

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. 251324 – 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: cmedaniel

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)
 (address) [REDACTED]
 (city) [REDACTED]

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.

VS.

STATE OF ARKANSAS, RESPONDENT

Arkansas
State Claims Commission

MAR 07 2025

RECEIVED

Do not write in this space		
Case Name	_____	
Date Filed	_____	
	month	day Year
Amount of claim	_____	
Filed:	_____	

COMPLAINT

Romario v. Waller of the above named claimant of Pa. [REDACTED]
[REDACTED] presented by: Pro-Se

SAYS STATE AGENCY INVOLVED: ARKANSAS DIVISION OF CORRECTION.

Amount Sought: \$2,500 Per day (1-29-2025 thru 2/12/2025) = \$39,500.

Month day Year of Incident or service: 1-29-2025 thru 2-12-2025

(see attached pages)
2-6.

COMPLAINT
(STATEMENT OF THE CLAIM)

1. On January 29, 2025 at regular mail/call distribution Corporal White (caucasian male) ~~awake~~ wake the claimant Romano Walter (MR. Walter) out of my sleep by banging of the cell door. When I awake he walked off with no explanation and at the time he did not have any in-coming mail to deliver me;
2. Prior to this occasion Corp. White committed the similar act of harassment by waking me out of my sleep any/every time he conducted random and frequent infrequent security checks.
3. At around 8:04 PM I verbally notified Corporal Banks I had suicidal thoughts and was so due to the stress of Corporal White harassment, and I asked he notify a supervisor Lt. Litzey. Corporal White told/directed Corporal Banks not to report that I was suicidal. Numerous times even after Banks asked White to help him remove me from cell 881 to obtain mental health counseling.
4. Harassing inmate prisoners, inducing sleep deprivation, stress, anxiety, anger, depressed and suicidal thoughts acts or tendencies is a malicious act.
5. Asking, telling, or directing a co-worker or lower ranking officer to not report staff harassment or inmate prisoner suicidal statements or actions is a malicious act in violation of Arkansas Dept. Division of Correction employee conduct standards.
6. According to Banks he directly verbally told Sgt. Leslie K. Archie I'd told him I was suicidal, that White told/directed him not to report it and refused to help Banks take action and Archie told Banks she was not going to take action and Archie disregarded Banks verbal report.
(See E.M.R. at least Ark. Reg. Unit Isolation - 1 cell 1080 security video of Banks Audio-visual admittance of these facts dated: January 31, 2025 - dinner time).
7. At or approximately 10:40 P.M. (1-29-2025) Leslie Archie and Corp. White came into cell Block-8 for legal mail pick-up though Brian White is not authorized by rank of employment to participate in legal mail processes.
It is my belief their true intention is that they were actually coming to confirm/look for my dead body instead.
Withholding information and failing to take action related to inmate prisoner suicidal statements for several hours, then awaiting the act of suicide is a malicious act.

8. 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 yall up every time we do a round. 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 inducing 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,
9. 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.
10. 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.

16. After DHO Rolanda Scruggs found me not guilty and dismissed the False ISSR-100 (Disciplinary) of Leslie Archie I was still held in Punitive Isolation-1010 cell under Punitive conditions until Feb. 12, 2005. Serving Punitive Isolation time while not Punitive is substandard. This is malicious punishment since several Punitive inmates were released, and 5-Med Punitive inmates who were placed in Isolation-1 after the dismissal of the False Disciplinary were all released before me.
17. The fake sleeping bag is made of burlap(?) with a modified pillow built onto its side one section which was missing, and the cotton insulation was missing. I was therefore basically sleeping on concrete atop a burlap item which itself caused me neck pains and stated fabric burns.
18. On Feb. 9, 2005 Isol. air conditioner burned out and it became extremely cold due to no heat. The burlap bag did not and is not capable of providing warmth from the cold since its construction (relatively short) won't allow it to cover a person's feet and shoulders or above at the same time.
19. According to standards, even in Punitive Isolation prisoners must be offered - receive opportunity to shower 3-days (3-times) per week. However I was deprived my 3-showers due to A.D.C. deliberate short staffing of Punitive Isolation, i.e. ~~using~~ only using guards to work Punitive Isolation at infrequent security checks, cell call, food service. otherwise the Punitive Isolation control booth was unmanned. As a result during the week of Sat. Feb. 6, 2005 - Saturday Feb. 8, 2005 shower was offered only on Monday Feb. 3, 2005 and Thursday Feb. 6, 2005.
20. The Isolation 1010 Security video (audio-visual) will reveal from Tues. Feb. 4, 2005 - Feb. 13, 2005 SAs Graham / Brascomb / Hawkids and all staff would not take receipt of my Informal Resolution Grievances and from the period of Feb. 4, 2005 - Thurs Feb. 13, 2005 do staff would give me blank Grievance Forms though the requirement is that all inmates are to be provided access to the Grievance Process at all times regardless of status or assignment. Being deprived access to the Grievance Procedure is not part of the normal conditions of confinement for being in Punitive Isolation for a False Disciplinary.
21. During the period of January 30, 2005 - Feb. 21, 2005 out of the cell recreation (outside yard-call and/or Isolation Day Room call) was not offered period due to ADC deliberate short-staffing of Punitive Isolation. Deprivation of out of the cell recreation while in Punitive Isolation for a False Disciplinary is not part of the normal conditions of confinement and is part of the malicious punishment for the malicious (False) ISSR-100.

