

NOTICE OF APPEAL AND PETITION FOR REVIEW

IN THE COUNTY COURT OF JEFFERSON COUNTY, ARKANSAS

IN RE: CC 2025-33

Filed by: Lloyd Franklin II, Jefferson County Taxpayer

FILED

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SHAWNDRAGARTTAGGART
COUNTY CLERK
JEFFERSON COUNTY, ARKANSAS

COMES NOW, Lloyd Franklin II, a resident and taxpayer of Jefferson County, Arkansas, and pursuant to Article 7 of the Arkansas Constitution, Ark. Code Ann. § 16-67-201 et seq., Article 16 § 13 (Illegal Exaction Clause), and all other applicable law, hereby files this Notice of Appeal and Petition for Review of the County Court Order entered October 22, 2025, in County Court Case CC 2025-33, and states:

I. STANDING

1. Appellant is a taxpayer of Jefferson County and is directly affected by the lawful or unlawful expenditure of county funds.
2. Under Arkansas constitutional and statutory law, taxpayers have standing to challenge illegal exactions, unlawful expenditures, conflicts of interest, and actions taken contrary to established financial-control procedures.

II. NATURE OF THE ORDER APPEALED

3. On October 22, 2025, the Jefferson County Judge Gerald Robinson issued an Order directing the County Clerk to increase a payroll affidavit and disburse \$53,052.45 to himself.
4. In doing so, the County Judge Gerald Robinson improperly acted as: (a) the claimant, (b) the adjudicator, and (c) the approving official, creating a direct conflict of interest and a severe appearance of impropriety not tolerated under Arkansas law.

III. GROUNDS FOR APPEAL

A. Violation of Appropriation and Budget Law

5. County expenditures must be supported by lawful appropriations enacted by the Quorum Court pursuant to Ark. Code Ann. §§ 14-14-907, 14-14-1101, and 14-14-1201.
6. The County Judge Gerald Robinson has no authority to unilaterally increase, adjust, or approve salary payments inconsistent with the adopted 2025 county budget, and the budgeting and claims process set as a mandate by the State of Arkansas for checks-and-balances purposes.

B. County Judge Presided Over His Own Financial Claim (Including Statutory Violations)

7. The County Judge Gerald Robinson adjudicated and approved a matter in which he sought a direct personal financial benefit.

8. This violates constitutional due-process requirements, the common-law rule against self-adjudication, and state conflict-of-interest prohibitions.

9. Arkansas law does not permit a public official to sit in judgment of his own claim or to order payment to himself from taxpayer funds.

10. Violation of A.C.A. § 14-14-1202(a)(3): "The officer or employee may not use his or her office ... to advance his or her individual personal economic interest..."

The County Judge Gerald Robinson's attempt to authorize a \$53,052.45 payment to himself is a direct violation.

C. Appearance of Impropriety

11. The County Judge Gerald Robinson's actions create a profound appearance of impropriety.

12. Conduct that gives the public reasonable cause to suspect favoritism or self-dealing invalidates the Order.

D. Misapplication of Legal Opinions

13. Neither the County Attorney nor private counsel can override the Quorum Court's appropriation authority.

14. No legal opinion can legitimize actions that violate statute.

E. Taxpayer Funds Are at Immediate Risk

15. The Order directs payment of \$53,052.45 in taxpayer funds without lawful appropriation.

16. A stay is necessary to prevent an unlawful illegal exaction.

F. Failure to Follow Mandatory State Procedures, Legislative Audit Requirements & County Financial Controls

17. Arkansas law and Arkansas Legislative Audit require strict internal controls governing payroll, claims, and disbursements.

18. The mandatory steps in the payroll and claims process were not followed. These failures include:

19. Failure to properly process the claim through the County Clerk. There is no evidence the payroll request or claim was properly submitted and approved through the Clerk's office.

20. The County Clerk is the statutory gatekeeper, and bypassing the Clerk invalidates the procedure.

21. Lack of approval by the three required officials: County Clerk, County Judge, and County Treasurer.
22. No documentation shows these officials approved the claim.
23. This violates Legislative Audit standards and internal-control policies.
24. The absence of approvals renders the Order unlawful and void.

G. Failure to Provide Public Notice, Public Hearing, Public Comment, or County Attorney Participation

25. Arkansas law requires transparency and public notice for hearings involving taxpayer funds.
26. No public notice was provided for the hearing on the County Judge's personal claim.
27. No public-comment section was provided.
28. The County Attorney was not notified or present.
29. Any judge with integrity would have recused from ruling on a matter in which he was the claimant and beneficiary.

H. Closing Argument — Total Failure of Process, Fruit of the Poisonous Tree

30. When the foundation is tainted, all subsequent actions are fruit of the poisonous tree.
31. Arkansas's claims process has no severability — failure of any step voids the process.
32. Multiple safeguards failed.
33. What has taken place is an attempt to abuse the little powers left for 75 county judges which were checked for abuse by Amendment 55, and the limited judicial role is not subject to oversight from the Office of Professional Conduct.
34. Arkansas law is unequivocal: ignorance of the law is no excuse for the Chief Executive Officer of Jefferson County, Gerald Robinson.
35. No county ordinance, preference, county court order, or internal practice can override state law.
36. This act of malfeasance is why Arkansas mandates strict checks and balances.

IV. RELIEF REQUESTED

WHEREFORE, Appellant prays that the County Court:

1. Accept jurisdiction;
2. Stay the October 22, 2025 Order;
3. Reverse and declare the Order void;
4. Declare any payment an illegal exaction;

5. Grant all additional relief.

Respectfully submitted,

Lloyd Franklin II

Jefferson County Taxpayer

