

IN THE COURT OF APPEALS OF TENNESSEE
Assigned on Briefs October 2, 2023

<p>FILED 10/30/2023 Clerk of the Appellate Courts</p>
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LEONARD BLACKSTOCK, JR. v. STATE OF TENNESSEE

Appeal from the Tennessee Claims Commission
No. 0546-GL-23-0500765-001 James A. Haltom, Commissioner

No. M2023-00064-COA-R3-CV

The Tennessee Claims Commission dismissed appellant’s complaint for lack of subject matter jurisdiction. Discerning no error, we affirm.

**Tenn. R. App. P. 3 Appeal as of Right; Judgment of the Claims Commission
Affirmed**

W. NEAL MCBRAYER, J., delivered the opinion of the court, in which THOMAS R. FRIERSON, II and KENNY W. ARMSTRONG, JJ., joined.

Leonard Blackstock, Jr., Springfield, Tennessee, pro se appellant.

Jonathan Skrmetti, Attorney General and Reporter, and Hollie R. Parrish, Assistant Attorney General, for the appellee, State of Tennessee.

MEMORANDUM OPINION¹

Leonard Blackstock, Jr. filed a claim against the state Division of Claims and Risk Management. The Division of Claims and Risk Management transferred the claim to the Claims Commission. *See* Tenn. Code Ann. § 9-8-402(c) (2020). Mr. Blackstock’s formal complaint asserted he was injured by a member of law enforcement calling him a racial slur. He also filed a Motion for Witness Protection asserting that “Mr. Blackstock, Rosalind Custer-Blackstock are experiencing seclusion by cyber-murder and cyber-kidnapping” related to the claim.

¹ Under the rules of this Court, as a memorandum opinion, this opinion may not be published, “cited[,] or relied on for any reason in any unrelated case.” TENN. CT. APP. R. 10.

The Claims Commission concluded Mr. Blackstock’s complaint failed to allege any viable claims under Tennessee Code Annotated § 9-8-307(a)(1) (2020) and dismissed the lawsuit. Additionally, it found his complaint raised the same factual allegations he had raised in a number of previously-dismissed claims before the tribunal² and was therefore barred by res judicata. Following this dismissal, Mr. Blackstock filed a “Motion to Opinion Deny State of Tennessee’s Order to Dismiss” based on the argument that the “Tennessee Claims Commission has mistaken the process of law.”

The Tennessee legislature determines the manner and courts in which a person may file a lawsuit against the state of Tennessee. TENN. CONST. art. I, § 17; *Vetrano v. State*, No. M2015-02474-COA-R3-CV, 2017 WL 3411921, at *1 (Tenn. Ct. App. Aug. 8, 2017). It enacted the Tennessee Claims Commission Act, which grants the Claims Commission “exclusive jurisdiction to adjudicate all monetary claims against the State which fall within certain specified categories as defined by the statute.” *Mullins v. State*, 320 S.W.3d 273, 279 (Tenn. 2010).

The Claims Commission’s jurisdiction is limited to adjudicating claims against the State based on acts and omissions of state employees that fit within twenty-three statutory categories. Tenn. Code Ann. § 9-8-307(a)(1); see *Stewart v. State*, 33 S.W.3d 785, 790 (Tenn. 2000). The State will only be liable for actual damages where the facts show the claimant would have been entitled to a judgment if the State had been a private individual. Tenn. Code Ann. § 9-8-307(d). The State is not liable for “willful, malicious, or criminal acts by state employees.” *Id.*

Mr. Blackstock’s claims do not fit into any of the categories which the Claims Commission may adjudicate. And he does not allege facts that would entitle him to actual monetary damages if the State had been a private individual. Thus, the Claims Commission lacked subject-matter jurisdiction. So we affirm the judgment of dismissal.

s/ W. Neal McBrayer

W. NEAL MCBRAYER, JUDGE

² Claim No. T20210745-1, dismissed on July 7, 2021; Claim No. 0546-AL-11-0503322-001, dismissed December 1, 2021; Claim No. 0546-GL-21-0503841-001, dismissed January 12, 2022; Claim No. 0546-GL-22-0504675-001, dismissed October 18, 2022; and Claim No. 0546-GL-13-0503078-001.