging officer) MATARA HOLCOMB

8-2-2024 Appealed to Warden/Center Supervisor: Note, if you do not agree with the decision of the Disciplinary Hearing Officer, you have 15 business days from receipt of disciplinary action to appeal to the Warden/Center Supervisor.

Warden's Decision: Affirm ☒ Reverse ☐ Modify ☐ (See attached if modified)Signature: [Signature] Date 8-8-24

8-13-2024 Appealed to Disciplinary Hearing Administrator: Note, if you do not agree with the response of the Warden/Center Supervisor, you may appeal within 15-business days from receipt of the Warden/Center Supervisor's response to the Disciplinary Hearing Administrator.

DHA's Decision: Affirm ☒ Reverse ☐ Modify AUG 19 2024 (See attached if modified)Signature: [Signature] Date AUG 19 2024

8-27-2024 Appealed to Director: Note if you do not agree with the Disciplinary Hearing Administrator's response, you may appeal within 15 business days from receipt of the Disciplinary Hearing Administrator's decision to the Director.

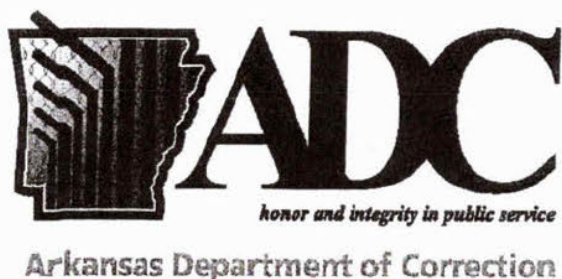
Director's Decision: Affirm ☒ Reverse ☐ Modify ☐ (See attached if modified)Signature: [Signature] Date 8-27-24

Notice to Inmate: This form is to be used for all appeal levels and responses. Briefly state reasons why conviction or punishment should be reversed or modified. This information will be considered at all three levels of appeal. Only information that is contained within this space on this form will be considered.

- BY NOT LISTING MY ACTUAL VERBAL STATEMENT AND OMITTING THAT I ARGUED S. SANDERS DID NOT LIST MY EVIDENCE REQUEST FOR THE SECURITY VIDEO INTO MY COPY OF THE ISSR-100.
- (2) DHO SCRUGGS ADMITTED THAT SHE SPECIFICALLY HAD THE SECURITY VIDEO (EVIDENCE) & CPI. ROBINSON WITNESS STATEMENT THAT HE DID NOT ALLOW HOLCOMB TO OPEN CELL 3-85 DOOR NOR DELIVER MY MEAL AND DIRECTED HER NOT TO GO TO CELL 3-85 AND THAT HE SERVED MY MEAL THE SECURITY VIDEO DEPICTS CPI. ROBINSON STOOD AT CELL 3-85 WITH THE DOOR CLOSED UNTIL HOLCOMB PASSED BY I WENT TO 386 CELL THEN ROBINSON HIMSELF OPENED 3-85 DOOR DELIVERED MY MEAL AND CLOSED/LOCKED THE DOOR. THEREFORE EVIDENCE (SECURITY VIDEO) & WITNESS EXIST THAT HOLCOMB FALSIFIED THE ISSR-100 IN VIOLATION OF A.R. 225 / A.R. 831 (IX).
- (3) THE 10-3 / 10-7 WERE DISMISSED BASED UPON THE EVIDENCE (VIDEO) & WITNESS STATEMENT BY CPI. ROBINSON PROVING HOLCOMB WAS NOT AT CELL 3-85. SINCE IT'S IMPOSSIBLE FOR FOR ME TO BE INNOCENT OF 10-3 (DISOBEYING ORDERS TO PUT CLOTHES ON) AND YET BE GUILTY OF 10-3 THE 10-3 SHOULD BE REVERSED.
- (4) THE ISSR-101 STATES: "STAFF REPORT IS ACCEPTED". HOWEVER A.R. 831 PROHIBITS THE USE OF A FALSE REPORT. THE VIDEO / CPI. ROBINSON WITNESS STATEMENT PROVES THE ALLEGED 10-3 / 10-7 / 10-3 NEVER OCCURRED THEREFORE THE FALSE ISSR-100 SHOULD HAVE BEEN TOTALLY DISMISSED AND USED FOR A.R. 225 SANCTIONS-TERMINATION OF HOLCOMB.
- (5) I AM INNOCENT OF 10-3. SINCE THE SECURITY VIDEO / WITNESS CLEARLY PROVE HOLCOMB FALSIFIED A SEX CHARGE I ALSO REQUEST AN INTERNAL AFFAIRS INVESTIGATION ALONG WITH CUSA ON MYSELF / CPI. HOLCOMB / CPI. ROBINSON AND INVESTIGATOR TO PERSONALLY INTERVIEW ME BECAUSE THE FALSE 10-3 IS A P.R.E IN VIOLATION OF SECRETARIAL DIRECTIVE 2015-05.

