

IN THE CIRCUIT COURT OF SALINE COUNTY, ARKANSAS 2026 MAY 18 PM 3: 18
CIVIL DIVISION

BY



JIMMIE CAVIN

PLAINTIFF

v.

CASE NO.

63CV-26-1358-3

SHERIFF RODNEY WRIGHT, in his official capacity
as custodian of certain records

DEFENDANTS

COUNTY JUDGE MATT BRUMLEY, in his official capacity
as custodian of certain records

COMPLAINT

Comes now the Plaintiff, Jimmie Cavin, by and through his attorneys, and for his
Complaint against the above-named Defendants, states:

PARTIES, JURISDICTION, AND VENUE

1. This is an action brought pursuant to the Arkansas Freedom of Information Act of 1967 ("FOIA"), codified at Ark. Code Ann. § 25-19-101 et seq.
2. That Plaintiff Jimmie Cavin is an adult citizen of the State of Arkansas, a resident of Faulkner County, and a taxpayer who resides in and pays taxes supporting the State of Arkansas. Plaintiff brings this action as a matter of right under Ark. Code Ann. § 25-19-107.

3. Saline County, Arkansas (“County”) is a political subdivision of the State of Arkansas and is required to comply with the provisions regarding FOIA requests, Ark. Code Ann. § 25-19-105.

4. Defendant Sheriff Rodney Wright is the duly elected Sheriff of Saline County, Arkansas. Sheriff Wright is sued in his official capacity as custodian of certain records, or as the public official with administrative control over certain records, maintained by or within the possession, custody, or control of the Saline County Sheriff’s Office.

5. Defendant County Judge Matt Brumley is the duly elected County Judge of Saline County, Arkansas. Judge Brumley is sued in his official capacity as custodian of certain records, or as the public official with administrative control over certain records, maintained by or within the possession, custody, or control of Saline County, including records relating to the County’s internal investigation, payroll records, and any responsive disciplinary-action records.

6. Jurisdiction and venue are proper in this Court under Ark. Code Ann. § 25-19-107(a).

FACTUAL ALLEGATIONS

7. On or about February 1, 2026, Plaintiff published an article concerning vulgar text messages allegedly exchanged between a Saline County Sheriff’s Office Lieutenant and deputies regarding a female deputy. The article addressed alleged misconduct involving public employees (**Exhibit A, Cavin’s Article**).

8. Following publication of the article, Sheriff Rodney Wright confirmed to Plaintiff that Sheriff Wright and County Judge Matt Brumley had initiated an internal investigation into the matter and that the investigation would be conducted by the Saline County Human Resources Director.

9. On February 17, 2026, Plaintiff submitted a written FOIA request by email to Judge Brumley concerning the investigation. The request included the investigation file, the latest paycheck to the employee conducting the investigation, and the latest paycheck for each person interviewed in the investigation (**Exhibit B, FOIA Request Email Chain**).

10. In that February 17, 2026 request, Plaintiff specifically cited Ark. Code Ann. § 25-19-105(a)(3)(A) and (B), advising the County that if no responsive records existed, the custodian was required to respond that no records existed, and that if responsive records existed but were exempt, the custodian was required to identify the applicable exemption.

11. On February 19, 2026, Audrey Villegas, HR/Payroll Specialist for Saline County, responded to Plaintiff's February 17 request. Ms. Villegas stated that the request for the investigation file sought employee evaluation or job performance records under Ark. Code Ann. § 25-19-105(c)(1), that the investigation was ongoing, that the employees who were the subject of the investigation had not been suspended or terminated, and that any records that were part of the investigation file would not be disclosed (**Exhibit B**).

12. The February 19 response also stated that the remaining request for paychecks had been determined to involve personnel records that were releasable subject to necessary redactions.

13. On February 23, 2026, Plaintiff notified the County that the records requested in items 2 and 3 of his February 17 request were past due and asked that they be provided without further delay.

14. Later on February 23, 2026, Ms. Villegas responded, stating: "Please see records attached for #2 and in response to #3 no interviews have taken place at this time."

15. Although Plaintiff believed that the February 23 response did not strictly comply with Ark. Code Ann. § 25-19-105(a)(3), Plaintiff did not file suit at that time.

16. On April 13, 2026, Plaintiff submitted another written FOIA request by email to the County concerning the same subject matter. The request sought the following records:

- a. The investigation file;
- b. The latest paycheck to the employee conducting the investigation;
- c. The latest paycheck for each person interviewed in the investigation;
- d. All disciplinary action taken against Lt. Bell regarding the matter; and
- e. All disciplinary action taken against Dalton Gregg regarding the matter (**Exhibit B**).

17. Plaintiff again specifically cited Ark. Code Ann. § 25-19-105(a)(3)(A) and (B), advising the County that if no responsive records existed, the custodian was required to respond that no records existed, and that if responsive records existed but were exempt, the custodian was required to identify the applicable exemption.

