



TIM GRIFFIN
ATTORNEY GENERAL

November 19, 2025

Deputy City Administrator Jeff Dingman
City of Fort Smith
623 Garrison Avenue
Fort Smith, AR 72901

Dear Mr. Dingman,

This office was asked to investigate a complaint regarding allegations by Joey McCutcheon that as a result of a Freedom of Information Act request on April 24, 2025, you committed both perjury and a criminal violation of the FOIA. I was appointed Special Prosecuting Attorney to handle this matter. I am aware that there is a declaratory judgment that you did violate the Freedom of Information Act and were ordered to pay \$400 in costs in that lawsuit.

This office has determined that no criminal charges will be filed on either allegation. While the results of the civil suit against you showed the requisite wrongful act occurred, our investigation has not identified any evidence that your wrongful act was accompanied by the requisite mental state. Similarly, there is insufficient proof to bring a perjury charge.

This office advises you to take more care in your handling of FOIA requests and implement clear procedures in your office to ensure FOIA requests are timely and accurately handled.

If you contest that or if you have an explanation for your actions, please bring it to my attention immediately.

Sincerely,

A handwritten signature in blue ink that reads "Jeanna Sherrill". The signature is fluid and cursive.

Jeanna Sherrill
Senior Assistant Attorney General
101 West Capitol Avenue
Little Rock, AR 72201