I-10

ISSR100

Arkansas Department of Corrections

MAJOR DISCIPLINARY

ADC#: [REDACTED]

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

Assignment: AM:Ext Restrictive Housing
PM:Discpl Court Review

Title: Correctional Sergeant

Class: IV is being charged by Archie, Leslie K
with code violation(s):

02-21 Running, avoiding, or otherwise resisting apprehension.

08-4 Destruction or intentional misplacement of property of another or the Division. Restitution may be ordered based on replacement cost or the value of lost, intentionally misplaced, or destroyed property.

Date & Time: 01/29/2025 10:40 PM

Notice of Charges:

Incident Report Unit: [REDACTED]

Incident Report Date/Time: 01/30/2025/03:04:42 AM

Incident Report Number: 2025-01-215

Incident Report Comments By: Leslie K Archie

On 1-29-25 at approx 10:40pm I Sgt. Leslie Archie was conducting legal mail call in Max 8 when I approached cell 51 which is housed by Romario Waller [REDACTED]. While signing Inmate Waller legal mail he stated that he was suicidal. I instructed Cpl. Brian White to place Inmate Waller in restraints so he could be taken to the hall cage. While Cpl. White was placing the restraints on Inmate Waller, Inmate Waller snatched the restraints inside his cell and began bending them against the cell door destroying the restraints. Restitution in the amount of \$126.02 is requested to replace the restraints. Inmate Romario Waller [REDACTED] knows his actions are against ADC and unit policy therefore I Sgt. Archie am charging inmate Waller with the following rule violations 2-21, and 8-4.

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

Signature of Charging Officer

NOTIFICATION:

Officer

Sgt. L. Archie

Date & Time Notified 2-5-25 2:24pm

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:Discpl Court Review

C.S.O. Review:		Outcome: <u>Refer to Hearing Officer/Comm.</u>	Date: <u>01/31/2025</u>
		By: <u>King, Briana B</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 _____

I-10

ISSR101

Arkansas Department of Correction

DISCIPLINARY HEARING ACTION

Inmate: Waller, Romario

ADC#: [REDACTED]

Unit: [REDACTED]

Code Violation(s):

02-21 Running, avoiding, or otherwise resisting apprehension.

08-4 Destruction or intentional misplacement of property of another or the Division. Restitution may be ordered based on replacement cost or the value of lost, intentionally misplaced, or destroyed property.

Date/Time of Alleged Offense(s): 01/29/2025 10:40 PM

Hearing Date: 02/07/2025

Time: Start 7:48 AM

End 7:55 AM

Recorder: Scruggs, Rolonda R

Tape#:

Side:

Meter: From

To

Plea: Not Guilty, Not Guilty

Attendance Waived: No

Inmate's Statement:

Has waiver form been completed? _____

as you can see that B. King is not the cso staff

Signature of Inmate _____

Court Questions:

Do you have a statement?

Sentencing Conditions:

Verdict: Not Guilty, Not Guilty

Disciplinary Hearing Action

02/07/2025 9:13 AM

Page 2

Inmate: Waller, Romario

ADC#: [REDACTED]

Unit: [REDACTED]

Additional Sanctions/General Comments:

Factual Basis for Decision (This is a short synopsis of the facts as the Hearing Officer perceives them after reviewing all of the evidence.):

disciplinary was cso by a sgt.

Evidence Relied Upon:

Reasons Why Information Purporting to Exonerate Inmate was Discounted:

Reasons for Assessment of Punishment:

I have read this report and understand that I may appeal to the Warden about any decision made in this matter within fifteen (15) working days by completing the "Disciplinary Appeal" form.

Inmate's Signature _____

Counsel-Substitute _____

I affirm that the information is true to the best of my knowledge.

Hearing Officer idaniel "Stryker"

Date _____

ARKANSAS STATE CLAIMS COMMISSION

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KATHRYN IRBY
DIRECTOR

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

September 15, 2025

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

RE: **Claim No. 251324 – 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
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 - (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.

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Arkansas
State Claims Commission

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LITTLE ROCK, ARKANSAS 72201-3823

JUL 08 2025

RECEIVED

CLAIM FORM

1. Claimant Information.

Mr.	Waller	Romario V.	
(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.

ARKANSAS DIVISION OF CORRECTIONS (A.D.C.)

4. Date of Incident January 29, 2025 - thru - February 12, 2025.

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)).

- (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 Sargent 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.A.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 Sargent 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 don't 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, inducing my anger. She then falsified Incident Report #2025-01-015 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,

(h) 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.

(i) 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-0F-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. Hayes writing the false ISSR-100. By Feb. 24, 2025 34 inmates had been placed in the 30 mat Isolation & released while I was still maliciously detained for the Act 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).