18. On or about April 14, 2026, Ms. Villegas responded on behalf of the County in relevant part:

"Evaluation Records. Under Ark. Code Ann. § 25-19-105(c)(1), the requests for 'the investigation file,' 'all disciplinary action taken against Lt. Bell regarding the matter,' and 'all disciplinary action taken against Dalton Gregg regarding the matter' seek evaluation records that are only available upon the final administrative resolution of any suspension or termination proceeding at which the records form a basis for the decision to suspend or terminate the employee and if there is a compelling public interest in their disclosure. In this case, the investigation file is composed of records that were compiled in connection with an investigation into alleged employee misconduct, so the

investigation file is considered an evaluation record. (See Ops. Att’y Gen. 2002-095, 2001-082). Furthermore, the employees who are the subject of the investigation and those listed specifically in your request have not been the subject of any suspension or termination. Therefore, the necessary conditions for release of evaluation records have not been met. Any records that are part of the ‘investigation file’ and records reflecting any disciplinary actions taken against Lt. Bell and Dalton Gregg will not be disclosed”
(Exhibit B).

19. The April 14 response clearly invoked Ark. Code Ann. § 25-19-105(c)(1) as to the investigation file. However, as to items 4 and 5, the response did not clearly state whether disciplinary-action records existed and were being withheld under a specific exemption, or whether no responsive disciplinary-action records existed.

20. Instead, the response used broad and conditional language by stating that “any records” reflecting disciplinary actions would not be disclosed. That language left Plaintiff unable to determine whether the County was claiming that disciplinary-action records actually existed and were exempt, or whether no disciplinary-action records existed at all.

21. The April 14 response also stated that the remaining paycheck records were releasable subject to redactions, but those records were not attached to the response.

22. On April 15, 2026, Plaintiff emailed Judge Brumley and Sheriff Wright and addressed the deficiencies in the April 14 response.

23. Plaintiff stated that the response appeared to claim Ark. Code Ann. § 25-19-105(c)(1) as the exemption for item 1, the investigation file. Plaintiff further stated that as to items 2 and 3, the response made clear that the Defendants intended to disclose the paycheck records, but the records had not been attached. Plaintiff then specifically addressed items 4 and 5, explaining that those items were requests for records and that the Defendants were required to respond as follows:

- a. If the records existed and were not exempt, the Defendants were required to disclose them;
- b. If the records did not exist, the Defendants were required to state that no records exist; or
- c. If the records existed but were exempt, the Defendants were required to identify the applicable exemption.

24. Plaintiff asked the Defendants to provide the response required by law for items 4 and 5 without further delay. On April 16, 2026, at approximately 7:18 p.m., Plaintiff again emailed concerning items 4 and 5. Plaintiff stated that items 4 and 5 were past due and asked the County to provide either the records or the proper responses the following morning. Plaintiff further stated that if the Defendants did not intend to fulfill their legal requirements as to items 4 and 5, they should make that intention known.

25. On April 16, 2026, at approximately 8:06 p.m., Plaintiff sent another email to Judge Brumley and Sheriff Wright regarding item 3. Plaintiff stated that Ms. Villegas had sent records that Plaintiff understood to be responsive to item 2, but that Plaintiff had received nothing for item 3. Plaintiff quoted Defendant's earlier response stating that the remaining paycheck requests had been determined to be personnel records releasable subject to redactions. Plaintiff then asked Defendants to provide the records responsive to item 3 without delay.

26. On April 17, 2026, at approximately 8:18 a.m., Saline County Attorney Kolton Jones responded to Plaintiff stating, "Your assumption is correct. The records provided were responsive to your #2 request. To my understanding, there are no records responsive to request #3." Jones did not state that he was the custodian of the records responsive to item 3. Jones did not state that the custodian had determined that no records exist. Jones did not provide the statutory response required by Ark. Code Ann. § 25-19-105(a)(3)(A), which requires the custodian to respond that no records exist if no

responsive records exist. Instead, Jones gave an equivocal statement based on his “understanding.”

27. In the same April 17 email, Jones addressed items 4 and 5 by referring Plaintiff back to the April 14 response, which stated that “[a]ny records that are part of the ‘investigation file’ and records reflecting any disciplinary actions taken against Lt. Bell and Dalton Gregg will not be disclosed.” However, Jones still did not provide a clear response to either item. He did not state whether disciplinary-action records responsive to items 4 and 5 exist, whether no such records exist, or whether existing records were being withheld under a specific statutory exemption.

28. On April 17, 2026, at approximately 10:30 a.m., Plaintiff responded to Judge Brumley and Sheriff Wright and copied County Attorney Jones. Plaintiff explained that as to item 3, if the requested records did not exist, the custodian was required to respond that no records exist. Plaintiff further explained that Jones’ statement, “To my understanding, there are no records responsive to request #3,” did not satisfy the statute.

29. Plaintiff again addressed items 4 and 5, explaining that the County could not have it both ways. Plaintiff stated that as to item 4, the law required the County to either specifically state that no records exist or state the applicable exemption being claimed for item 4. Plaintiff stated that as to item 5, the law required the County to either specifically state that no records exist or state the applicable exemption being claimed for item 5. Plaintiff asked the County to immediately respond to items 3, 4, and 5 as required by law. Plaintiff further stated that if items 3, 4, and 5 were not properly

and lawfully fulfilled by the end of the day, Plaintiff would consider the failure a refusal and denial of rights.

