

Entered - 04/23/03 - sb
CL - 03L00319 LISA CARTER

CLAIM OF: SHANNON WALLS,
Through his attorney
Tony L. Axam
1280 West Peachtree Street
Atlanta, Georgia 30309

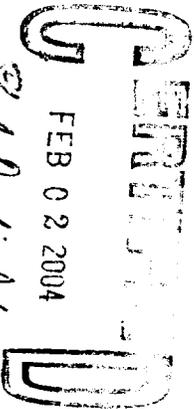
04-R-0122

For damages alleged to have been sustained during an arrest
on November 17, 2002 at 250 East Paces Ferry Road.

THIS ADVERSED REPORT IS
APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FEB 02 2004


FEB 02 2004
Municipal Clerk
Rod D. ...

^{ref} UNFAVORABLE REPORT
PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE
DATE: 1/27/04
CHAIR: Carla Switzer
Raymond ...
...
Carla Switzer



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

February 9, 2004

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

Tony L. Axam
Attorney at Law
1280 West Peachtree Street
Atlanta, GA 30309

04-R-0122

RE: Shannon Walls

Dear Attorney Axam:

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 February 02, 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. 03L0319

Date: January 13, 2004

Claimant /Victim SHANNON WALLS

BY: (Atty) (Ins. Co.) Tony L. Axam

Address: 1280 West Peachtree Street, Georgia 30309

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

Date of Notice: 04/21/03 Method: Written, proper X Improper

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

Date of Occurrence 11/17/02 Place: 250 East Paces Ferry Road

Department Police Services Bureau: Division:

Employee involved C.A. Schmidt Disciplinary Action: No Action Taken

NATURE OF CLAIM: The claimant alleges that he sustained bodily injuries when excessive force was used during an arrest at 250 East Paces Ferry Road. However, an investigation determined that there is not sufficient information to prove the allegations made by the claimant. Furthermore, 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 X Claimant X Others Written X 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

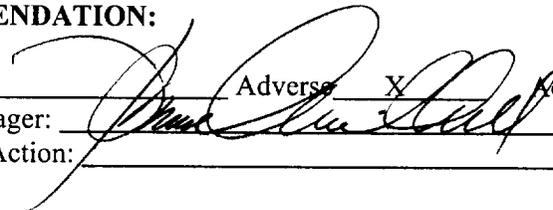
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - LISA CARTER

RECOMMENDATION:

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

Claims Manager:  Concur/date 01/15/04

Committee Action: Council Action

RCS# 5372
2/02/04
1:41 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-14 EXCEPT; 04-R-0185,
04-R-0186
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

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

CONSENT I

2-02-4 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 04-O-0033	41. 04-R-0088
2. 04-O-0037	42. 04-R-0089
3. 04-O-0151	43. 04-R-0090
4. 04-O-0159	44. 04-R-0091
5. 04-O-0153	45. 04-R-0092
6. 04-R-0176	46. 04-R-0093
7. 04-R-0133	47. 04-R-0094
8. 04-R-0178	ITEMS ADVERSED ON CONSENT
9. 04-R-2123	48. 04-R-0096
10. 04-R-0135	49. 04-R-0097
11. 04-R-0136	50. 04-R-0098
12. 04-R-0137	51. 04-R-0099
13. 04-R-0138	52. 04-R-0100
14. 04-R-0139	53. 04-R-0101
15. 04-R-0145	54. 04-R-0102
16. 04-R-0146	55. 04-R-0103
17. 04-R-0147	56. 04-R-0104
18. 04-R-0148	57. 04-R-0105
19. 04-R-0149	58. 04-R-0106
20. 04-R-0150	59. 04-R-0107
21. 04-R-0154	60. 04-R-0108
22. 04-R-0160	61. 04-R-0109
23. 04-R-0161	62. 04-R-0110
24. 04-R-0162	63. 04-R-0111
25. 04-R-0164	64. 04-R-0112
26. 04-R-0184	65. 04-R-0113
27. 04-R-0140	66. 04-R-0114
28. 04-R-0170	67. 04-R-0115
29. 04-R-0076	68. 04-R-0116
30. 04-R-0077	69. 04-R-0117
31. 04-R-0078	70. 04-R-0118
32. 04-R-0079	71. 04-R-0119
33. 04-R-0080	72. 04-R-0120
34. 04-R-0081	73. 04-R-0121
35. 04-R-0082	74. 04-R-0122
36. 04-R-0083	75. 04-R-0123
37. 04-R-0084	76. 04-R-0124
38. 04-R-0085	
39. 04-R-0086	
40. 04-R-0087	