

Entered - 05/13/02 - sb
CL02L0342 - DIANNE C. MITCHELL

CLAIM OF: ANTOINE PRESSLEY,
through his attorney,
Melanie A. Webre
Suite 980
3475 Lenox Road, NE
Atlanta, Georgia 30326

02-*R*-0924

CERTIFIED
JUN 03 2002
Rick Douglas
MUNICIPAL CLERK

For damages alleged to have been sustained as a result of personal injuries due to a beating on December 8, 2001 on Atlanta Housing Authority property located on Jonesboro Road.

THIS ADVERSED REPORT IS APPROVED

BY: *Robert N. Godfrey*
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

CERTIFIED
JUN 03 2002
ATLANTA CITY COUNCIL PRESIDENT
Latrice M. Hester

ADVERSE REPORT

COMM: *Public Safety*

DATE: *5/28/02*

CHAIR: _____

Melvin C. ...

Sgt. Martin

Robert ...

...

...



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 7, 2002

Melanie A. Webre
Attorney at Law
3475 Lenox Road, NE
Suite 980
Atlanta, Georgia 30326

02-R-0924

RE: Antoine Pressley:

Dear Attorney Webre:P

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 June 3, 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. 02L0342

Date: May 16, 2002

Claimant /Victim ANTOINE PRESLEY
BY: (Atty) Melanie A. Webre
Address: Suite 980, 3475 Lenox Road, NE, Atlanta, Georgia 30326
Subrogation: Claim for Property damage \$ Bodily Injury \$ **\$500,000.00**
Date of Notice: 05/07/02 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/08/01 Place: Jonesboro Road
Department Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges he was injured when he was beaten by a group of men and then later detained by security guards working for the Atlanta Housing Authority. The Atlanta Housing Authority is a separate legal entity from the City of Atlanta. The claimant has been advised to pursue his claim directly with the Atlanta Housing Authority.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

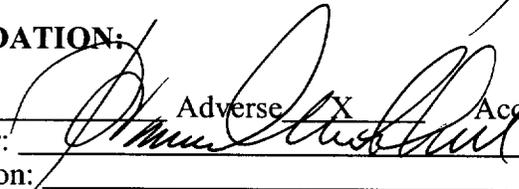
BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other 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,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 05-16-02
Committee Action: Council Action

RCS# 3776
6/03/02
2:19 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-14; Except 02-R-0974; 02-O-0952

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

ITEM (S) REMOVED FROM
CONSENT AGENDA
02-O-0952

06/03/02 Council Meeting

ITEMS ADOPTED ON CONSENT AGENDA

ITEMS ADOPTED ON CONSENT AGENDA

ITEMS ADVERSED ON CONSENT AGENDA

- | | | |
|---------------|---------------|---------------|
| 1. 02-O-0726 | 34. 02-R-0892 | 57. 02-R-0924 |
| 2. 02-O-0723 | 35. 02-R-0895 | 58. 02-R-0925 |
| 3. 02-O-0694 | 36. 02-R-0896 | 59. 02-R-0926 |
| 4. 02-O-0854 | 37. 02-R-0897 | 60. 02-R-0927 |
| 5. 02-O-0709 | 38. 02-R-0898 | 61. 02-R-0928 |
| 6. 02-O-0710 | 39. 02-R-0903 | 62. 02-R-0929 |
| 7. 02-O-0711 | 40. 02-R-0950 | 63. 02-R-0930 |
| 8. 02-O-0712 | 41. 02-R-0968 | 64. 02-R-0931 |
| 9. 02-O-0713 | 42. 02-R-0975 | 65. 02-R-0932 |
| 10. 02-O-0714 | 43. 02-R-0910 | 66. 02-R-0933 |
| 11. 02-O-0715 | 44. 02-R-0911 | 67. 02-R-0934 |
| 12. 02-O-0716 | 45. 02-R-0912 | 68. 02-R-0935 |
| 13. 02-O-0717 | 46. 02-R-0913 | 69. 02-R-0936 |
| 14. 02-O-0953 | 47. 02-R-0914 | 70. 02-R-0937 |
| 15. 02-O-0719 | 48. 02-R-0915 | 71. 02-R-0938 |
| 16. 02-O-0720 | 49. 02-R-0916 | 72. 02-R-0939 |
| 17. 02-O-0722 | 50. 02-R-0917 | 73. 02-R-0940 |
| 18. 02-O-0959 | 51. 02-R-0918 | 74. 02-R-0941 |
| 19. 02-O-0962 | 52. 02-R-0919 | 75. 02-R-0942 |
| 20. 02-O-0966 | 53. 02-R-0920 | 76. 02-R-0943 |
| 21. 02-O-0967 | 54. 02-R-0921 | 77. 02-R-0944 |
| 22. 02-O-0730 | 55. 02-R-0922 | 78. 02-R-0945 |
| 23. 02-O-0958 | 56. 02-R-0923 | 79. 02-R-0946 |
| 24. 02-O-0961 | | 80. 02-R-0947 |
| 25. 02-R-0894 | | |
| 26. 02-R-0948 | | |
| 27. 02-R-0949 | | |
| 28. 02-R-0905 | | |
| 29. 02-R-0906 | | |
| 30. 02-R-0904 | | |
| 31. 02-R-0954 | | |
| 32. 02-R-0974 | | |
| 33. 02-R-0801 | | |
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