

Entered - 02-27-02- sb
CL - 02L0173 ALEXIS HOLMES

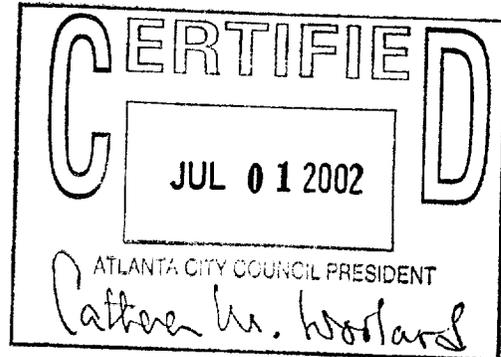
CLAIM OF: **KWIETHA BOLDEN**
210 Claire Drive
Atlanta, Georgia 30315

02-*2*-1091

For alleged property damages sustained as a result of City police officers responding to a burglary call on December 30, 2001 at 201 Clair Drive.

THIS ADVERSE REPORT IS APPROVED

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



ADVERSE REPORT

COMM: *P.S. + W.A*

DATE: *JUN 25 2002*

CHAIR: _____

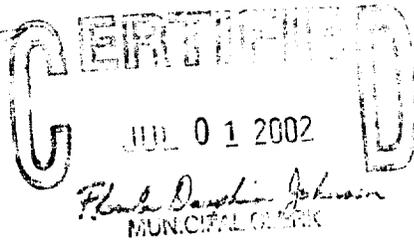
Clara Stephens

Walter A. ...

C. T. Martin

Harold ...

Carla Smith



ADVISED BY
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

Kwietha Bolden
210 Claire Drive
Atlanta, Georgia 30315

02-R-1091

Dear Ms. Bolden:

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. 02L0173

Date: 06/10/02

Claimant /Victim KWIETHA BOLDEN

BY: (Atty)(Ins.)

Address: 201 Clair Drive Atlanta, Georgia 30315

Subrogation: Claim for Property damage \$ 3,025.00 Bodily Injury \$

Date of Notice: 02/12/02 Method: Written, proper X Improper

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

Date of Occurrence 12/30/01 Place: 201 Clair Drive

Department Police Division: FOD

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges she sustained property damages when City police officers were summoned to respond to a burglary at her residence and used force to gain entry into her tenant's apartment. However, the City is immune from liability as set forth under O.C.G.A. § 36-33-3.

INVESTIGATION:

Statements: City employee Claimant X Other Written Oral X

Pictures Diagrams Reports: Police X Dept Report Other X

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

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 04-12-02

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

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 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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