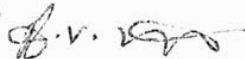
Up to Feb. 21, 2025 the Hallway (Isolation) wall panels were reattached to the walls and up to 4 of them fell due to the strong outside winter wind thereby basically freezing (allowing freezing air) the Isolation cells.

- (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/coverlet/thermal clothing/jumpsuit/pants/long sleeve shirt mattress/heat is not atypical this punishment and prosecution are malicious.

As Parts of this Complaints 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 scruss Major DISCIPLINARY HEARING OFFICER; And the following action was taken there on? The False Report (ISSR-100) was dismissed/not guilty verdict 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 USA 1740.

Romario V. WALLER.
(108203)
P.O. Box 970
Marianna, Arkansas. 72360

B.V. 

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

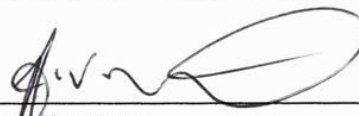
STOP HERE!

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.

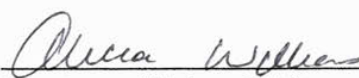

 Claimant Signature

ACKNOWLEDGEMENT

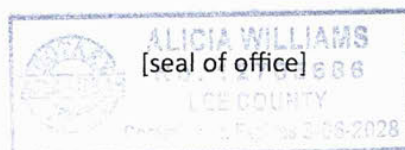
State of Arkansas
 County of Lee

On this the 11th 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.

I-10

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:Discpl Court Review

Class: IV is being charged by Archie, Leslie K
with code violation(s):

Title: Correctional Sergeant

02-21 Running, avoiding, or otherwise resisting apprehension.

08-4 Destruction or intentional misplacement of property of another or the Division. Restitution may be ordered based on replacement cost or the value of lost, intentionally misplaced, or destroyed property.

Date & Time: 01/29/2025 10:40 PM

Notice of Charges:

Incident Report Un [REDACTED]

Incident Report Date/Time: 01/30/2025/03:04:42 AM

Incident Report Number: 2025-01-215

Incident Report Comments By: Leslie K Archie

On 1-29-25 at approx. 10:40pm I Sgt. Leslie Archie was conducting legal mail call in Max 8 when I approached cell 51 which is housed by Romario Waller [REDACTED]. While signing Inmate Waller legal mail he stated that he was suicidal. I instructed Cpl. Brian White to place Inmate Waller in restraints so he could be taken to the hall cage. While Cpl. White was placing the restraints on Inmate Waller, Inmate Waller snatched the restraints inside his cell and began bending them against the cell door destroying the restraints. Restitution in the amount of \$126.02 is requested to replace the restraints. Inmate Romario Waller # [REDACTED] knows his actions are against ADC and unit policy therefore I Sgt. Archie am charging inmate Waller with the following rule violations 2-21, and 8-4.

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

Signature of Charging Officer

NOTIFICATION:

Officer

Sgt. L. King

Date & Time Notified 2-5-25 2:24pm

Witness Statements:

No X

If yes, list:

Inmate's Signature

I-10

ISSR101

Arkansas Department of Correction

DISCIPLINARY HEARING ACTION

Inmate: Waller, Romario

ADC#: [REDACTED]

Unit: [REDACTED]

Code Violation(s):

- 02-21 Running, avoiding, or otherwise resisting apprehension.
- 08-4 Destruction or intentional misplacement of property of another or the Division. Restitution may be ordered based on replacement cost or the value of lost, intentionally misplaced, or destroyed property.

Date/Time of Alleged Offense(s): 01/29/2025 10:40 PM

Hearing Date: 02/07/2025 Time: Start 7:48 AM End 7:55 AM

Recorder: Scruggs, Rolonda R Tape#: Side: Meter: From To

Plea: Not Guilty, Not Guilty Attendance Waived: No

Has waiver form been completed? _____

Inmate's Statement:

as you can see that B. King is not the cso staff

Signature of Inmate

Court Questions:

Do you have a statement?

Sentencing Conditions:

Verdict: Not Guilty, Not Guilty

BEFORE THE STATE CLAIMS COMMISSION
OF THE STATE OF ARKANSAS

MR.

ROMARIO V. WALLER.

VS.

STATE OF ARKANSAS, RESPONDENT

Arkansas
State Claims Commission

MAR 07 2025

RECEIVED

<u>DO NOT WRITE THIS SIDE</u>		
Case Name	_____	
Date Filed	_____	
	month	day year
Amount of Claim	_____	
Filed:	_____	

COMPLAINT

Romario V. Waller of the above named claimant of [REDACTED]

resented by: Pro-Se

SAYS STATE AGENCY INVOLVED: Arkansas Division of Correction.

Amount sought: \$2,500 Per day (1-29-2025 thru 2-12-2025) = \$39,500.

Month day Year of Incident or Service: 1-29-2025 thru 2-12-2025

(see attached pages)
2-6.