FOIA VIOLATIONS

30. Arkansas law provides that public records shall be open to inspection and copying by any citizen of the State of Arkansas except as otherwise specifically provided by law. Ark. Code Ann. § 25-19-105(a)(1)(A). Arkansas law further provides that a citizen may make a request to the custodian to inspect, copy, or receive copies of public records. Ark. Code Ann. § 25-19-105(a)(2)(A). Plaintiff's April 13, 2026 FOIA request was a written request for public records. Plaintiff's April 13, 2026 FOIA request was sufficiently specific to enable Defendants to locate the requested records with reasonable effort.

31. Ark. Code Ann. § 25-19-105(a)(3) provides:

“A custodian shall respond as follows in writing within the time period required under this section to a written request for public records:

(A) If no records exist that are responsive to the request, the custodian shall respond that no records exist; (B) If any responsive records that exist are subject to exemptions under this chapter or other law, the custodian shall respond and identify the applicable exemptions; and (C) If the custodian lacks administrative control over any responsive records that may exist, the custodian shall respond and identify the appropriate custodian to direct the request to, if known or readily ascertainable.”

32. The purpose of Ark. Code Ann. § 25-19-105(a)(3) is to remove ambiguity from public-records responses. The statute does not allow a custodian to leave the requester guessing whether responsive records exist. The statute does not allow a custodian to answer with conditional or equivocal language that avoids the necessary determination. The statute requires a custodian to choose the legally required response:

disclose the record, state that no responsive records exist, identify the applicable exemption, or identify the proper custodian if the receiving custodian lacks administrative control.

33. Arkansas law also provides that if a custodian knowingly fails to respond as required under Ark. Code Ann. § 25-19-105(a)(3), he or she is subject to the penalties in Ark. Code Ann. § 25-19-104 for a violation of FOIA.

34. Defendants violated FOIA by failing to provide lawful written responses to items 3, 4, and 5 of Plaintiff's April 13, 2026 request.

35. Item 3 requested the latest paycheck for each person interviewed in the investigation. Defendants first indicated that the paycheck records were releasable subject to redactions but later provided records responsive only to item 2. When Plaintiff followed up regarding item 3, County Attorney Kolton Jones stated only: "To my understanding, there are no records responsive to request #3."

36. That response did not comply with Ark. Code Ann. § 25-19-105(a)(3). If no responsive records existed, Defendants were required to plainly state that no records exist. If records existed but were exempt, Defendants were required to identify the applicable exemption. If the Defendants lacked administrative control over the records, Defendants were required to identify the proper custodian. The Defendants did none of those things.

37. Items 4 and 5 requested all disciplinary action taken against Lt. Bell and Dalton Gregg regarding the matter. The Defendants did not produce records responsive to items 4 and 5. The Defendants did not state that no responsive records exist. The Defendants did not clearly state that responsive records exist but are exempt.

38. Instead, the Defendants stated that “any records” reflecting disciplinary action taken against Lt. Bell and Dalton Gregg would not be disclosed. That response was legally insufficient because it failed to tell Plaintiff whether responsive disciplinary records actually exist. The phrase “any records” leaves open both possibilities: that records exist and are being withheld, or that no records exist at all.

39. Plaintiff gave the Defendants multiple opportunities to cure the deficient responses. Plaintiff explained the statutory requirements in his April 13 request, again challenged the deficient response on April 15, followed up again on April 16, and again demanded a lawful response on April 17.

40. Defendants still failed to provide the responses required by law. Defendant’s failure to provide clear and lawful written responses denied Plaintiff the rights guaranteed to him under the Arkansas Freedom of Information Act.

41. Pursuant to Ark. Code Ann. § 25-19-107(b), Plaintiff respectfully requests that this Court, upon this Complaint, fix and assess a date for hearing within seven (7) days and hear and determine this case as required by law.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully asks this Court to declare that the Defendants violated the Arkansas Freedom of Information Act; to enjoin Defendants from failing to comply with Ark. Code Ann. § 25-19-105; to order Defendants to provide lawful written responses to items 3, 4, and 5 of Plaintiff’s April 13, 2026 FOIA request; to award Plaintiffs his costs and reasonable attorney’s fees under Ark. Code Ann. § 25-19-107(d); and to grant such other and further relief as the Court deems just and proper.