Inmate's Signature: [Signature] Date: 8-1-2024

Original to be submitted for appeal; copies for inmate's use to proceed to next level if timely response not recieved.



MAJOR DISCIPLINARY APPEAL RESPONSE

[Redacted]

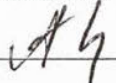
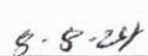
Inmate Name: Romario Waller ADC: 1 [Redacted] Bks: Iso/63

Disciplinary Date: 7/20/24 By: Charging Officer: Cpl. Holcomb

WARDEN/CENTER SUPERVISOR'S DECISION

You were written a Major Disciplinary on 7/20/2024 by Cpl. Holcomb and it's been reviewed. On 7/20/24 at approx.: 2:30pm Cpl. Holcomb written (you) Inmate R. Waller ADC: [Redacted] for indecent exposure. I find you have not presented any new evidence that would merit a reversal or modification of this disciplinary. This type of behavior will not be tolerated here at th [Redacted]; therefore, I am affirming your appeal that the Disciplinary Hearing Officer's decision will be upheld. End of statement.

If you disagree with my decision you may appeal to the Hearing Administrator, at Central Office, within 15 days.

		
Signature of Warden/Designee	Title	Date

[Redacted]



ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION
OFFICE OF THE DIRECTOR
DEXTER PAYNE
6814 Princeton Pike
Pine Bluff, AR 71602



MEMORANDUM

TO: Inmate Romario Waller, ADC [REDACTED]
FROM: Dexter Payne, Director *Dexter Payne*
RE: Major Disciplinary Appeal
DATE: September 13, 2024

Please be advised that I am in receipt of your disciplinary appeal regarding the major disciplinary you received 07/20/2024 at 02:30 pm from Cpl. Holcomb.

You stated in your disciplinary appeal that it is a false report.

Your disciplinary states, "On 7-20-24 at approx. 2:30 pm I, Cpl. Holcomb was serving chow in iso 3 when I approached cell 85 which housed inmate Waller R [REDACTED]. After opening inmate Wallers outer cell door, I observed him standing naked with an erection at the bar door. I gave inmate Waller several direct orders to put clothes on and cover up but to no avail. Inmate Waller then asked could i make a round and bring the key in which I replied no and asked inmate Waller why. Inmate Waller then proceeded to state " so you can come back and perform a favor and suck my dick". I then left inmate Wallers cell. Inmate Waller [REDACTED] knows his actions are against ADC and unit policy therefore I Cpl. Holcomb am charging inmate Waller with the following rule violations 12-3, 10-3 and 10-7."

You stated during your disciplinary hearing "When I was giving this disciplinary, I asked her to write down my witnessed, Robinson gave me my meal not Holcomb."

After a thorough review of all the documents pertaining to this matter, I am upholding the guilty verdicts of rule violation 10-3/Indecent Exposure and/or Masturbation; may result in a referral for a criminal prosecution; therefore, your disciplinary is upheld.

DP:ls

cc: Warden / Inmate File / File

From: [ASCC New Claims](#)
To: [Tawnie Hughes \(DOC\)](#); [Trent Rigdon \(DOC\)](#); [Miles Morgan \(DOC\)](#); [Yolanda Charles \(DOC\)](#); [Taylor Reavis \(DOC\)](#)
Cc: [Mika Tucker](#); [Kathryn Irby](#)
Subject: CLAIM: Romario V. Waller v. ADC, Claim No. 251322
Date: Thursday, November 6, 2025 12:41:00 PM
Attachments: [Romario V. Waller v. ADC agency ltr 251322.pdf](#)
[Romario V. Waller Claim - 251322.pdf](#)

Dear Ms. Hughes,

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

Please contact 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

ARKANSAS STATE CLAIMS COMMISSION

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



KATHRYN IRBY
DIRECTOR

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

November 6, 2025

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: ***Romario V. Waller v. Arkansas Division of Correction***
Claim No. 251322

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

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

Sincerely,

Mika Tucker

ES: cmcdaniel

cc: Romario V. Waller (ADC [REDACTED] Claimant (w/ encl.)

Note to Claimant or Claimant's counsel: The Claims Commission copied you on this correspondence to provide you with confirmation that your claim has been processed and served upon the respondent agency.

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

March 26, 2025

Romario V. Waller (ADC) [REDACTED]
[REDACTED]

RE: **Claim No. 251322 – deficient filing**

Dear Mr. Waller,

This office received the enclosed claim documents relating to an incident. Your claim cannot be filed, however, because you did not complete a complaint form. This form is required for all claims. For your convenience, a complaint form is enclosed.

Please complete the enclosed form, sign it in the presence of a Notary Public, and return it to this office. Your other claim documents will be retained here to be filed upon receipt of your completed forms.

Contact my office with any questions.