COMPLAINT
(STATEMENT OF THE CLAIM)

1. On January 29, 2025, at regular mail/call distribution Corporal White (Caucasian male) awake the claimant Eugene Walter (Ind. Walker) out of my sleep by banging on the cell door. When I awake he walked off with no explanation and at the time he did not have any in-coming mail to deliver me;
2. Prior to this occasion Corp. White committed the similar act of harassment by waking me out of my sleep any / every time he conducted random and frequent / infrequent security checks.
3. At around 8:00 PM I verbally notified Corporal Banks I had suicidal thoughts and was so due to the stress of Corporal White harassment, and I asked he notify a supervisor Lt. Litzey. Corporal White told / directed Corporal Banks not to report that I was suicidal. Numerous times even after Banks asked White to help him remove me from cell 531 to obtain mental health counseling.
4. Harassing inmate prisoners, reducing sleep deprivation, stress, anxiety, anger, depression and suicidal thoughts acts or tendencies is a malicious act.
5. Asking, telling, or directing a co-worker or lower ranking officer to not report staff harassment or inmate prisoner suicidal statements or actions is a malicious act in violation of Arkansas Dept. Division of Correction employee conduct standards.
6. According to Banks he directly verbally told Sgt. Leslie K. Archie I'd tell him I was suicidal that White told / directed him not to report it and refuse to help Banks take actual and Archie told Banks she was not going to take action and Archie disregarded Banks verbal report.
(See E.M.R. # [REDACTED] Isolation 4 cell 1000 security video of Banks Audio visual admittance of these facts dated 1 January 31, 2025 - dinner time).
7. At or approximately 10:40 PM (1-29-2025) Leslie Archie and Corp. White came into cell-block-8 for legal mail pick-up though Brian White is not authorized by rank of employment to participate in legal mail processes.
It is my belief their true intention is that they were actually coming to confirm / look for my dead body instead.
Withholding information and failing to take action related to inmate prisoner suicidal statements for several hours then awaiting the act of suicide is a malicious act.

8. 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 yall up every time we don't round. Shu 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 inducing 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.
9. 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.
10. 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 "do" 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 though 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.

11. On February 7, 2025 ARKANSAS DEPARTMENT OF CORRECTION(DHC) DISCIPLINARY HEARING OFFICER Rolanda S. Serrano found me 'Not Guilty' of Leslie Archie's False Disciplinary due to Brianna King (Sgt: sergeant) falsifying the ISSR-100 (Major Disciplinary Report) by falsely identifying herself as the C.S.O - Chief Security Officer when she unlawfully usurped the Chief Security Officer Title, Rank, and C.S.O Responsibilities. The State of Arkansas thereby took Remedial/Corrective action related to the malicious Arrest and Malicious Prosecution.
12. However, Prior to and after the Hearing I was held in - detained in Punitive Isolation under punitive conditions: i.e. deprivation of bedding (sheets/mattress/blanket), deprivation of all legal case/open case files and documents, deprivation of outside recreation all from Jan. 29, 2025 - Feb. 12, 2025. This was malicious Punishment since such Punishment for a minor Disciplinary Prior to the Imposition of Punitive Sanctions by a valid Disciplinary Hearing is not within the normal Standards of Incarceration.
13. While under the unauthorized Punitive conditions I was required to sleep on a Punitive Isolation Sleeping Bag without covers. The so-called Sleeping Bag is not Federally approved as a mattress substitute that can endure of. It has caused me the injuries of Friction burns on my elbows, shoulders, backside (buttocks), hips, knees, ankles & all body parts that rub the burlap(?) fabric although adequate bedding does not cause such injuries.
14. The so-called Sleeping bag failed to protect me from the harshness of the concrete slab (cell bunk). Laying/sleeping on it is always painful due to the flimsiness of the item and its lack of enough insulation to amount to an adequate bed. As a result my neck, knees, ankles, elbows, hips, back, back side, face, head/back of head, ears, have been in constant pain to include my neck heels.
15. At the Feb. 8, 2025 writing of this statement of claim there has been a very painful feeling in the left side of my neck which I believe to be a Strained muscle which did not occur until I was subjected to this condition. This sort of pain and suffering from deprivation of adequate bedding is not a part of the normal conditions of confinement. This and the other pains/injuries occurred as follows:
- Neck Pain: Jan. 29, 2025 - Feb. 12, 2025. All other pains: 1-29-2025 - 2/12/2025.
Friction burns: 1-29-2025 - 2-12-2025.

