

Entered - 02-28-02 - sb
CL - 02L0212 ALEXIS HOLMES

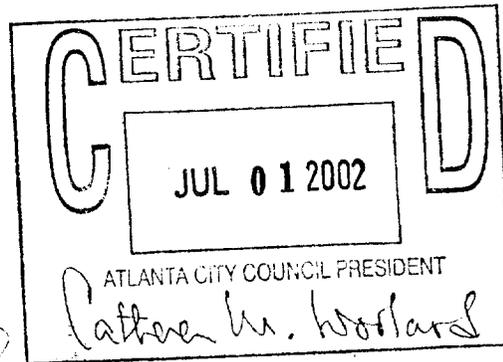
02-R-1084

CLAIM OF: **PAMELA JOHNSON**
450 Todd Street, SE
Atlanta, Georgia 30312

For property damages alleged to have been sustained as a result of a
City police officer executing a search warrant on January 17, 2002 at
450 Todd Street, SE.

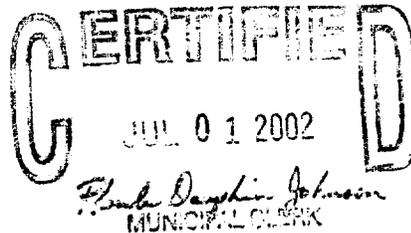
THIS ADVERSE REPORT IS APPROVED

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



ADVERSE REPORT

COMM: *P.S. & L.A.*
DATE: *JUN 25 2002*
CHAIR: *[Signature]*
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]



ADVERSE REPORT
CITY COUNCIL JUL 01



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

July 11, 2002

Pamela Johnson
450 Todd Street, SE
Atlanta, Georgia 30312

02-R-1084

Dear Ms. Johnson:

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 July 1, 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.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: **Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0212

Date: 06/10/02

Claimant /Victim PAMELA JOHNSON

BY: (Atty)(Ins.)

Address: 450 Todd Street, SE Atlanta, Georgia 30312

Subrogation: Claim for Property damage \$ 1,368.88 Bodily Injury \$

Date of Notice: 02/28/02 Method: Written, proper X Improper

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

Date of Occurrence 01/17/02 Place: 450 Todd Street, SE

Department Police Division: FOD

Employee involved Inv. D. Dumas Disciplinary Action: No action taken

NATURE OF CLAIM: The claimant alleges that City of Atlanta police officers used a bogus search warrant to illegally force entry into her home. An investigation determined that the search warrant was legal, and the officers were not in violation of their duties and properly executed the search warrant. Furthermore, the City is immune from liability as set forth under O.C.G.A. § 36-33-1 and § 36-33-3.

INVESTIGATION:

Statements: City employee Claimant Other Written X Oral

Pictures X Diagrams Reports: Police Dept Report X Other X

Traffic citations issued: City Driver Claimant Driver X

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 2J01 2H01

Claims Manager: Concur/date 06-12-02

Committee Action: Council Action

07/01/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

**ITEMS ADOPTED ON
CONSENT AGENDA**

**ITEMS
ADVERSED
ON CONSENT
AGENDA**

1. 02-O-0718
2. 02-O-1021
3. 02-O-1022
4. 02-O-1119
5. 02-O-1142
6. 02-O-0602
7. 02-O-1013
8. 02-O-1148
9. 02-O-0864
10. 02-O-1017
11. 02-O-1020
12. 02-R-1143
13. 02-R-1104
14. 02-R-1120
15. 02-R-1121
16. 02-R-1122
17. 02-R-0470
18. 02-R-0810
19. 02-R-1182
20. 02-R-1118
21. 02-R-1146
22. 02-R-1177
23. 02-R-1179
24. 02-R-1101
25. 02-R-1102
26. 02-R-1103
27. 02-R-1145
28. 02-R-1134
29. 02-R-1135
30. 02-R-1136
31. 02-R-1176
32. 02-R-1072
33. 02-R-1073

34. 02-R-1074
35. 02-R-1075
36. 02-R-1124
37. 02-R-1125
38. 02-R-1126

39. 02-R-1076
 40. 02-R-1077
 41. 02-R-1078
 42. 02-R-1079
 43. 02-R-1080
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 62. 02-R-1099
 63. 02-R-1127
 64. 02-R-1128
 65. 02-R-1129
 66. 02-R-1130
 67. 02-R-1131
 68. 02-R-1132
 69. 02-R-1133
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