Sincerely,

Mika Tucker

ES: cmcdaniel

Enclosures (supporting documents file-marked 3/7/2025, new complaint form)

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

September 15, 2025

Romario V. Waller (ADC [REDACTED])
[REDACTED]

RE: **Claim No. 251322 – deficient filing**

Dear Mr. Waller,

Your claim has been filed but has not been transmitted to the Arkansas Department of Correction because the claim documents you filed on March 7, 2025, and July 8, 2025, cumulatively exceed the page limitations set out in Ark. Code Ann. § 25-44-208(f). The text of this subsection is set out on the following page for your review. I am enclosing your filings for your convenience.

Pursuant to Ark. Code Ann. § 25-44-208(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. § 25-44-208(f)(3)(C).

If you intended that only your July 8, 2025, filing constitutes your complaint, you may simply notify the Commission accordingly without resubmitting these documents.

Sincerely,

Mika Tucker

ES: cmcdaniel

Enclosures (supporting documents file-marked 3/7/2025, claim form and supporting documents file-marked 7/8/2025)

Ark. Code Ann. § 25-44-208(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.

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

Romario V. Waller, ... (add [REDACTED])

Arkansas
State Claims Commission

OCT 02 2025

[9/28/2025]

RECEIVED

TO: ARKANSAS STATE CLAIMS COMMISSION
101 EAST CAPITOL AVENUE
LITTLE ROCK, ARKANSAS. 72360

(LETTER TO COMMISSION)

[RE]

DEAR MS. TUCKER / THE COMMISSION:

In regard to your September 15, 2023 letters related to my
claims no's: 251322 / 251323 / 251324 I am returning to
you the complaints as requested to verify I'd like to proceed
with them as presently submitted herein.

THANK YOU,

Romario.

Arkansas
State Claims Commission

ARKANSAS CLAIMS COMMISSION

OCT 02 2025

(501)682-1619
(501)682-2823 FAXRECEIVED
Questions? Send an email to
ascc.new.claims@arkansas.govArkansas
State Claims Commission101 EAST CAPITOL AVENUE, SUITE 410
LITTLE ROCK, ARKANSAS 72201-3823

JUL 11 8 2025

RECEIVED

CLAIM FORM

1. Claimant Information.

Mr. Waller Romario V. [REDACTED]
 (title) (last name) (first name) (ADC Number)
 [REDACTED]
 (a) [REDACTED]
 (city) (state) (zip)

2. Claimant's Legal Counsel. An individual claimant may act as his or her own attorney (which is known as proceeding *pro se*). If a claimant is proceeding *pro se*, this section may be left blank.

(title) (last name) (first name) (email)
 (address) (AR bar number)
 (city) (state) (zip) (primary phone)

3. State Agency Involved. The Commission can only receive claims against agencies of the State of Arkansas. Please review the Commission's jurisdictional statutes, including Ark. Code Ann. § 19-10-204 and Ark. Code Ann. § 21-5-701, for more information. This information is required to be filed at the Commission. ARKANSAS DIVISION OF CORRECTIONS (A.D.C.) [REDACTED]4. Date of Incident JANUARY 29, 2025 - thru - FEBRUARY 12, 2025.

5. Location of Incident [REDACTED]

6. **Explanation of Incident.** Please provide an explanation of your claim, including why you believe the above-listed state agency is liable for your damages under Arkansas law. You may attach additional pages to this form. Please note that a claimant who is an inmate of the Division of Correction or the Division of Community Correction at the time the claim is filed is subject to the page limitations set forth on page 4 of this form (see Ark. Code Ann. § 19-10-208(f)).

- (a) on Jan. 29, 2025 at regular mail issuance, Corporal White awake me out my sleep though I had no mail by banging loudly on the cell door and walking away unresponsive when I awake and questioned his actions.
- (b) Prior to this day, White's similar action at various times of the night had become a conflict trigger between us.
- (c) on 1-29-2025 around 8:04 P.M I verbally notified Corporal Banks I was suicidal due to the stress from Officer Whites actions this day & leading to this day and White told/directed Banks not to report it, and He refused to help Banks secure me with restraints to remove me from that cell to obtain suicide prevention.
- (d) Asking/telling/directing A.D.C staff to not report inmate suicidal statements or actions is maliciousness and violates Arkansas Administrative codes and related policy.
- (e) According to Banks He notified Leslie K. Archie of my suicidal situation and ~~she~~ that White told him not to report it yet Leslie Archie in her official capacity as Sergeant disregarded Banks and refused to take action or report it to her supervisor and refused to obtain me mental health counseling/suicide prevention. (see E.M.R.U Isolation 1010 cell Audio Visual Recording 1-31-2025 [Dinner Time]).
- (f) on 1-29-2025 around 10:40 P.M [Legal mail pick-up] Sgt. Archie and Cpl. White in their official capacities came to cell 851; ~~for~~ as I submitted my legal mail pkg and Personal withdrawal Request for Postage Sergeant Archie became belligerent/verbally hostile and utilized profanity at me because I reported Officer Whites harassment and his directing Banks not to report it.

