

Entered - 11/13/01 - sb
CL01L0724 - DIANNE C. MITCHELL

CLAIM OF: **QUENTIN LAMAR JOHNSON,**
through his attorney,
Glenda S. Cook
225 Peachtree Street, NE
Suite 1620
Atlanta, Georgia 30303

02-*h*-1310



For damages alleged to have been sustained as a result of an arrest on August 25, 2001 at 375 Pharr Road, NE.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

CERTIFIED
AUG 19 2002
Rhonda Douglas Johnson
MUNICIPAL CLERK

ADVERSED AUG 19 2002

ADVERSED REPORT
COMM *P. S. L. A.*
DATE *7/30/02*
CHAIR *Vice Chair C. T. Martin*
Watah Archibald
Robert Godfrey
Carla Smith



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 20, 2002

Glenda S. Cook
Attorney at Law
225 Peachtree St., NE
Suite 1620
Atlanta, GA 30303

02-R-1310

RE: Quentin Lamar Johnson

Dear Attorney Cook:

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 August 5, 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

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0724

Date: July 1, 2002

Claimant /Victim QUENTIN LAMAR JOHNSON

BY: (Atty) Glenda S. Cook

Address: 225 Peachtree Street, NE, Suite 1620, Atlanta, Georgia 30303

Subrogation: Claim for Property damage \$ Bodily Injury \$ Not Stated

Date of Notice: 10/24/01 Method: Written, proper X Improper

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

Date of Occurrence 08/25/01 Place: 375 Pharr Road, NE

Department Police Division:

Employee involved Officers T. Mulkey & T. Castor Disciplinary Action: No Action Taken

NATURE OF CLAIM: The claimant alleges he was injured when he was arrested by police. The City is immune from liability as set forth in O.C.G.A. §36-33-1 and §36-33-3.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report 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

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: [Signature] Concur/date 07-09-02

Committee Action: Council Action

08/19/02 Council Meeting

**ITEMS ADOPTED ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT AGENDA**

- | | |
|---------------|---------------|
| 1. 02-O-1181 | 34. 02-R-1307 |
| 2. 02-O-1221 | 35. 02-R-1308 |
| 3. 02-O-1222 | 36. 02-R-1309 |
| 4. 02-O-1282 | 37. 02-R-1310 |
| 5. 02-O-1300 | 38. 02-R-1311 |
| 6. 02-O-1245 | 39. 02-R-1312 |
| 7. 02-O-1293 | 40. 02-R-1313 |
| 8. 02-O-1294 | 41. 02-R-1314 |
| 9. 02-O-1223 | 42. 02-R-1315 |
| 10. 02-O-1220 | 43. 02-R-1316 |
| 11. 02-O-1289 | 44. 02-R-1317 |
| 12. 02-O-1291 | 45. 02-R-1318 |
| 13. 02-O-1273 | 46. 02-R-1319 |
| 14. 02-O-1224 | 47. 02-R-1320 |
| 15. 02-O-1232 | 48. 02-R-1321 |
| 16. 02-O-1233 | 49. 02-R-1322 |
| 17. 02-O-1287 | 50. 02-R-1323 |
| 18. 02-R-1362 | 51. 02-R-1324 |
| 19. 02-R-1283 | 52. 02-R-1325 |
| 20. 02-R-1288 | 53. 02-R-1326 |
| 21. 02-R-1334 | 54. 02-R-1327 |
| 22. 02-R-1279 | 55. 02-R-1328 |
| 23. 02-R-1331 | 56. 02-R-1329 |
| 24. 02-R-1332 | 57. 02-R-1330 |
| 25. 02-R-1333 | |
| 26. 02-R-1338 | |
| 27. 02-R-1349 | |
| 28. 02-R-1350 | |
| 29. 02-R-1348 | |
| 30. 02-R-1303 | |
| 31. 02-R-1304 | |
| 32. 02-R-1305 | |
| 33. 02-R-1306 | |

1st Consent I Vote: 13Yeas; 0 Nays (See RCS #3910)
Items Removed from Consent: 02-O-1290; 02-O-1213; 02-R-1345; 02-O-1272