

Entered - 3-23-01- sb
CL - 01L01877 ALEXIS HOLMES

CLAIM OF: **MARCUS GEWAUN LEE**
61 Dorothy Street, SE
Atlanta, Georgia 30315

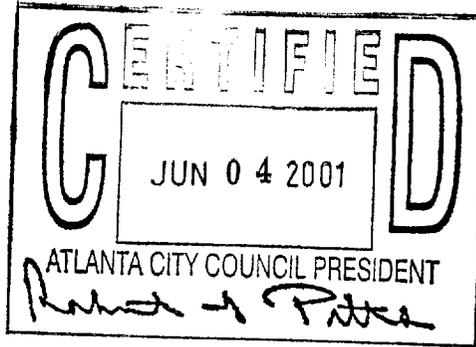
01- R -0814

For damages alleged to have been sustained as a result of an unlawful arrest on November 3, 2000 at 1097 Westview Drive, SW Apartment 6.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSE BY CITY COUNCIL JUN 04 2001



ADVERSE REPORT

COM: Public Safety

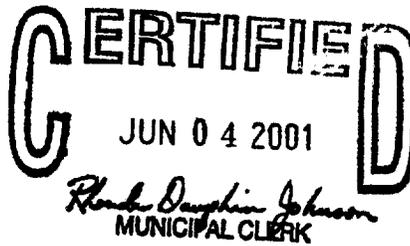
DATE: 5/29/01

CITY: Cent. Mountain

Michael B. [Signature]

[Signature]

Cleta Winstone





CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

June 19, 2001

Marcus Gewaun Lee
61 Dorothy Street, S E
Atlanta, Georgia 30315

01-R-0814

Dear Mr. Lee:

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 June 4, 2001. 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

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0187

Date: 5/15/01

Claimant /Victim MARCUS GEWAUN LEE
BY: (Atty)(Ins.)
Address: 61 Dorothy Street, SE Atlanta, Georgia 30315
Subrogation Claim for Property damage \$ Bodily Injury \$ Unspecified
Date of Notice: 3/22/01 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 11/3/00 Place: 1097 Westview Drive Apt. 6 Atlanta, GA 30316
Department Police Division: Field Operations Division
Employee involved Officer C. E. Valle Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that a City of Atlanta Police Officer wrongfully arrested him after he broke the door and illegally entered the home of Mr. Mack, and was hit on the head by Mr. Mack. It was determined that the police officer had followed correct procedures in regards to this incident. The City is immune from liability as set forth in O.C.G.A. § 36-33-3.

INVESTIGATION:

Statements: City employee Claimant Other Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
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 Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 X 2J01 2H01
Claims Manager: Concur/date 05-16-01
Committee Action: Council Action

Dianne

Marcus Gewaun Lee

61 Dorothy Street, S.E.
Atlanta, GA 30315
(404) 896-7093

Holmes
03/22/01
[Signature]

ENTERED - 3-23-01 - SB
01L0187 - ALEXIS HOLMES

City of Atlanta
Law Department
55 Trinity Ave, S.W.
Suite 4100
Atlanta, GA 30335

To Whom It May Concern:

This letter is submitted on behalf of Marcus Gewaun Lee (SS# 252-39-9991, DL#042145532). Marcus Lee at this time submit a written demand prerequisite as authorized by the Official Georgia Code Annotated (Section 36-33-5). Marcus Lee will be filing claim for a wrongful arrest made on November 3, 2000.

With Kind Regards,

[Signature]

Marcus G. Lee

01-R -0814

RCS# 2912
6/04/01
2:56 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 12

ADOPT

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 3

Unanimous

Y McCarty	B Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	B Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA

01-O-0653
01-O-0663
01-O-0664
01-O-0835
01-R-0181
01-R-0851

CONSENT

06/04/01 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 01-O-0821
2. 01-O-0834
3. 01-O-0833
4. 01-O-0492
5. 01-O-0671
6. 01-O-0717
7. 01-O-0825
8. 01-O-0826
9. 01-O-0837
10. 01-R-0832
11. 01-R-0308
12. 01-R-0836
13. 01-R-0784
14. 01-R-0785
15. 01-R-0822
16. 01-R-0352
17. 01-R-0792
18. 01-R-0846
19. 01-R-0794
20. 01-R-0795

**ITEMS ADVERSED
ON CONSENT AGENDA**

21. 01-R-0796
 22. 01-R-0797
 23. 01-R-0798
 24. 01-R-0799
 25. 01-R-0800
 26. 01-R-0801
 27. 01-R-0802
 28. 01-R-0803
 29. 01-R-0804
 30. 01-R-0805
 31. 01-R-0806
 32. 01-R-0807
 33. 01-R-0808
 34. 01-R-0891
 35. 01-R-0810
 36. 01-R-0811
 37. 01-R-0812
 38. 01-R-0813
 39. 01-R-0814
 40. 01-R-0815
 41. 01-R-0816
 42. 01-R-0817
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