[see attached Pages 2-2C]

7. **Amount of Damages, if known:** \$139,500.00.

IMPORTANT!

A claim filed at the Commission is a lawsuit against a state agency. The Commission is the courthouse for these lawsuits. Please note that Commission staff can answer general questions about the claim process but cannot give legal advice. The Commission follows the Arkansas Rules of Civil Procedure and has its own rules of practice and procedure. Both sets of rules may be found in your law library.

(9)

At the said time of legal mail pick-up I gave Leslie Archie 2 packets of legal mail related to claims Nos 241591/241592.

I reported to her Brian Whites said harassment and his directing Banks not to report I'd asked for suicide counseling. At that time Leslie Archie told me, MR. Waller to "shut the fuck up. Technically we're supposed to wake y'all up every time we do n sound. shut the fuck up. IF you want your legal mail signed you better shut the fuck up."

Archie then aggressively slammed my legal mail onto the cell food trap door and then aggressively slammed/tossed my (Postage) Withdrawal Request Forms into the food-trap door partly hitting my face thereby initiating a physical confrontation including my anger. She then falsified Incident Report #2025-01-215 by omitting all those facts, misleading lower ranking staff to harass inmate prisoners through sleep deprivation & using profanity-verbal abuse at prisoners; depriving access to the courts; falsifying documents are malicious acts.

(10) In response to the ensuing conflict Lt. Mr. Litsey initiated an investigation by having me to write a witness statement which ultimately amounted to 3 pages. According to Arkansas Division of Correction Policy my witness statement was also required to be made an attachment to any ISSR-100 [Major Disciplinary Report] related to the incident.

(11) On Feb. 3, 2025 Sgt. Brianna King delivered me a falsified ISSR-100 which omitted the above said facts by Leslie Archie. It was also falsified in the following manner: The Notification Officer Brianna King falsely listed "no" for witness statements though Lt. Litsey obtained my witness statement and entered it into the record.

Brianna King falsified her rank title/job description as C.S.O - Chief Security Officer although she is neither C.S.O nor a substitute or acting Chief Security Officer.

The C.S.O title section also further reveals Brianna King referred Leslie Archie's false disciplinary to the Arkansas Division of Correction Disciplinary Court thereby usurping the Chief Security Officer powers, duty, responsibility in violation of the Employee Conduct standards / Disciplinary Policy, indicating she participated in withholding the false report from the true C.S.O Mr. Hayes and Mr. Brown (the two 'majors').

This was malicious prosecution, and malicious detainment in punitive isolation for a false C.S.O Referral.

(Continued)
(see BACK)
Next page.

2A-OF-4

- (U) On Feb 14, 2025 (Friday) 3 individuals were released from Punitive Isolation 1, (a treatment precaution; 1-punitive status); On Feb. 17, 2025 (Monday 4 - status unknown); Feb. 18, 2025 Tuesday (2), each of whom were assigned after the false disciplinary was found falsified and dismissed by the ADC. Yet I was still detained serving Punitive conditions even after speaking to Supervisors: Lt. Watson, Sgt. Graham, Sgt. Johnson, Lt. Litzey, Sgt. James, Sgt. B. King, C.S.O. Rodney (Brown). Lt. Watson stated I'd have to give snitch information like the other inmates to be released and C.S.O. Brown stated I was only detained in Punitive Isolation due to C.S.O. Haydes writing the false ISSR-100. By Feb. 20, 2025 34 inmates had been placed in the 30 mat Isolation; released while I was still maliciously detained for the Airt Punitive ISSR-100.
- (V) On Feb. 18, 2025 maintenance activated the Heat/Air system however since the Heater is burned out it only resulted in the blowing of full blast of cold air while now it has been a serious snow storm and outside temperatures plummeting to a high of 10° (10° according to guards). Up until Feb. 21, 2025 the Hallway (Isolation) wall panels were reattached to the walls and up to 4 of them fell due to the strong outside winter wind thereby basically freezing (allowing freezing air) the Isolation cells.
- (W) Since being detained in Punitive Isolation for a falsified report suffering Punitive punishment/conditions being thereby directly exposed to winter cold air with no bedding: sheets/blanket/quilt/thermal clothing/sumpsuit/pants/long sleeve shirt, mattress/heat is not atypical this punishment and prosecution are malicious.

AS PARTS OF THIS COMPLAINT, THE CLAIMANT MAKES THE STATEMENTS, AND ANSWERS THE FOLLOWING QUESTIONS AS INDICATED: (1) Has the complaint been presented to any State department or officer thereof? YES; when? 2/7/2025; ~~and the following~~ to whom? Rolanda scruggs Major DISCIPLINARY HEARING OFFICER; And the following action was taken there on? The False Report (ISSR-100) was dismissed/not guilty verdict due to Sgt. Brianna King falsifying the document (CSO Review); and that ~~the~~ no was paid thereon? (2) Has any third person or corporation or interest in this claim? no;

THE UNDERSIGNED states on oath that He (I) am familiar with the matters and things set forth in the above and that (I) HE believes/verily believes that they are true Pursuant 4a USCA 174b.

