

Entered - 12/09/03 - sb
CL03L0941 - DIANNE C. MITCHELL

CLAIM OF: **ALPHONSO K. ALLISON**
2007 Morehouse Drive
Atlanta, Georgia 30314

04- *R*-1171

For damages alleged to have been sustained as a result of loss of a
weapon on November 19, 2003 at 675 Ponce de Leon Avenue, NE.

THIS ADVERSED REPORT IS APPROVED

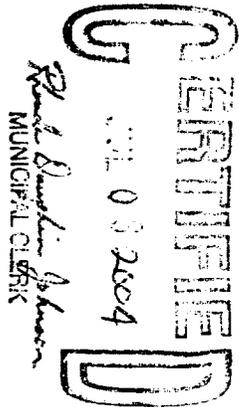
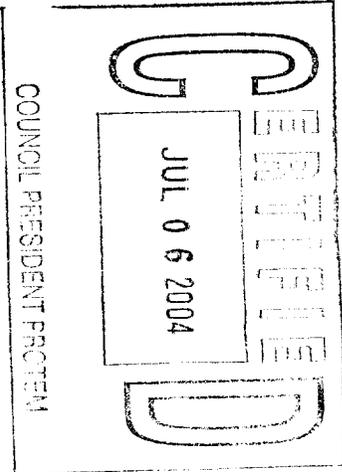
BY: _____


JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 6/29/04
CHAIR: H. J. Hill
Vynell Masley
Raymond
C. Thomas
H. Shub
Carla Smith





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

July 19, 2004

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Alphonso K. Allison
2007 Morehouse Drive
Atlanta, GA 30314

04-R-1171

Dear Mr. Allison:

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 06, 2004. 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. 03L0941

Date: June 8, 2004

Claimant /Victim ALPHONSO K. ALLISON

BY: (Atty)(Ins. Co.)

Address: 2007 Morehouse Drive, Atlanta, Georgia 30314

Subrogation: Claim for Property damage \$ 414.05 Bodily Injury \$

Date of Notice: 12/01/03 Method: Written, proper X Improper

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

Date of Occurrence 11/19/03 Place: 675 Ponce de Leon Avenue, NE

Department Police Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that Atlanta Police recovered his stolen weapon, but when he attempted to retrieve it from the Property Management Division it could not be found. The investigation determined that the claimant's weapon was stolen and then recovered on February 1, 2003 and was released to the claimant on April 18, 2003. Subsequently, the same weapon was stolen again in May, 2003, but has not been recovered and is not in the possession of the Atlanta Police Department.

INVESTIGATION:

Statements: City employee X Claimant Others Written Oral X

Pictures Diagrams Reports: Police X Dept Report X 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 of Dianne C. Mitchell]

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01

Claims Manager: [Signature] Concur/date 06/14/04

Committee Action: Council Action

| 7-06-04 Council Meeting | |
|-------------------------------------|--------------------------------------|
| ITEMS ADOPTED ON CONSENT | ITEMS ADVERSED ON CONSENT |
| 1. 04-O-1036 | 34. 04-R-1163 |
| 2. 04-O-1037 | 35. 04-R-1164 |
| 3. 04-O-1038 | 36. 04-R-1165 |
| 4. 04-O-1039 | 37. 04-R-1166 |
| 5. 04-O-1040 | 38. 04-R-1167 |
| 6. 04-O-1041 | 39. 04-R-1168 |
| 7. 04-O-1042 | 40. 04-R-1169 |
| 8. 04-O-1196 | 41. 04-R-1170 |
| 9. 04-O-1013 | 42. 04-R-1171 |
| 10. 04-O-1014 | 43. 04-R-1173 |
| 11. 04-O-1050 | 44. 04-R-1174 |
| 12. 04-O-1054 | 45. 04-R-1175 |
| 13. 04-O-1055 | 46. 04-R-1176 |
| 14. 04-O-1058 | 47. 04-R-1177 |
| 15. 04-R-1152 | 48. 04-R-1179 |
| 16. 04-R-1153 | 49. 04-R-1180 |
| 17. 04-R-1158 | 50. 04-R-1181 |
| 18. 04-R-1193 | 51. 04-R-1182 |
| 19. 04-R-1155 | 52. 04-R-1183 |
| 20. 04-R-1149 | 53. 04-R-1184 |
| 21. 04-R-1150 | 54. 04-R-1185 |
| 22. 04-R-1033 | 55. 04-R-1186 |
| 23. 04-R-1146 | |
| 24. 04-R-1148 | |
| 25. 04-R-1159 | |
| 26. 04-R-1160 | |
| 27. 04-R-1161 | |
| 28. 04-R-1187 | |
| 29. 04-R-1188 | |
| 30. 04-R-1189 | |
| 31. 04-R-1190 | |
| 32. 04-R-1191 | |
| 33. 04-R-1192 | |