Respectfully submitted,
Jimmie Cavin, Plaintiff



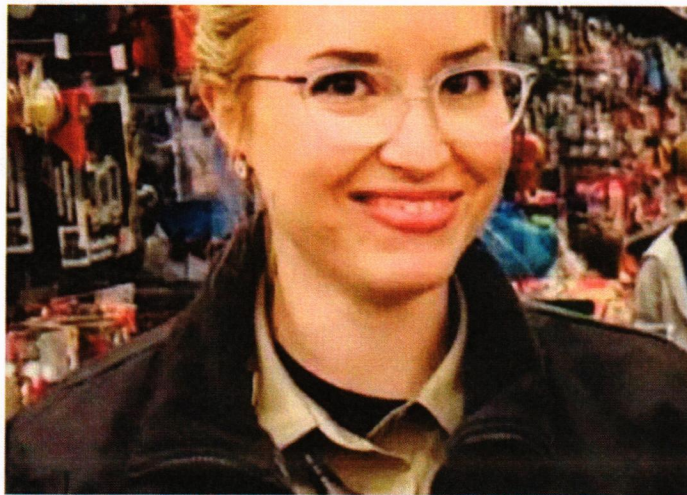
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STATE

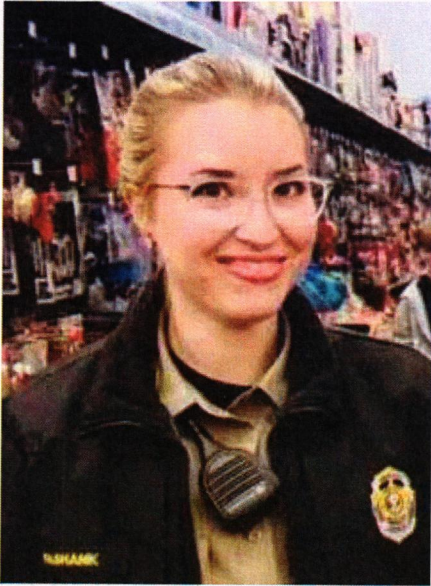
The Sexual Harassment Of Saline County Deputy Raelyn Fashank: Sheriff Announces Investigation....The Text Messages & The Facts

Jimmie Cavin

Feb 1, 2026



Share this news article



Last Monday I brought you the story of a Sexual Harassment Complaint made by Deputy Raelyn Fashank against her Supervisor, Lt. James Bell.

While I did prove that Chief Deputy Dustin Robertson failed to conduct a proper investigation into the complaint along with violating five Department Policies in the process, I had no facts to conclude she had been Sexually Harassed....Until now.



What I could not bring you at that time is that I was aware of text messages between Lt. Bell and other Deputies speaking of Fashank in vulgar sexual ways.

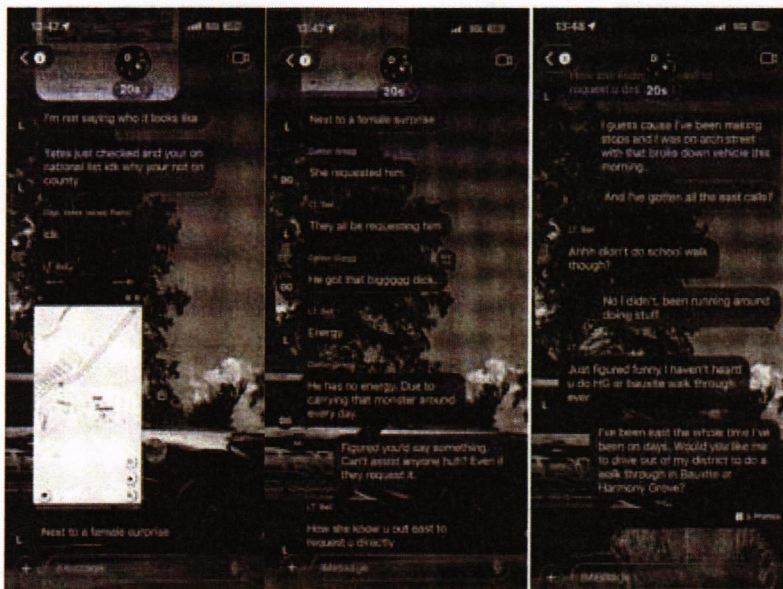
On January 12th I sent Sheriff Rodney Wright an FOI request for text messages between Bell and other Deputies for September through November 2025.

Roberston replied on Wright's behalf with **"No records exist."**.....Bell had deleted everything.

On January 17th I sent a new FOI Request for all text messages between Deputes Dalton Gregg, Christopher Yates, Jesse Taylor, Jeremiah Holleman and Lt. Bell for the same time period....There's more than one way to skin a cat.

While it took a while, I finally received text messages from Gregg's and Taylor's cell phones late Thursday afternoon....Yates and Holleman had deleted theirs.

In those messages was proof of Sexual Harassment against Fashank.



In the message back and forth on October 31st, Bell initiates by attaching a snapshot of Fashank's location and remarks about Taylor being with Fashank on a call.

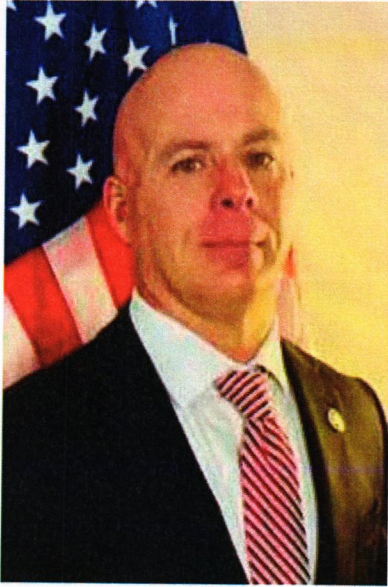
Bell the states "They all be requesting him" meaning female Deputies with Gregg then replying – **"He got that biggggg dick."**

The clear insinuation was that Fashank was sexually attracted to Taylor and that is why she requested him to assist on a call.