Romario V. WALLER.
(108263)
P.O. Box 970
Marianna, ARKANSAS. 72360

CERTIFICATE OF SERVICE

The foregoing mailed to ARKANSAS STATE CLAIMS COMMISSION 101 EAST CAPITOL AVENUE, Suite 410 Little Rock, ARKANSAS. 72201-3325 through U.S. Postal Service First class mail March 5, 2025, and July 3, 2025.

2d - of - 4

STOP HERE!

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

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

Signature Page for Claim Filed by an Individual Claimant

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

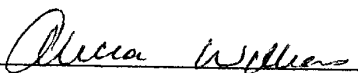

 Claimant Signature

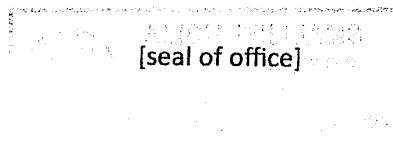
ACKNOWLEDGEMENT

State of Arkansas
 County of Lee

On this the 17th day of June, 2025 before me, the undersigned notary, personally appeared _____ known to me (or satisfactorily proven) to be the person whose name is subscribed to this instrument and acknowledged that he/she executed the same for the purposes therein contained.

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


 Signature of Notary Public



My Commission Expires: 3-06-2028

Ark. Code Ann. § 19-10-208(f)

- (1) A claimant who is an inmate in the Division of Correction or the Division 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.

From: [Yolanda Charles \(DOC\)](#)
To: [ASCC New Claims](#); [Tawnie Hughes \(DOC\)](#); [Trent Rigdon \(DOC\)](#); [Miles Morgan \(DOC\)](#); [Taylor Reavis \(DOC\)](#)
Cc: [Mika Tucker](#); [Kathryn Irby](#)
Subject: RE: CLAIM: Romario V. Waller v. ADC, Claim No. 251322
Date: Thursday, November 6, 2025 12:44:52 PM
Attachments: [image001.png](#)

Received. Thank you



Yolanda Charles
 Administrative Coordinator
 Department of Corrections
 e: Yolanda.Charles@doc.arkansas.gov
 t: 501-682-6054

Confidentiality Notice: This e-mail message and any attachments is the property of the State of Arkansas and may be protected by state and federal laws governing disclosure of private information. It is for the intended recipient only. If an addressing or transmission error has misdirected this e-mail, please notify the author by replying to it. If you are not the intended recipient you may not use, disclose, distribute, copy, print or rely on this e-mail.

From: ASCC New Claims <ASCC.New.Claims@arkansas.gov>
Sent: Thursday, November 6, 2025 12:42 PM
To: Tawnie Hughes (DOC) <Tawnie.Hughes@doc.arkansas.gov>; Trent Rigdon (DOC) <Trent.Rigdon@doc.arkansas.gov>; Miles Morgan (DOC) <Miles.S.Morgan@doc.arkansas.gov>; Yolanda Charles (DOC) <Yolanda.Charles@doc.arkansas.gov>; Taylor Reavis (DOC) <Taylor.P.Reavis@doc.arkansas.gov>
Cc: Mika Tucker <Mika.Tucker@arkansas.gov>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: CLAIM: Romario V. Waller v. ADC, Claim No. 251322

Dear Ms. Hughes,

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

Please contact 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

From: [Tasha Tidwell \(DOC\)](#)
To: [ASCC Pleadings](#)
Cc: [Yolanda Charles \(DOC\)](#)
Subject: Romario V. Waller 251322 - Answer and MTD
Date: Monday, November 17, 2025 11:13:17 AM
Attachments: [11.17.25 Romario Waller Answer MTD 251322 const.pdf](#)

Please see attached—thanks!

Tasha Tidwell, Esq.
Arkansas Dept. of Corrections
6814 Princeton Pike
Pine Bluff, AR 71602
(870) 267-6844 office
(870) 209-1027 mobile
Tasha.A.Tidwell@doc.arkansa.gov

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

ROMARIO V. WALLER (ADC 108263)

CLAIMANT

v

NO. 251322

**ARKANSAS DEPARTMENT OF CORRECTIONS
DIVISION OF CORRECTION**

RESPONDENT

ANSWER AND RULE 12(b)(6) MOTION TO DISMISS

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

1. Respondent denies liability in this claim and asserts it will hold the Claimant to strict proof on each allegation unless admitted by Respondent. Respondent reserves the right to plead further upon completion of an investigation by internal affairs, if warranted, and requests the matter be held in abeyance until the investigation is complete.