16. After DHO Rolanda Struggs found me not guilty and dismissed the False ISSR-100 (Disciplinary) of Leslie Archie I was still held in Punitive Isolation-1010 cell under Punitive conditions until Feb. 12, 2005. Serving Punitive Isolation time while not Punitive is substandard. This is malicious Punishment since several Punitive inmates were released, and 5-Med Punitive inmates who were placed in Isolation-1 after the dismissal of the False Disciplinary were all released before me.
17. The Fake sleeping bag is made of burlap(?) with a modified pillow built onto/inside one section which was missing, and the cotton insulation was missing. I was therefore basically sleeping on cold concrete atop a burlap item which itself caused me deck pads and stained fabric burns.
18. On Feb. 9, 2005 Isol. Air conditioner burned out and it became extremely cold due to no heat. The burlap bag did not and is not capable of providing warmth from the cold since its construction (relatively short) won't allow it to cover a person's feet and shoulders or above at the same time.
19. According to standards, even in Punitive Isolation Prisoners must be offered - receive opportunity to shower 3-days (3-times) per week. However I was deprived my 3-showers due to A.D.C. deliberate short staffing of Punitive Isolation. We used only using guards to work Punitive Isolation at infrequent security checks / pill call / food service. otherwise the Punitive Isolation control booth was unmanned. As a result during the week of Sun Feb. 6, 2005 - Saturday Feb. 8, 2005 Shower was offered only on Monday Feb. 3, 2005 and Thursday Feb. 6, 2005.
20. The Isolation 1010 Security video (Audio-Visual) will reveal from Tues. Feb. 4, 2005 - Feb 7, 2005 SAs Graham / Brascomb / Hawkins and all staff would not take receipt of my Informal Resolution Grievances and from the period of Feb. 4, 2005 - Thurs Feb. 13, 2005 no staff would give me blank Grievance Forms though the requirement is that all inmates are to be provided access to the Grievance Process at all times regardless of status or assignment. Being deprived access to the Grievance Procedure is not part of the normal conditions of confinement for being in Punitive Isolation for a False Disciplinary.
21. During the period of January 30, 2005 - Feb. 21, 2005 out of the cell Recreation (outside Yard - Call and/or Isolation Day Room call) was not offered period due to ADC deliberate short-staffing of Punitive Isolation. Deprivation of out of the cell Recreation while in Punitive Isolation for a False Disciplinary is not part of the normal conditions of confinement, and is part of the malicious Punishment for the malicious (false) ISSR-100.

22. 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. Litzen, Sgt. James, Sgt. B. King, C.S.O. Rodney (Brown). Lt. Watson stated I'd have to give such 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. Haxles writing the false ISSR-100. On Feb. 26, 2025 34 inmates had been placed in the 30 mat Isolation & released while I was still maliciously detained for the Anti-Punitive ISSR-100.
23. 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.
24. 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/awol/thermal clothing/sumpsuit/pants/long sleeve shirt/mattress/Heat is not atypical this Punishment and Prosecution are malicious.

As Parts of this Complaints 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 ~~therefrom~~ \$0 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 42 USC 1796.

Romario N. WALLER.

R. N. Waller

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.

I-10

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:Discpl Court Review

Class: IV is being charged by Archie, Leslie K
with code violation(s):

Title: Correctional Sergeant

02-21 Running, avoiding, or otherwise resisting apprehension.
08-4 Destruction or intentional misplacement of property of another or the Division. Restitution may be ordered based on replacement cost or the value of lost, intentionally misplaced, or destroyed property.

Date & Time: 01/29/2025 10:40 PM

Notice of Charges:

Incident Report Unit [redacted]

Incident Report Date/Time: 01/30/2025/03:04:42 AM

Incident Report Number: 2025-01-215

Incident Report Comments By: Leslie K Archie

On 1-29-25 at approx. 10:40pm I Sgt. Leslie Archie was conducting legal mail call in Max 8 when I approached cell 51 which is housed by Romario Waller [redacted]. While signing Inmate Waller legal mail he stated that he was suicidal. I instructed Cpl. Brian White to place Inmate Waller in restraints so he could be taken to the hall cage. While Cpl. White was placing the restraints on Inmate Waller, Inmate Waller snatched the restraints inside his cell and began bending them against the cell door destroying the restraints. Restitution in the amount of \$126.02 is requested to replace the restraints. Inmate Romario Waller [redacted] knows his actions are against ADC and unit policy therefore I Sgt. Archie am charging inmate Waller with the following rule violations 2-21, and 8-4.

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

Signature of Charging Officer

NOTIFICATION: Officer Sgt. B. King Date & Time Notified 2-5-25 2:24pm

Witness Statements: No X If yes, list:

Inmate's Signature

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:Discpl Court Review

C.S.O. Review:		Outcome:	Refer to Hearing Officer/Comm.	
		By:	King, Briana B	Date 01/31/2025
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 _____



I-10

ISSR101

Arkansas Department of Correction

DISCIPLINARY HEARING ACTION

Inmate: Waller, Romario

ADC#: [REDACTED]

Unit: [REDACTED]

Code Violation(s):

- 02-21 Running, avoiding, or otherwise resisting apprehension.
- 08-4 Destruction or intentional misplacement of property of another or the Division. Restitution may be ordered based on replacement cost or the value of lost, intentionally misplaced, or destroyed property.

Date/Time of Alleged Offense(s): 01/29/2025 10:40 PM

Hearing Date: 02/07/2025 Time: Start 7:48 AM End 7:55 AM

Recorder: Scruggs, Rolonda R Tape#: Side: Meter: From To

Plea: Not Guilty, Not Guilty Attendance Waived: No

Has waiver form been completed? _____

Inmate's Statement:

as you can see that B. King is not the cso staff

Signature of Inmate

Court Questions:

Do you have a statement?

