

Entered - 01-11-02- sb
CL - 02L0015 ALEXIS HOLMES

CLAIM OF: **MICHAEL WAYNE JASCOMB**

Through his attorney,
Colette Resnik Steel
1800 Peachtree Street, NW
Suite 300
Atlanta, Georgia 30309

02-*l* -0426

For damages alleged to have been sustained as a result of a City of Atlanta police officer seizing his property on September 13, 2001 at 2018 Bolton Road, NW.

THIS ADVERSE REPORT IS APPROVED

BY:

Robert N. Godfrey
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

CERTIFIED
MAR 1 8 2002
ATLANTA CITY COUNCIL PRESIDENT
Catherine W. Woodard

CERTIFIED
MAR 1 8 2002
MUNICIPAL CLERK
Renee L. Davidson-Johnson

ADVERSE REPORT BY
CITY COUNCIL MAR 1 8 2002

ADVERSE REPORT

COMM: *Public Safety*
DATE: *3/12/02*
CHAIR: *[Signature]*
[Signature]
[Signature]
[Signature]
[Signature]



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

March 28, 2002

Colette Resnik Steel
Attorney at Law
1800 Peachtree St., NW
Suite 300
Atlanta, GA 30309

02-R-0426

RE: Michael Wayne Jascomb

Dear Attorney Steel:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her 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 client's claim at its regular meeting on March 18, 2002. 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, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0015

Date: 02/26/02

Claimant /Victim MICHAEL WAYNE JASCOMB
By: (Atty) (Ins. Co.) Colette Resnik Steel
Address: 1800 Peachtree Street, NW Suite 300 Atlanta, Georgia 30309
Subrogation: Claim for Property damage \$ Unspecified Bodily Injury \$
Date of Notice: 12/12/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 9/13/01 Place: 2018 Bolton Road, NW
Department Police Division Property Unit
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that he sustained property losses when a City of Atlanta Police Officer seized his vehicle for asset forfeiture. In an investigation it was discovered that the claimant's vehicle was released to him on January 11, 2002. Furthermore, the claimant has agreed to withdraw his claim against the City.

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 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 X

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 03-01-02
Committee Action: Council Action

RCS# 3628
3/18/02
3:49 PM

Atlanta City Council

Regular Session

CONSENT I Pgs 1-13; Except 02-O-0167; 02-O-0458

ADOPT

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 11
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	NV Mitchell	ITEM (S) REMOVED FROM <u>CONSENT AGENDA</u> 02-O-0167 02-O-0458
Y Starnes	Y Fauver	B Martin	Y Norwood	
NV Young	Y Shook	Y Maddox	Y Willis	
Y Winslow	Y Muller	N Boazman	NV Woolard	

CORRECTED COPY

**ITEMS ADOPTED
ON CONSENT
AGENDA**

1. 02-O-0361
2. 02-O-0456
3. 02-O-0465
4. 02-O-0466
5. 02-O-0468
6. 02-O-0469
7. 02-O-0335
8. 02-O-0336
9. 02-O-0462
10. 02-O-0342
11. 02-O-0378
12. 02-O-0251
13. 02-O-0324
14. 02-O-0346
15. 02-O-0254
16. 02-O-0352
17. 02-R-0165
18. 02-R-0382
19. 02-R-0407
20. 02-R-0483
21. 02-R-0484
22. 02-R-0194
23. 02-R-0482
24. 02-R-0252
25. 02-R-0388
26. 02-R-0391
27. 02-R-0409

**ITEMS ADOPTED
ON CONSENT
AGENDA**

28. 02-R-0446
29. 02-R-0448
30. 02-R-0449
31. 02-R-0472
32. 02-R-0395
33. 02-R-0406
34. 02-R-0412
35. 02-R-0413
36. 02-R-0414
37. 02-R-0415
38. 02-R-0416
39. 02-R-0417
40. 02-R-0418
41. 02-R-0419
42. 02-R-0420
43. 02-R-0421
44. 02-R-0422
45. 02-R-0423
46. 02-R-0447

**ITEMS ADVERSE
ON CONSENT
AGENDA**

47. 02-R-0410
48. 02-R-0411
49. 02-R-0424
50. 02-R-0425
51. 02-R-0426
52. 02-R-0427
53. 02-R-0428
54. 02-R-0429
55. 02-R-0430
56. 02-R-0431
57. 02-R-0432
58. 02-R-0433
59. 02-R-0434
60. 02-R-0435
61. 02-R-0436
62. 02-R-0437
63. 02-R-0438
64. 02-R-0439
65. 02-R-0440
66. 02-R-0441
67. 02-R-0442
68. 02-R-0443
69. 02-R-0444
70. 02-R-0445