Taylor, taking exception to the comments, comes back with "Figured you'd say something. Can't assist anyone huh? Even if they request it."

That didn't sit well with Bell who then began criticizing Taylor's work performance.

I emailed and spoke with Sheriff Wright on Friday concerning the matter and he stated he was unaware of the dialogue between Lt. Bell and the other Deputies until I made my request for them.



I have no reason to doubt that....You can't expect a sheriff to know about text messages between staff members that he or she is not a part of.

However, he does know now....and so does County Judge Matt Brumley.



I emailed and spoke with Brumley as well on Friday and understandably so, he had no knowledge of the text messages until I provided him with them.

I wanted his input as to the County's role in this matter considering there is actually a County Ordinance (Law), 2021-02 dealing with employee Sexual Harassment.

SECTION 35 SERIAL AND OTHER UNLAWFUL HARASSMENT (starts on page 41 of the Saline County Personnel Policy amended 10-27-2024 available on our website at <https://www.salinecountymissouri.gov/office-of-human-resources> under Personnel & HR Department - Benefits & Employee Resources)

Effective February 16, 2021, Ordinance 2021-03
Employees of any type (union, non-union or otherwise) who violate the policy of Saline County to create equal employment opportunity without discrimination on the basis of race, color, national origin, religion, sex, creed, or national ancestry (sexual) are prohibited, in any other characteristic protected by law. The policy specifically prohibits and has absolutely no tolerance for any form of harassment, discrimination or employment-related or the part of its employees. It is expected that all employees will treat each other with dignity and respect. Violation of this policy will subject an employee to disciplinary action, up to and including immediate discharge.

It is not possible to describe all types of harassment. Harassment includes verbal or physical conduct that humiliates or demeans, or is directed at an individual because of his/her race, color, religion, sex, national origin, age or disability, and that (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment (2) has the purpose or effect of unreasonably interfering with an individual's work performance, or (3) seriously adversely affects an individual's employment opportunities. Harassing conduct includes but is not limited to: slurs, epithets, jokes, remarks, or derogatory or demeaning, intimidating or hostile acts that relate to race, color, religion, sex, national origin, age or disability, all forms of graphic material that humiliates or demeans, or is directed at an individual or group because of race, color, religion, sex, national origin, age or disability and that is physical or verbal, before, during or otherwise on the premises of Saline County, or conducted on the workplace and any actual advances, requests for sexual favors, solicitations or otherwise, including, but not limited to, graphic or physical contact of a sexual nature.

If you feel that you are being harassed in any way by another employee, a public official, or by a contractor or vendor, it is your absolute right and obligation to promptly make your feelings known to your immediate supervisor. If your immediate supervisor does not agree with your position, if you are not satisfied with the way your complaint has been handled, if you do not feel comfortable discussing the matter with your immediate supervisor, or if your immediate supervisor is the source of the problem, you should promptly report the problem to the ELECTED OFFICIAL, or to the Personnel Department. The matter will be thoroughly investigated and, where appropriate, disciplinary action will be taken up to and including termination of the employee who is found to have violated this policy. Once the investigation has been completed, you will be informed of the outcome. You will not be penalized in any way for reporting such conduct

concerning yourself or another person. Reports against any employee regarding an allegation of harassment will not be retaliated. If an allegation is made that reprisal is sought against the employee reporting an allegation of harassment, a thorough internal investigation will occur. If it is determined that the allegations are substantiated, disciplinary action will be taken up to and including termination of the employee who is found to have violated this policy.

Saline County's policy is to offer aggression and timely support to victims of sexual harassment and harassment. Saline County is committed to making supportive resources available to victims of sexual harassment or harassment through supervisors, designated persons in the Personnel Department, or other persons that may be designated by Saline County. It is the affirmative responsibility of the victim to seek workplace support. Saline County will undertake all reasonable efforts to maintain the confidentiality and privacy of the victim.

If it is determined that anyone covered by this Personnel Policy has been convicted of a crime regarding sexual misconduct, domestic violence, or dating violence, or after an internal investigation, it is determined that anyone covered by this Personnel Policy engaged in conduct in violation of Section 16 of this policy, they shall be prohibited from occupying a position where they work with victims of sexual misconduct, domestic violence, dating violence or other vulnerable populations. An individual covered by this Personnel Policy who has been found by internal investigation to have violated Section 16 of this policy may be eligible to occupy a position working with victims of sexual misconduct, domestic violence, dating violence or other vulnerable populations, if approved by the Personnel Department.

Do not assume that the ELECTED OFFICIAL or the Personnel Department is aware of your problem. It is your responsibility to bring information, complaints and in concern to the attention of the ELECTED OFFICIAL or the Personnel Department so that we can take action to resolve the problem.

Brumley really could not tell me anything at the time and it would be unfair to expect him to.