Sentencing Conditions:

Verdict: Not Guilty, Not Guilty

Disciplinary Hearing Action
02/07/2025 9:13 AM
Page 2

Inmate: Waller, Romario

ADC#: [REDACTED]

Unit: [REDACTED]

Additional Sanctions/General Comments:

Factual Basis for Decision (This is a short synopsis of the facts as the Hearing Officer perceives them after reviewing all of the evidence.):

disciplinary was eso by a sgt.

Evidence Relied Upon:

Reasons Why Information Purporting to Exonerate Inmate was Discounted:

Reasons for Assessment of Punishment:

I have read this report and understand that I may appeal to the Warden about any decision made in this matter within fifteen (15) working days by completing the "Disciplinary Appeal" form.

Inmate's Signature _____ Counsel-Substitute _____

I affirm that the information is true to the best of my knowledge.

Hearing Officer [Signature] Date _____

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. 251324
Date: Thursday, November 6, 2025 2:05:00 PM
Attachments: [Romario V. Waller v. ADC agency ltr 251324.pdf](#)
[Romario V. Waller Claim - 251324.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. 251324

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.)

<u>Note to Claimant or Claimant's counsel:</u> 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. 251324 – 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: cmedaniel

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. 251324 – 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)
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 - (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, Inc. [REDACTED]
P.O. Box 970
Marianna, ARKANSAS. 72360

[9/28/2025]

Arkansas
State Claims Commission

OCT 02 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 nos: 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 CLAIMS COMMISSION

Arkansas
State Claims Commission

OCT 02 2025

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

JUL 06 2025

RECEIVED

Claim No.
251324

CLAIM FORM

1. Claimant Information.

Mr. Waller Romario V.

(title)

(ADC Number)

(address)

(city)

2. Claimant may use 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.)

4. Date of Incident July 26, 2024 - thru - September 30, 2024

5. Location of Incident A.D.C.

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, 2004 (2004) Matura Holcomb acting in Her Official Capacity as A.D.C. security CorPoral was Recorded on E.A.R.U. Isolation 3 (ISSR-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 3-86 - 3-90 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 - SCRUBBS (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:** \$ 15,000.00

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.

CERTIFICATE OF SERVICE

ROMARIO V. WALTER

The undersigned states or 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 to USC 1746. ROMARCOY WALKER

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 OFFICE OF THE PEOPLE? YES; WHEN: 8-2-2004-9-13-2004-APPEALS; AND THE FOLLOWING ACTION WAS TAKEN THEREON: AFFIRMED; AND THAT: NO WAS PAID THEREON - (a) HAS ANY THIRD PERSON OR CORPORATION ANY INTEREST IN THIS CLAIM? NO.

Staff with disciplinary reprimand as punishment.
Since the said malicious acts were committed by and upheld by officers and employees of Arkansas Division of Correction, their official capacities, these actions are under Arkansas State Ethics Commission Jurisdiction.

referred to the security video evidence and they upheld DHS's 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 commit the evidence (security video) from written record in order to maliciously prosecute, arrest and Punish me are not ~~abused~~ normal conditions of confinement since A.D.C Policy Prohibits Falsification of documents, And sanctions falsification by staff will result in suspension or removal as per A.D.C. Policy.

(See ISSR-100-101 p.2),
After withholding the evidence from the written record the scrubs made a false
guilty verdict against me for rule 10-3 (indecent exposure) but made not guilty
verdicts for 1a-3 (failure or refusal to obey orders) and 10-7 (demanding sexual
contact) though the same evidence warranted dismissal of Rules 1a-3/10-7 also
warranted dismissal of rule 10-3. I appealed the verdict/punishment to the warden,
(DIA) Disciplinary Hearing Administrator and Director, none of whom reviewed or

Although the scruffy did possess evidence/statement providing my innocence and that Cpl. Holcomb falsified the reports the scruffs disregarded the video evidence and ~~soon~~ witness statement and omitted it from the written report.

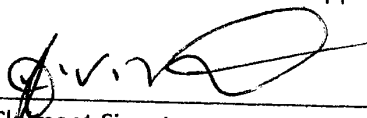
STOP HERE!

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.

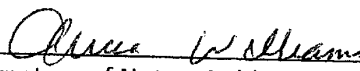

 Claimant Signature

ACKNOWLEDGEMENT

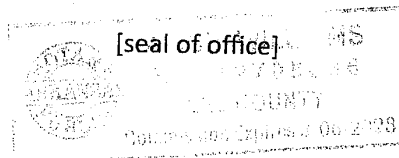
State of Arkansas
 County of Lee

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)

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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.

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. 251324
Date: Thursday, November 6, 2025 2:34:09 PM
Attachments: [image001.png](#)

Received. Thank you



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

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From: ASCC New Claims <ASCC.New.Claims@arkansas.gov>
Sent: Thursday, November 6, 2025 2:06 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. 251324

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: [Mika Tucker](#)
To: [Tasha Tidwell \(DOC\)](#)
Cc: [Miles Morgan \(DOC\)](#); [Yolanda Charles \(DOC\)](#)
Subject: INFO NEEDED: Romario V. Waller v. ADC, Claim No. 251324
Date: Friday, December 12, 2025 9:27:00 AM
Attachments: [image001.png](#)

Hi, Tasha. Can you please give me an update on this claim? I have checked our database, and I don't see that ADC has filed a response to the claim.