2. The applicable account information required by the Commission is:

- | | |
|---------------------------|--------------------------|
| a. Agency number: 0480 | b. Cost Center: HCA 0100 |
| c. Internal Order: 340301 | d. Fund Center: 509 |

3. Respondent states that the Arkansas State Claims Commission does not have jurisdiction to hear this matter pursuant to Ark. Code Ann. § 25-44-201 et seq.

4. Furthermore, the Claimant'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.

5. 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.

6. “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.*

7. An “important mechanism for weeding out meritless claims [is a] motion to dismiss for failure to state a claim.” Fifth Third Bancorp v. Dudenhoeffer, 573 U.S. 409, 425 (2014).

8. 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).

9. 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).

10. Although detailed factual allegations are not required, more than “unadorned, the-defendant-unlawfully-harmed-me-accusations” are required. *Id.*

11. 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.*

12. 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.*

13. 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)).

14. 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).

15. A complaint must state facts, not mere conclusions, in order to satisfy the requirements of Rule 8 of the Arkansas Rules of Civil Procedure. Doe v Weiss, 2010 Ark. 150.

16. The doctrine of sovereign immunity does not bar plaintiff from litigating his 42 U.S.C. § 1983 claim against defendant individually in state or federal courts of general jurisdiction; however, the Arkansas Claims Commission has no jurisdiction over the constitutional claim. Smith v. Johnson, 779 F.3d 867 (8th Cir. 2015).

17. Claimant clearly and unambiguously makes claims of violations of his Eighth Amendment on at least eight separate occasions between January 29, 2025, and February 12, 2025. These alleged violations include sleep deprivation, verbal abuse, medical neglect, falsification of disciplinary reports, deprivation of access to the courts, and exposure to freezing temperatures without adequate clothing or bedding.

18. Claimant makes no other claims for any other cause of action in his petition.

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

Respectfully submitted,

/s/ Tasha Ann Tidwell

Tasha Ann Tidwell, Ark Bar No. 2018159
Arkansas Department of Corrections
6814 Princeton Pike
Pine Bluff, AR 71602
Telephone: (870) 267-6844
Tasha.A.Tidwell@doc.arkansas.gov

CERTIFICATE OF SERVICE

I, Tasha Ann Tidwell, hereby certify that a true and correct copy of the foregoing has been served upon Claimant set out below, on this 17th day of November 2025.

Romario V. Waller, ADC [REDACTED]
[REDACTED]
[REDACTED]

/s/ Tasha Ann Tidwell

Tasha Ann Tidwell

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

Arkansas
State Claims Commission

ROMARIO V. WALLER (A [REDACTED])

CLAIMANT DEC 18 2025

v

CLAIM No. 251322

RECEIVED

ARKANSAS DIVISION OF CORRECTION

RESPONDENT

REPLY AND OBJECTIONS

THE CLAIMANT WITH MY REPLY AND OBJECTIONS DO STATE THE FOLLOWING:

1. OBJECTION: The Respondent has misrepresented the Complaint and made a frivolous argument.

In Paragraph 17 and throughout the ANSWER AND RULE 12(b) MOTION TO DISMISS the Respondent attempts to deceive the ARKANSAS STATE CLAIMS COMMISSION by falsely alleging [Quote]: "(Claimant clearly and unambiguously makes claims of violations of his Eight Amendment), however that is a false statement by ARKANSAS."

(A) Review of the COMPLAINT reveals the CLAIMANT states the STATE OF ARKANSAS is being sue for the OFFICIAL ACTS of it's employees committed falsely and maliciously against the CLAIMANT.

The STATE OF ARKANSAS and it's employees have sovereign immunity in Courts of general jurisdiction for the acts committed by it's employees in their OFFICIAL CAPACITY.

SINCE the STATE OF ARKANSAS has waged an Argumentative Affirmative Defense surrounding 8th Amendment Claims regarding Personal Capacity Claims while the Complaint makes claims of OFFICIAL employee ACTS of maliciousness the Respondent in effect has failed to defend / ANSWER the Complaint.

(B) In Paragraph 5 of the Rule 12(b) ANSWER the Respondent urges the ARKANSAS STATE CLAIMS COMMISSION stating [Quote]:

"5. on a motion to dismiss pursuant Rule 12(b)(6) of the ARKANSAS RULES OF CIVIL PROCEDURE the Courts treat the facts alleged in the Complaint as true, and view them in light most favorable to the Plaintiff. DOCKERY V. MORGAN 2011 ARK. 94" [End Quote].

For this reason the ARKANSAS STATE CLAIMS COMMISSION should take the COMPLAINT as true and accept the fact that I Romario V. Waller Claimant am not making these claims pursuant to ~~core~~ perceived Constitutional violations but against ARKANSAS for the OFFICIAL ACTS of it's employees which are malicious.

