

Entered - 05/14/04 - sb
CL - 04L0316 LISA CARTER

CLAIM OF: MARTA
2424 Piedmont Road, NE
Atlanta, Georgia 30324

04-*R*-1179

For damages alleged to have been sustained during the transport of an inmate on March 17, 2004 at the City of Atlanta Detention Center

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. [Signature]

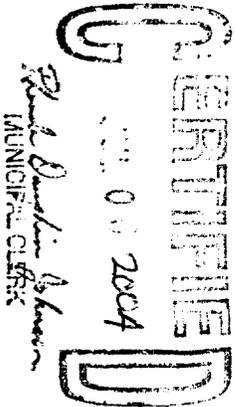
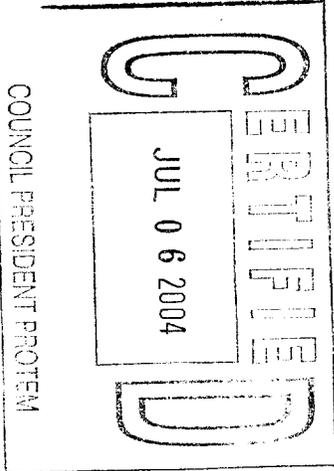
Vynell [Signature]

Nary [Signature]

C. Till [Signature]

Hand Sharp

Carla Smith





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

July 20, 2004

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

MARTA
Attn: Sylvia Crisp
24224 Piedmont Rd., NE
Atlanta, GA 30324-3330

04-R-1179

Dear Ms. Crisp:

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. 04L0316

Date: June 15, 2004

Claimant /Victim MARTA
BY: (Atty) (Ins. Co.) _____
Address: 2424 Piedmont Road, NE Atlanta Georgia 30324
Subrogation: _____ Claim for Property damage \$ 112.30 Bodily Injury \$ _____
Date of Notice: 05/13/04 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/17/04 Place: City of Atlanta Detention Center
Department Corrections Bureau: _____ Division: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that its vehicle sustained damages during the transport of an inmate to the City of Atlanta Detention Center. An investigation determined that the damages were caused due to negligence of the driver of the claimant's vehicle. The claimant's driver failed to follow procedures upon entering the sallyport entrance door.

INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X 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 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,

Lisa Carter
INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager: [Signature] Concur/date 06/16/04
Committee Action: _____ Council Action _____

RCS# 5863
7/06/04
1:32 PM

Atlanta City Council

Regular Session

CONSENT I

04-R-1187 AND 04-R-1179

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 0
EXCUSED: 0
ABSENT 0

Y Smith	Y Winslow	Y Shook	Y Martin	A Mitchell
Y Starnes	Y Archibong	Y Muller	Y Maddox	Y Norwood
Y Young	Y Fauver	Y Moore	Y Mosley	Y Willis

CONSENT I