Thanks,
Mika

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Sent: Thursday, November 6, 2025 2:34 PM
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Cc: Mika Tucker <Mika.Tucker@arkansas.gov>; Kathryn Irby <Kathryn.Irby@arkansas.gov>
Subject: RE: CLAIM: Romario V. Waller v. ADC, Claim No. 251324

Received. Thank you



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

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Caitlin

Caitlin McDaniel

Administrative Specialist II

Arkansas State Claims Commission

101 East Capitol Avenue, Suite 410

Little Rock, Arkansas 72201

(501) 682-1619

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To: [Mika Tucker](#)
Cc: [Miles Morgan \(DOC\)](#); [Yolanda Charles \(DOC\)](#)
Subject: RE: INFO NEEDED: Romario V. Waller v. ADC, Claim No. 251324
Date: Friday, December 12, 2025 11:07:41 AM
Attachments: [image001.png](#)
[Romario V. Waller Answer MTD 251324 filed 11.18.25.pdf](#)

My apologies, I thought the attached Answer and Motion to Dismiss was filed several weeks ago!

From: Mika Tucker <Mika.Tucker@arkansas.gov>
 Sent: Friday, December 12, 2025 9:27 AM
 To: Tasha Tidwell (DOC) <Tasha.A.Tidwell@doc.arkansas.gov>
 Cc: Miles Morgan (DOC) <Miles.S.Morgan@doc.arkansas.gov>; Yolanda Charles (DOC) <Yolanda.Charles@doc.arkansas.gov>
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Yolanda Charles

Administrative Coordinator

Department of Corrections

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 Cc: Mika Tucker <Mika.Tucker@arkansas.gov <<mailto:Mika.Tucker@arkansas.gov>> >; Kathryn Irby <Kathryn.Irby@arkansas.gov <<mailto:Kathryn.Irby@arkansas.gov>> >
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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

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

ROMARIO V. WALLER (ADC [REDACTED])

CLAIMANT

v.

NO. 251324

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. In cases of adjudication, any person, except an inmate under sentence to the custody of the Division of Correction, who considers himself or herself injured in his or her person, business, or property by final agency action shall be entitled to judicial review of the action under this subchapter. A.C.A. § 25-15-212(a).

17. The only limitation on this exception is for constitutional claims. Clinton v. Bonds, 306 Ark. 554, 816 S.W.2d 169 (1991).

18. When an inmate challenges a disciplinary proceeding and prison officials' implementation of ADC policy, the petition must allege a constitutional question sufficient to raise a liberty interest. Smith v. Hobbs, 2014 Ark. 270.

19. Because 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, the Arkansas Claims Commission has no jurisdiction over the constitutional claim. Smith v. Johnson, 779 F.3d 867 (8th Cir. 2015).

20. In this matter, Claimant alleges that he was found guilty of a major disciplinary for indecent exposure based on a false allegation made by a correctional officer, and that video evidence exonerating the Claimant was disregarded at the disciplinary hearing, resulting in the issuance of a false indecent exposure charge. The disciplinary decision was subsequently affirmed.

21. Because this claim is entwined with the disciplinary incident, it is beyond the scope and purpose of the Commission to consider disciplinary issues or to insert itself into the

Respondent's disciplinary process. The Commission does not have jurisdiction to hear such claims. *See* Ark. Code Ann § 25-44-204.

22. Although Claimant does not specifically raise constitutional claims, the law is clear that in order to seek relief from the disciplinary matter he complains of would be to raise such a claim.

23. As this Commission does not have jurisdiction to hear constitutional claims, this matter must be dismissed.

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 18th day of November 2025.

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

/s/ Tasha Ann Tidwell
 Tasha Ann Tidwell

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

ROMARIO V. WALLER. (ADL [REDACTED])

CLAIMANT

V. CLAIM NO. 251324

ARKANSAS DIVISION OF CORRECTION

RESPONDENT

REPLY AND OBJECTIONS

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

1. OBJECTION: MOOT / FRIVOLOUS ANSWER AND RULE 12(b)(6) MOTION TO DISMISS.

IN THE COMPLAINT THE CLAIMANT SPECIFICALLY CLAIMS (QUOTE):

"THE ACT OF FALSIFYING AN F-831-1 / JSSR-100 IS A MALICIOUS AND UNAUTHORIZED ACT OF BARBARA JOHNSON";

"THE ACT OF CONVICTING / PUNISHING ME FOR ALLEGATIONS HE DEEMED IMPOSSIBLE TO OCCUR IS A MALICIOUS ACT OF KEITH WADDLE";

"THE ACT OF AFFIRMING A DISCIPLINARY ACTION FOR AN INCIDENT DEEMED IMPOSSIBLE TO OCCUR IS A MALICIOUS ACT OF MOSES JACKSON / ADC DHA AND DEXTER PAYLE." [END QUOTES]

(A) ACCORDING TO THE ANSWER AND RULE 12(b) MOTION TO DISMISS (PARAGRAPH 22) THE RESPONDENT STATES (QUOTE):

"CLAIMANT DOES NOT SPECIFICALLY RAISE CONSTITUTIONAL CLAIMS" (END QUOTE)

SINCE BOTH PARTIES AGREE THE CLAIMANT DOES NOT MAKE CONSTITUTIONAL CLAIMS / VIOLATIONS BUT CLAIMS OF MALICIOUS PROSECUTION / MALICIOUS ACTS OF THE RESPONDENT LEADING TO / CAUSING INJURY TO CLAIMANT THE ARKANSAS STATE CLAIMS COMMISSION DOES HAVE JURISDICTION OVER THIS COMPLAINT / CLAIM OF MALICIOUS PROSECUTION.