Brumley and Wright both agreed to get back with me and this morning Wright did just that by calling.

Wright said he had met with Brumley and requested him to have County Human Resources Director, Stacy Peterson, initiate and conduct an investigation into the matter.

Wright stated that he felt with all things considered that it would be better for Peterson to handle it instead of his Office to avoid any questions of bias.

Considering how Fashank's Sexual Harassment complaint in September of 2024 was completely mishandled, I'd say that's the wise thing to do.

Wright said Brumley agreed with him and that he would be instructing Peterson to conduct the investigation.

I asked Wright if Lt. Bell and Deputy Gregg would be placed on paid Administrative Leave pending the outcome of the investigation. He said all parties involved were separated right now so he did not see any reason for that.

So, here's where we are at.

Concerning Fashank's September 2024 complaint, Chief Deputy Dustin Robertson called it a **"he said she said"**....Well that ship has sailed and the fact is Deputy Raelyn Fashank has been the victim of Sexual Harassment....Period.

In the interview I conducted with Lt. Bell for the article I published on January 26th he stated – “***I did not sexually harass her.***”.....That now has proven to be a flat out lie.

This is the very definition of Sexual Harassment and it's coming from a Supervisor....A Lieutenant at that.

I mean what tha Hell !....Are Bell and Gregg in Junior High ?

Is this how they would like their wives, daughters or sisters talked about ?

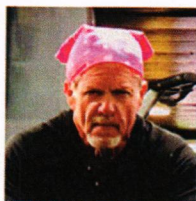
They have violated multiple Sheriff's Department Policies along with County Ordinance 2021 02.

The only question now is how will this end ?

Will Bell and Gregg be Terminated ?....Or at the very least Suspended ?

Because I can tell you anything less will be a slap in the face to every woman employed by the County....A slap in the face of Deputy Raelyn Fashank.

And that's Facts....Not Fiction.



Jimmie Cavin

Professional Bully Fighter I investigate and report on issues around the State of Arkansas with an emphasis on Government. I am strong conservative however I bring Truth and Facts regardless of Party affiliation....My hashtag is #FactsNotFiction

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On February 17th I sent the following FOI request to Brumley pertaining to that investigation and I cited Joey's Law –

Jimmie Cavin

To: Matt, Cc: Christy, and 1 other, Bcc: Rae · Tue, Feb 17 at 3:55 PM

Message Body

Hey Matt, hope all is well.

Under the Arkansas Freedom of Information Act I request in electronic form via email the following pertaining to the attached text messages.

1. The Investigation file.
2. Latest paycheck to the employee conducting the investigation.
3. Latest paycheck for each person interviewed in the investigation.

Please be aware of the following –

AR Code 25-19-105 (a) (3) (A) If no records exist that are responsive to the request, the custodian shall respond that no records exist. (B) If any responsive records that exist are subject to exemptions under this chapter or other law, the custodian shall respond and identify the applicable exemptions.

Any questions let me know.

Jimmie Cavin
Arkansas 1st News
501-412-9520

On February 19th I received the following response to the request –

Audrey Villegas
To: me, Cc: Kolton · Thu, Feb 19 at 1:45 PM
Message Body
February 19, 2026

Dear Mr. Cavin:

Your request under the Arkansas Freedom of Information Act has been received. Under the Arkansas Freedom of Information Act, Ark. Code Ann. § 25-19-105(c)(3), when a request is made for personnel records, “the custodian of records shall determine within twenty-four (24) hours of the receipt of the request whether the records are exempt from disclosure and make efforts to the fullest extent possible to notify . . . the subject of the records of that decision.” Pursuant to A.C.A. § 25-19-105, I am required to notify you and the subject of the request whether or not the records requested are exempt from disclosure. The following determinations have been made: **Evaluation Records.** Under Ark. Code Ann. § 25-19-105(c)(1), the request for “the investigation file” seeks evaluation records that are only available upon the final administrative resolution of any suspension or termination proceeding at which the records form a basis for the decision to suspend or terminate the employee and if there is a compelling public interest in their disclosure. In this case, the investigation file is

composed of records that were compiled in connection with an investigation into alleged employee misconduct, so the investigation file is considered an evaluation record. (See Ops. Att'y Gen. 2002-095, 2001-082). Furthermore, the investigation is ongoing, and as such, the employees who are the subject of the investigation have not been the subject of any suspension or termination. Therefore, the necessary conditions for release of evaluation records have not been met. **Any records that are part of the "investigation file" will not be disclosed.**

Other Records. The remaining request for paychecks have been determined to be personnel records, which the county has found to be releasable subject to necessary redactions where applicable:

- Personal contact information of public employees, including personal telephone numbers, personal e-mail addresses, and home addresses (Ark. Code Ann. § 25-19-105(b)(13));
- Employee personnel number (Ops. Att'y Gen. 2014-094, 2007-070);
- Social security numbers (Ops. Att'y Gen. 2006-035, 2003-153);
- Medical information (Op. Att'y Gen. 2003-153);
- Insurance coverage (Op. Att'y Gen. 2004-167);
- Tax information or withholding (Ops. Att'y Gen. 2005-194, 2003-385);
- Payroll deductions (Op. Att'y Gen. 98-126); and
- Banking information (Op. Att'y Gen. 2005-194).