I the Claimant Romario V. Waller am the ONLY PERSON suited to clarify or verify whether this is a civil rights complaint (as wrongly referred by Respondent) or a STATE CLAIM for Malicious Prosecution / Malicious Punishment which it is a STATE CLAIM for malicious acts of STATE OFFICIALS in the official capacity.

(CONCLUSION)

The Respondent State of Arkansas made it's Answer and Motion To Dismiss based upon arguing against Constitutional violation claims whereas the Complaint clearly and specifically is for the malicious Acts of state Employees in their Official Capacity.

Since the Complaint is authorized the ARKANSAS STATE CLAIMS Commission has Jurisdiction.

According to ARKANSAS SUPREME COURT "when a suit is brought against a STATE Agency with relation to some matter in which the defendant represents the STATE in action and liability, the action is, in effect, one against the STATE and prohibited by the CONSTITUTIONAL BAR.

Since this State Claim is against Arkansas for official Acts of it's employees the ARKANSAS STATE CLAIMS Commission has Jurisdiction of this claim.

RESPECTFULLY SUBMITTED,


CERTIFICATE OF SERVICES

The foregoing mailed to ARKANSAS STATE CLAIMS Commission 101 EAST CAPITOL AVENUE SUITE 410 Little Rock, ARKANSAS. 72201-3823 and Tasha Ann Tidwell ARK. Bar No. 2018159 A.D.C 6814 Princeton Pike Pine Bluff, AR. 71602 December 15, 2025 through U.S. Postal Service mail.

From: [Tasha Tidwell \(DOC\)](#)
To: [ASCC Pleadings](#)
Cc: [Yolanda Charles \(DOC\)](#)
Subject: Romario Waller 251322 Response to Claimant Reply and Objections
Date: Tuesday, December 30, 2025 5:04:50 PM
Attachments: [Romario V. Waller 251322 Response to Reply and Objections.pdf](#)

Please see the attached Response to Claimant's Reply and Objections for Claim No. 251322—thanks!

Tasha Tidwell, Esq.
Arkansas Dept. of Corrections
6814 Princeton Pike
Pine Bluff, AR 71602
(870) 267-6844 office
(870) 209-1027 mobile
Tasha.A.Tidwell@doc.arkansa.gov

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

ROMARIO V. WALLER (ADC [REDACTED])

CLAIMANT

v.

NO. 251322

ARKANSAS DIVISION OF CORRECTION

RESPONDENT

RESPONSE TO CLAIMANT'S REPLY AND OBJECTIONS

COMES NOW the Respondent, Arkansas Division of Correction (ADC), and for its Response to Claimant's Reply and Objections, states as follows:

1. Claimant's Reply does not cure the jurisdictional defects identified in ADC's Motion to Dismiss. The Arkansas State Claims Commission lacks jurisdiction to adjudicate constitutional claims, civil-rights claims, or claims challenging official acts of state employees.
2. Claimant's attempt to recharacterize his allegations as "malicious acts" by state employees acting in their official capacity does not confer jurisdiction. Claims against state employees in their official capacity are claims against the State and remain barred by sovereign immunity.
3. To the extent Claimant asserts personal-capacity, civil-rights, or malicious prosecution/malicious punishment claims, such claims must be brought, if at all, in a court of general jurisdiction and are not cognizable before this Commission.
4. Claimant's Reply raises no new facts or legal authority establishing jurisdiction.

WHEREFORE, ADC respectfully requests that the Commission grant its Motion to Dismiss and dismiss Claimant's claim with prejudice.

Respectfully submitted,

/s/ Tasha Tidwell
Tasha Tidwell (2018159)
Legal Division
Division of Correction
6814 Princeton Pike
Pine Bluff, AR 71602-9411
(870) 267-6844 Office
Tasha.A.Tidwell@doc.arkansas.gov

CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been served this 31st day of December 2025 on the Claimant by placing a copy of the same in the U. S. Mail, regular postage, to:

Romario V. Waller [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

/s/ Tasha Tidwell
Tasha Tidwell (DOC)

From: [Misty Scott](#) on behalf of [ASCC Pleadings](#)
To: [Tasha Tidwell](#); [Miles Morgan](#)
Cc: [Yolanda Charles](#); [ASCC Pleadings](#); [Mika Tucker](#)
Subject: ORDERS: Romario Waller v. ADC, Claim Nos. 251322, 251323, and 251324
Date: Tuesday, April 14, 2026 9:05:05 AM
Attachments: [Romario Waller v. ADC3.pdf](#)
[Waller-order251322.pdf](#)
[Waller-order251323.pdf](#)
[Waller-order251324.pdf](#)

Ms. Tidwell and Mr. Morgan:

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 14, 2026

Mr. Romario Waller (ADC [REDACTED])
[REDACTED]
[REDACTED]

Ms. Tasha Tidwell
Mr. Miles Morgan
Arkansas Division of Correction
1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114

(via email)

Re: ***Romario Waller v. Arkansas Division of Correction***
Claim Nos. 251322, 251323, and 251324

Dear Mr. Waller:

Enclosed please find the Orders entered on April 9, 2026, 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

ROMARIO WALLER (ADC [REDACTED])

CLAIMANT

V.

