

Entered 7-14-00 - sb  
CL 001.0390 - GWENDOLYN BURNS

00-1-1154

CLAIM OF: **ANTANeka HUGHES**  
2996 Embury Way  
Atlanta, Georgia 30354

For damages alleged to have been sustained  
as a result of a property damage incident on  
January 1, 2000 at 2996 Embury Way.

THIS ADVERSED REPORT IS **CONSENT AGENDA**  
APPROVED

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

ADVERSE REPORT  
*Public Safety*  
8/1/2000

*C. T. Monty*  
*Richard [unclear]*  
*Young [unclear]*

**CERTIFIED**  
AUG 7 2000  
ATLANTA CITY COUNCIL PROCLAMATION  
*[Signature]*

**CERTIFIED**  
AUG 07 2000  
*Paul Douglas Johnson*  
MUNICIPAL CLERK

ADVERSED BY  
CITY COUNCIL AUG 07 2000

August 28, 2000

Antaneka Hughes  
2996 Embry Way  
Atlanta, GA 30354

00-R-1154

Dear Ms. Hughes:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on August 07, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0390

Date: July 18, 2000

Claimant /Victim ANTANEKA HUGHES

BY: (Atty) (Ins. Co.)

Address: 2996 Embry Way, Atlanta, Georgia 30354

Subrogation: Claim for Property damage \$ 1,172.75 Bodily Injury \$

Date of Notice: 6/15/00 Method: Written, Proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 1/4/00 Place: 2996 Embry Way

Department POLICE Division

Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that she sustained property damage when a subject drove through her yard while being pursued by the Atlanta Police. However, an investigation determined that the subject's vehicle caused claimant's damage and not the police vehicle. The claimant has been advised that the City is not responsible for third party accidents.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report Other X

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

Improper Notice More than Six Months Other X Damages reasonable

City not involved X Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: Concur/date 07-19-00

Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

BURNS  
06/19/00  
RE: CLAIM FOR DAMAGES  
Today's Date: 6-6-00  
ENTERED - 6-22-00 - SB  
00L0390 - GWEN BURNS

06-15-00 P05:54 IN

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ \$1172<sup>75</sup> property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 1-4-00 (month/day/year) 2. Time of Incident: 11:30 3. Police called: k Yes No

4. Location of incident (including street address): Cleveland Ave + Brownsmill Rd.

5. Name of your insurance company: Habitat for Humanity Policy No. \_\_\_\_\_

6. State what and how incident occurred: I was not home the time of accident but the police left information about accident. Then they mailed me a copy of the police report.

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: \_\_\_\_\_  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Atlanta Police Dept.  
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT

Antaneka Hughes  
Signature of Claimant

Antaneka Hughes  
(Print Claimant's Name)

2996 Embury Way  
(Address)

Atlanta, Ga. 30354  
(City, State and Zip Code)

4-372-6143 / 4-366-0759  
(Work Number) (Home Number)

00-R-1154