You, as the requester, have the right under the Arkansas Freedom of Information Act to seek an Attorney General opinion stating whether the county's decision is consistent with the Freedom of Information Act, which if requested, must be issued within three (3) working days of the receipt of the request. You must submit the request for an Attorney General's opinion to the Attorney General's office by the close of the Attorney General's Office the day following receipt of this notice. **Failure to request an opinion within the time requirement set forth in Ark. Code Ann. § 25-19-105(c)(3)(B) may be considered a forfeiture of your right to seek an opinion.**

Please confirm receipt of this message as soon as possible, and please let this office know as soon as possible if you have requested an opinion from the Attorney General's office.

Sincerely,

Audrey Villegas
HR/Payroll Specialist

On February 23rd I replied back with –

Jimmie Cavin

To: Audrey, and 1 other, Cc: Kolton · Mon, Feb 23 at 8:25 AM

Message Body

Hey Matt hope you had a great weekend.

The records requested for #2 & #3 are past due.

Please provide them without further delay.

Any questions let me know.

Thanks

Jimmie

A little while later I received the following reply –

Audrey Villegas

To: me, Cc: Matt, and 1 other · Mon, Feb 23 at 11:05 AM

Message Body

Mr. Cavin,

Please see records attached for #2 and in response to #3 no interviews have taken place at this time.

Thank you,

Audrey

While they were not in strict compliance with the response to #3, I let it go.

On April 13th I sent Brumley and Wright the following FOI Request –

Jimmie Cavin

To: Matt, and 1 other, Cc: Christy, and 1 other, Bcc: Rae · Mon, Apr 13 at 8:01 AM

Message Body

Hey guys, hope all is well.

Under the Arkansas Freedom of Information Act I request in electronic form via email the following pertaining to the attached text messages.

- 1. The Investigation file.*
- 2. Latest paycheck to the employee conducting the investigation.*
- 3. Latest paycheck for each person interviewed in the investigation.*
- 4. All disciplinary action taken against LT Bell regarding the matter.*

5. All disciplinary action taken against Dalton Gregg regarding the matter.

Please be aware of the following –

AR Code 25-19-105 (a) (3) (A) If no records exist that are responsive to the request, the custodian shall respond that no records exist. (B) If any responsive records that exist are subject to exemptions under this chapter or other law, the custodian shall respond and identify the applicable exemptions.

Any questions let me know.

Jimmie Cavin
Facts Not Fiction Investigative Reports
501-412-9520

Audrey replied on there behalf on April 14th and on April 15th I emailed Brumley and Wright with reply and my response which is the following –

Jimmie Cavin

To: Matt, and 1 other, Cc: Christy, and 1 other, Bcc: Rae · Wed, Apr 15 at 3:24 PM

Message Body

Hey Guy's, the following is what I received from Audrey on your behalf's.

Dear Mr. Cavin:

Your request under the Arkansas Freedom of Information Act has been received. Under the Arkansas Freedom of Information Act, Ark. Code Ann. § 25-19-105(c)(3), when a request is made for personnel records, "the custodian of records shall determine within twenty-four (24) hours of the receipt of the request whether the records are exempt from disclosure and make efforts to the fullest extent possible to notify . . . the subject of the records of that decision." Pursuant to A.C.A. § 25-19-105, I am required to notify you and the subject of the request whether or not the records requested are exempt from disclosure. I have made the following determinations: **Evaluation Records.** Under Ark. Code Ann. § 25-19-105(c)(1), the requests for "the investigation file," "all disciplinary action taken against Lt. Bell regarding the matter," and "all disciplinary action taken against Dalton Gregg regarding the matter" seek evaluation records that are only available upon the final administrative resolution of any suspension or termination proceeding at which the records form a basis for the decision to suspend or terminate the employee and if there is a compelling public interest in their disclosure. In this case, the investigation file is composed of records that were compiled in connection with an investigation into alleged employee misconduct, so the investigation file is considered an evaluation record. (See Ops. Att'y Gen. 2002-095, 2001-082). Furthermore, the employees who are the subject of the investigation and those listed specifically in your request have not been the subject of

any suspension or termination. Therefore, the necessary conditions for release of evaluation records have not been met. **Any records that are part of the "investigation file" and records reflecting any disciplinary actions taken against Lt. Bell and Dalton Gregg will not be disclosed.**

My Response - The response clearly claims (C) (1) as the exemption for #1 in the request.

As to #2 and #3, the response makes clear the intent to disclose the records, yet they were not attached. When will you provide them ?

As to #4 and # 5, the response does not fulfill the clear requirements contained in **AR Code 25-19-105 (a) (3) (A) which** states - If no records exist that are responsive to the request, the custodian shall respond that no records exist. **(B)** If any responsive records that exist are subject to exemptions under this chapter or other law, the custodian shall respond and identify the applicable exemptions.

#4 and #5 are requests for records.

If those records exist and do not fall under a code of exemption, then they have to be disclosed.