CLAIM NO. 251322

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 Romario Waller (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 October 2, 2025, seeking \$139,500.00 in damages related to various “malicious” actions of Respondent’s staff concerning suicide prevention and false statements by staff related to a disciplinary issued against Claimant.
2. Respondent filed a motion to dismiss pursuant to Ark. R. Civ. P. 12(b)(6), arguing, *inter alia*, that pursuant to Ark. R. Civ. P. 12(b)(6), arguing, *inter alia*, that the Commission has no jurisdiction over 42 U.S.C. § 1983 claims and Eighth Amendment claims.
3. Claimant filed a response to the motion to dismiss, arguing, *inter alia*, that his claims related to the acts of employees “committed falsely and maliciously against the Claimant.”
4. Respondent filed a reply to Claimant’s response, arguing, *inter alia*, that the Commission lacks jurisdiction over Claimant’s constitutional claims and civil rights claims.
5. The Commission agrees with Respondent that dismissal of this claim is proper as Claimant’s claim is premised upon alleged violations of constitutional and federal law by

Respondent's employees, which can be brought in a court of general jurisdiction. The Commission does not have jurisdiction to hear such claims. *See* Ark. Code Ann. § 25-44-204.

6. As such, pursuant to Ark. Code Ann. § 25-44-204 and Ark. R. Civ. P. 12(b), the Commission hereby GRANTS the Respondent's motion to dismiss, and Claimant's claim is DISMISSED.

7. **The Commission notes that, as of the date of this Order, four claims filed by Claimant within a two-year period have been dismissed: (1) Claim No. 241591, was filed on March 8, 2024, and dismissed on September 5, 2025; (2) Claim No. 251592 was filed on March 8, 2024, and dismissed on October 3, 2025; (3) the instant claim, Claim No. 251322 was filed on October 2, 2025, and dismissed on the date of this Order; (4) Claim No. 251323 was filed on October 2, 2025, and dismissed on the date of this Order; (5) Claim No. 251324 was filed on October 2, 2025, and dismissed on the date of this Order .¹**

Ark. Code Ann. § 25-44-221 provides,

An inmate in the Division of Correction or the Division of Community Correction who has filed more than three (3) unsuccessful claims or actions under this subchapter within a period of two (2) years may have his or her subsequent claims or motions dismissed by the Arkansas State Claims Commission upon receipt as abuse of process, for one (1) year from the date of dismissal of the inmate's third unsuccessful claim.

Accordingly, the Commission bars Claimant from filing any claims for one year from the date of this Order. Any claims submitted by Claimant within a year from the date of this Order will be dismissed upon receipt pursuant to Ark. Code Ann. § 25-44-221. The Commission notes that this statute does not authorize the Commission to dismiss any pending claims that Claimant may have filed before the date of this Order.

¹The Commission's September 5, 2025, decisions in Claim Nos. 241591 and 241592 were affirmed by the Arkansas Legislative Council-Claims Review Subcommittee on March 16, 2026.

IT IS SO ORDERED.



ARKANSAS STATE CLAIMS COMMISSION
Dee Holcomb



ARKANSAS STATE CLAIMS COMMISSION
Henry Kinslow, Chair



ARKANSAS STATE CLAIMS COMMISSION
Sylvester Smith

DATE: April 9, 2026

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).

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

ROMARIO V. WALLER. [REDACTED]
V.

CLAIMANT

CLAIM NO. 251322

ARKANSAS DIVISION OF CORRECTION

RESPONDENT

NOTICE OF APPEAL

Notice is given that Romario V. Waller the Claimant Appeals the April 9, 2026 ORDER by ARKANSAS STATE CLAIMS COMMISSION to Dismiss Claim No. 251323.

APPELLATE JURISDICTION

APPELLATE JURISDICTION is vested in ARKANSAS GENERAL ASSEMBLY-LEGISLATIVE COUNCIL Pursuant A.C.A. 25-44-211.

DESIGNATION OF RECORD

The APPELLANT designates the entire RECORD of the Proceedings, Exhibits, Evidence, and documents introduced to the Proceedings to be contained in the APPEAL RECORD.

CERTIFICATE/ORDER OF TRANSCRIPT

The APPELLANT designates and Orders the TRANSCRIPT of the entire Record and all Hearings to be certified and Transmitted as part of the Appeal Record.

Respectfully Submitted,



MR. ROMARIO V. WALLER. [REDACTED]

CERTIFICATE OF SERVICE

The Foregoing mailed to MIKA TUCKER ARKANSAS STATE CLAIMS COMMISSION
101 EAST CAPITOL AVENUE, Suite 410 LITTLE ROCK, ARKANSAS. 72201-3823
MAY 5, 2026 through U.S. Postal Service Mail.