

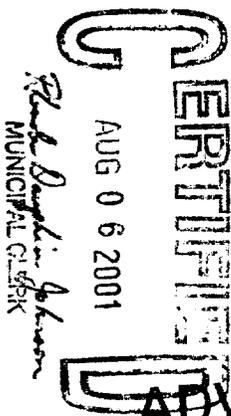
Entered - 2-6-01- sb
CL - 01L0089 ALEXIS HOLMES

CLAIM OF: **WILEY G. CARAWAY**
6327 Berwin Drive
Douglasville, Georgia 30135

01-*L*-1163

For damages alleged to have been sustained as a result of losing his property on May 22, 1998 at the City of Atlanta Police Property Management Unit.

THIS ADVERSE REPORT IS APPROVED



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

ADVERSED BY
CITY COUNCIL AUG 06 2001

CONSENT AGENDA

ADVERSE REPORT

COMM. PS - LA
DATE 7/31/01
CHAIR C.T. Mack
Michael...
Denny...
Shem...
W...
Claudia...



**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**

August 8, 2001

Wiley G. Caraway
6327 Berwin Drive
Douglasville, Georgia 30135

01-R-1163

Dear Mr. Caraway:

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 6, 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.

Yours very truly
Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0089

Date: 7/12/01

Claimant /Victim WILEY G. CARAWAY
(Atty) (Ins. Co.)
Address: 6372 Berwin Drive
Subrogation: Claim for Property damage \$ 1,528.00 Bodily Injury \$
Date of Notice: 2/5/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/22/98 - Present Place: Hartsfield Airport
Department Police Division Property Unit
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant sustained damages to his property when a City of Atlanta Police Officer confiscated his weapon and holster at the airport. When the claimant's case was dismissed, he went to Police Property to retrieve his weapon, and holster, and he was told that they were still searching for it. However, an investigation determined that the claimant was not officially notified by Police Property that his weapon, and holster could not be located until July 9, 2001. The claimant has been reimbursed for this loss through the Police Department Property Management Division.

INVESTIGATION:

Statements: City employee Claimant X Others X Written Oral X
Pictures Diagrams Reports: Police X Dept Report X 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 Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces X
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 07-17-01
Committee Action: Council Action

RCS# 3033
8/06/01
2:56 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-15

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Unanimous

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

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-1106
01-R-1200
01-R-1217

CONSENT

**ITEMS
ADOPTED ON
CONSENT
AGENDA**

**ITEMS
ADOPTED ON
CONSENT
AGENDA**

**ITEMS
ADVERSED
ON CONSENT
AGENDA**

**ITEMS
ADVERSED
ON CONSENT
AGENDA**

1. 01-O-1081
2. 01-O-1083
3. 01-O-1084
4. 01-O-1085
5. 01-O-1123
6. 01-O-1126
7. 01-O-1105
8. 01-O-1120
9. 01-R-1130
10. 01-R-1131
11. 01-R-1132
12. 01-R-1187
13. 01-R-1188
14. 01-R-1224
15. 01-R-1227
16. 01-R-1228
17. 01-R-0103
18. 01-R-1226
19. 01-R-0971
20. 01-R-1167
21. 01-R-1168
22. 01-R-1215
23. 01-R-1218
24. 01-R-1136
25. 01-R-1137
26. 01-R-1138
27. 01-R-1139
28. 01-R-1140

29. 01-R-1141
30. 01-R-1142
31. 01-R-1143
32. 01-R-1144
33. 01-R-1145
34. 01-R-1146
35. 01-R-1147
36. 01-R-1148
37. 01-R-1189
38. 01-R-1190
39. 01-R-1191
40. 01-R-1192
41. 01-R-1193
42. 01-R-1194
43. 01-R-1195
44. 01-R-1196
45. 01-R-1197
46. 01-R-1198
47. 01-R-1199

48. 01-R-1041
49. 01-R-1042
50. 01-R-1043
51. 01-R-1149
52. 01-R-1151
53. 01-R-1152
54. 01-R-1153
55. 01-R-1154
56. 01-R-1155
57. 01-R-1156
58. 01-R-1157
59. 01-R-1158
60. 01-R-1159
61. 01-R-1160
62. 01-R-1161
63. 01-R-1162
64. 01-R-1163
65. 01-R-1164
66. 01-R-1165
67. 01-R-1166
68. 01-R-1201
69. 01-R-1202
70. 01-R-1203
71. 01-R-1204
72. 01-R-1205
73. 01-R-1206
74. 01-R-1207
75. 01-R-1208

76. 01-R-1209
77. 01-R-1210
78. 01-R-1211
79. 01-R-1212
80. 01-R-1213