ACCORDING TO ARKANSAS SUPREME COURT, MALICE MAY BE INFERRED WHEN THE EVIDENCE INDICATES THAT THE DEFENDANT ACTED INTENTIONALLY IN CAUSING THE INJURY OR WITH A CONSCIOUS INDIFFERENCE TO THE CONSEQUENCES. SEE STEIN V. LUCAS 308 ARK. 74, 23 S.W.2D, 832 (1992) (WALLACE V. BROYLES 961 S.W.2D, 712, 331 ARK. 58, 332 ARK. 189, 124 ED. LAW REP. 739 (1998)).

THE ARKANSAS SUPREME COURT FURTHER HELD (QUOTE): "AS EARLY AS PITCOCK V. STATE 91 ARK. 527, 121 S.W. 742 (1909) THIS COURT HELD THAT THE CONSTITUTIONAL PROHIBITION WAS NOT MERELY DECLARATORY THAT THE STATE COULD NOT BE SUED WITHOUT HER CONSENT, BUT THAT ALL SUITS AGAINST THE STATE WERE EXPRESSLY FORBIDDEN. FURTHER, WHERE THE PLEADINGS SHOW THAT THE ACTION IS, IN EFFECT, ONE AGAINST THE STATE, THE TRIAL COURT ACQUIRES NO JURISDICTION."

CONCLUSION

The claimant has sued ARKANSAS (Division of Correction) for the malicious ACTS of its employees conducted during their official duties causing injury, Pursuant to ARKANSAS SUPREME COURT [Quote] ?

"where a suit is brought against an agency with relation to some matter in which the defendant represents the STATE in action and liability, and the STATE though not the real party of RECORD is the Real Party in interest so that a judgement for the Plaintiff would lie to control the ACTION of the STATE or subject the STATE to liability, the ACTION is, in effect, one against the state and prohibited by the constitutional bar. PAGE V. MCKINLEY 1916 ARK. 331-118 S.W.2d. 235 (1938). For this REASON THE ARKANSAS STATE CLAIMS COMMISSION has jurisdiction over these claims which are barred from litigation in courts of general Jurisdiction,

RESPECTFULLY SUBMITTED

[Signature]

CERTIFICATE OF SERVICE

The foregoing mailed to ARKANSAS STATE CLAIMS COMMISSION 101 East Capitol Avenue Suite 410 Little Rock, ARKANSAS 71602-3823 and Tasha Ann Tidwell ARK. Bar No. 2018159 A.D.L. 6814 Princeton Pike Pine Bluff, ARKANSAS 71602 December 15, 2025 through U.S. Postal service mail.

MR. Romario V. Waller, 


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. 251324

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 \$75,000.00 in damages related to Respondent’s employee making a false statement concerning a disciplinary.
2. Respondent filed a motion to dismiss, arguing, *inter alia*, that this claim is entwined with a disciplinary incident and that the Commission does not have jurisdiction over the claim.
3. Claimant filed a response to the motion to dismiss, arguing that dismissal was not proper.
4. The Commission agrees with Respondent that this claim is inexorably entwined with a disciplinary incident, and it is beyond the scope and purpose of the Commission to consider disciplinary issues or to insert itself into Respondent’s disciplinary process.
5. If Claimant believes he has federal law claims against individual employees of Respondent or believes he was deprived of due process, those claims 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. Respondent's motion to dismiss is GRANTED pursuant to Ark. Code Ann. § 25-44-204 and Ark. R. Civ. P. 12(h), 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) 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) the instant claim, 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.CLAIM NO. 251324

CLAIMANT/APPELLANT

ARKANSAS DIVISION OF CORRECTION

RESPONDED/APPELLEE

NOTICE OF APPEAL

Notice is hereby given that Claimant Romario V. Waller appeals the April 9, 2026 ORDER BY ARKANSAS STATE CLAIMS COMMISSION to dismiss Claim No. 251324.

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 Records of the Proceedings, exhibits, evidence, exhibits 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,

R.V. [Signature]

MR. ROMARIO V. WALLER. [REDACTED]

CERTIFICATE OF SERVICE

The foregoing mailed to Mika Tucker ARKANSAS STATE CLAIMS COMMISSION (May 5, 2026) 101 East Capitol Avenue, Suite 410, Little Rock, ARKANSAS 72201-3823 through U.S. Postal Service mail.