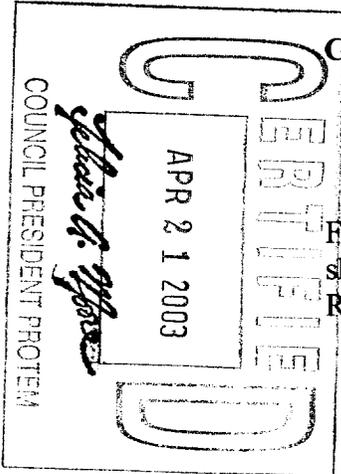


Entered - 02/26/03- sb  
CL 03L0144 - GWENDOLYN BURNS

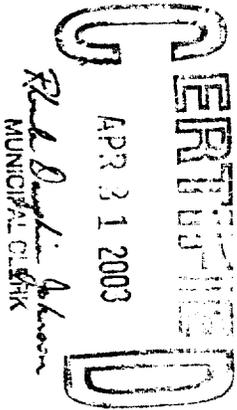
03-*2*-0524

CLAIM OF: WYNETTA V. MCNEIL  
1468 Richland Road, SW  
Atlanta, Georgia 30310



For damages alleged to have been sustained when a dog was shot by Atlanta Police on February 2, 2003 at 1468 Richland Road, SW.

THIS ADVERSED REPORT IS APPROVED



BY: \_\_\_\_\_

JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

ADVERSED BY  
COUNCIL 4/21/03

### ADVERSE REPORT

COMM: Public Safety  
DATE: 4/21/03  
CHAIR: \_\_\_\_\_  
\_\_\_\_\_  
C. Tom Martin  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**CITY OF ATLANTA  
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) 658-6273**

April 29, 2003

Wynetta V. McNeil  
1468 Richland Rd., SW  
Atlanta, GA 30310

**03-R-0534**

Dear Ms. McNeil:

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 January 21, 2003. 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. 03L0144

Date: March 19, 2003

Claimant /Victim WYNETTA V. MCNEIL
BY: (Atty) (Ins. Co.)
Address: 1468 Richland Road, SW, Atlanta, Georgia 30310
Subrogation: Claim for Property damage \$ 1,285.97 Bodily Injury \$
Date of Notice: 2/25/03 Method: Written, Proper Improper X
Conforms to Notice: O.C.G.A. §36-33-5 Ante Litem (6 Mo.)
Date of Occurrence 2/01/03 Place: 1468 Richland Road, SW
Department POLICE Division
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that her dog was unjustly shot by Atlanta Police. However the Department of Police is immune from liability as provided in O.C.G.A. §36-33-1.

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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2P01 2H01
Claims Manager: Concur/date 03-20-03
Committee Action: Council Action

RCS# 4616  
4/21/03  
2:23 PM

Atlanta City Council

Regular Session

CONSENT I            Pgs. 1-19; Except 03-O-0441; 03-O-0391

Adopt

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 0  
EXCUSED: 0  
ABSENT 1

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

CONSENT I

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**4/21/03 FULL COUNCIL MEETING**

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**Items Adopted on the Consent Agenda**

- |               |               |               |
|---------------|---------------|---------------|
| 1. 03-O-0186  | 36. 03-R-0451 | 72. 03-R-0498 |
| 2. 03-O-0350  | 37. 03-R-0571 | 73. 03-R-0499 |
| 3. 03-O-0401  | 38. 03-R-0549 | 74. 03-R-0500 |
| 4. 03-O-0442  | 39. 03-R-0555 | 75. 03-R-0501 |
| 5. 03-O-0438  | 40. 03-R-0556 | 76. 03-R-0502 |
| 6. 03-O-0445  | 41. 03-R-0558 | 77. 03-R-0503 |
| 7. 03-O-0446  | 42. 03-R-0559 | 78. 03-R-0504 |
| 8. 03-O-0443  | 43. 03-R-0560 | 79. 03-R-0505 |
| 9. 03-O-0450  | 44. 03-R-0561 | 80. 03-R-0506 |
| 10. 03-O-0485 | 45. 03-R-0562 |               |
| 11. 03-O-0399 | 46. 03-R-0563 |               |
| 12. 03-O-0369 | 47. 03-R-0564 |               |
| 13. 03-O-0416 | 48. 03-R-0572 |               |
| 14. 03-O-0193 | 49. 03-R-0588 |               |
| 15. 03-O-0355 | 50. 03-R-0589 |               |
| 16. 03-O-0359 | 51. 03-R-0590 |               |
| 17. 03-O-0360 | 52. 03-R-0448 |               |
| 18. 03-O-0436 | 53. 03-R-0454 |               |
| 19. 02-O-1543 | 54. 03-R-0528 |               |
| 20. 03-O-0432 | 55. 03-R-0529 |               |
| 21. 03-O-0433 | 56. 03-R-0569 |               |
| 22. 03-O-0434 | 57. 03-R-0570 |               |
| 23. 03-R-0444 | 58. 03-R-0591 |               |
| 24. 03-R-0530 | 59. 03-R-0592 |               |
| 25. 03-R-0531 | 60. 03-R-0217 |               |
| 26. 03-R-0532 | 61. 03-R-0539 |               |
| 27. 03-R-0533 | 62. 03-R-0541 |               |
| 28. 03-R-0534 | 63. 03-R-0542 |               |
| 29. 03-R-0535 | 64. 03-R-0566 |               |
| 30. 03-R-0536 | 65. 03-R-0593 |               |
| 31. 03-R-0537 | 66. 03-R-0544 |               |
| 32. 03-R-0538 | 67. 03-R-0545 |               |
| 33. 03-R-0546 | 68. 03-R-0565 |               |
| 34. 03-R-0577 | 69. 03-R-0496 |               |
| 35. 03-R-0390 | 70. 03-R-0497 |               |

**Items Adversed on  
the Consent Agenda**

- |                |
|----------------|
| 81. 03-R-0507  |
| 82. 03-R-0508  |
| 83. 03-R-0509  |
| 84. 03-R-0510  |
| 85. 03-R-0511  |
| 86. 03-R-0512  |
| 87. 03-R-0513  |
| 88. 03-R-0514  |
| 89. 03-R-0515  |
| 90. 03-R-0516  |
| 91. 03-R-0517  |
| 92. 03-R-0518  |
| 93. 03-R-0519  |
| 94. 03-R-0520  |
| 95. 03-R-0521  |
| 96. 03-R-0522  |
| 97. 03-R-0523  |
| 98. 03-R-0524  |
| 99. 03-R-0525  |
| 100. 03-R-0526 |
| 101. 03-R-0527 |

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Consent I Vote: 15Yeas; 0 Nays: (See RCS #4616)

Items Removed from the Consent Agenda: 03-O-0441 & 03-O-0391