If those records do not exist, then the custodian must respond with "no records exist."

If those records fall under an exemption the custodian must respond and identify the applicable exemptions.

Please provide the response to #4 and #5 that is required by law without further delay.

Thank you

Jimmie

On April 16th I sent the following to Brumley and Wright -

Jimmie Cavin

To: Matt, and 1 other, Cc: Christy, and 1 other · Thu, Apr 16 at 7:18 PM

Message Body

Hey Guys

#4 and #5 are past due.

Please provide either the records or the proper responses in the morning.

If the intention is not to fulfill your requirements under the law for #4 and #5 then please make that intention known.

Thanks !

Jimmie

Roughly one hour later I sent the following to Brumely and Wright –

Jimmie Cavin

To: Matt, and 1 other, Cc: Christy, and 1 other · Thu, Apr 16 at 8:06 PM

Message Body

Hey guys, also Audrey sent me the attached records which I assume are the records responsive to #2.

However, I have received nothing for # 3.

The response on your behalf stated – “The remaining request for paychecks have been determined to be personnel records, which the county has found to be releasable subject to necessary redactions where applicable.”

Please provide me with the records for #3 without delay as they are past due.

Thanks

Jimmie

On April 17th, County Attorney Jones sent me the following –

Kolton Jones

To: me, and 2 others, Cc: Christy · Fri, Apr 17 at 8:18 AM

Message Body

Mr. Cavin,

Your assumption is correct. The records provided were responsive to your #2 request. To my understanding, there are no records responsive to request #3.

As to your #4 and 5 requests, please see the following language that was sent to you Tuesday morning.

Your request:

"4. All disciplinary action taken against LT Bell regarding the matter.

5. All disciplinary action taken against Dalton Gregg regarding the matter."

The response sent to you on Tuesday morning:

"Evaluation Records. Under Ark. Code Ann. § 25-19-105(c)(1), the requests for "the investigation file," "all disciplinary action taken against Lt. Bell regarding the matter," and "all disciplinary action taken against Dalton Gregg regarding the matter" seek evaluation records that are only available upon the final administrative resolution of any suspension or termination proceeding at which the records form a basis for the decision to suspend or terminate the employee and if there is a compelling public interest in their disclosure. In this case, the investigation file is composed of records that were compiled in connection with an investigation into alleged employee misconduct, so the investigation file is considered an evaluation record. (See Ops. Att'y Gen. 2002-095, 2001-082). Furthermore, the employees who are the subject of the investigation and those listed specifically in your request have not been the subject of any suspension or termination. Therefore, the necessary conditions for release of evaluation records have not been met. **Any records that are part of the "investigation file" and records reflecting any disciplinary actions taken against Lt. Bell and Dalton Gregg will not be disclosed."**

(Emphasis added).

Hope this helps. Have a great weekend.

Kolton

A couple of hours later on April 17th I sent the following to Brumley, Wright and Jones –

Jimmie Cavin

To: Matt, and 1 other, Cc: Joey, and 2 others · Fri, Apr 17 at 10:30 AM

Message Body

Hey Guys

As to #3 if the records requested do not exist then the custodian must respond **that no records exist.**

If that is indeed the case then the custodian needs to respond with the required language.

Kolton stating **"To my understanding, there are no records responsive to request #3."** does not satisfy the law.

As to Kolton's statement – **"Any records that are part of the "investigation file" and records reflecting any disciplinary actions taken against Lt. Bell and Dalton Gregg will not be disclosed."**

Kolton's statement does not provide any clarity nor the required responses to the requests for #4 and #5.

*To #4 the law requires you to either specifically state "**no records exist**" or state the **applicable exemption** you are claiming for #4....It is one or the other.... You can't have it both ways.*

*To #5 the law requires you to either specifically state "**no records exist**" or state the "**applicable exemption**" you are claiming for #5....Again it is one or the other.... You can't have it both ways.*

Please immediately respond to #3, #4 and #5 as required by law.

If the request in #3, #4 and #5 are nor properly and lawfully fulfilled by the end of the day then I will consider that a refusal and denial of rights.

Thanks guys !

Jimmie

They did not respond or comply.



FILED
SALINE COUNTY
CIRCUIT CLERK

2026 MAY 18 PM 3:20

BY 

May 13, 2026

Saline County Circuit Court
200 N. Main Street
Suite 113
Benton, AR 72015

Re: Jimmie Cavin v. Sheriff Rodney Wright, et al.

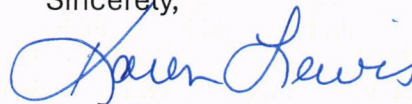
Dear Sir/Madam:

Enclosed please find Plaintiff's Civil Cover Sheet together with Original Complaint and the request for two (2) Summons. Please file the Complaint with the Court as well as the two Summons. We will obtain copies off the Court's website once the filing is complete.

Also enclosed is this firm's check to cover the fees for these filings.

If you have any questions or need additional information, please let us know.

Sincerely,

A handwritten signature in blue ink that reads "Karen Lewis".

Karen Lewis

Paralegal to Joey McCutchen

/kl
Encs.