

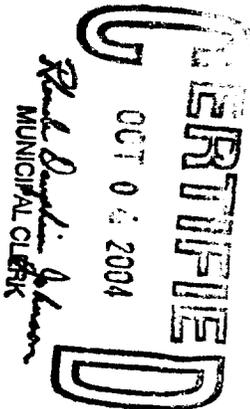
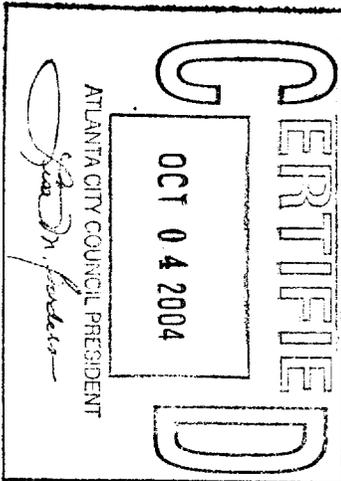
04-2-1718

Entered - 08/10/04 - sb
CL04L0514 - DIANNE C. MITCHELL

CLAIM OF: **JOBY CHEESMAN**
3941 Rosehill Court
Millbrook, Alabama 36054

For damages alleged to have been sustained as a result of
vehicular damage on July 7, 2004 at 3941 Rosehill Court.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:



ADOPTED BY
OCT 04 2004
COUNCIL

BE IT RESOLVED by the Council of the City of Atlanta that
the action of the Department of Law be approved in authorizing
payment to **JOBY CHEESMAN** the sum of **\$1,014.63** in full
settlement and satisfaction of all claims, past, present and
future, of every kind and character for damages alleged to have
been sustained as a result of vehicular damage on July 7, 2004
at 3941 Rosehill Court as is more particularly set forth in the
within claim; said sum taken from and charged to account
1A01/529017/T31001, Settlement of Suits and Claims,
Department of Law.

APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 9/28/04

CHAIR: [Signature]

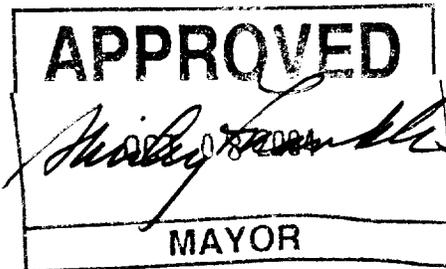
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**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-1718

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Joby Cheesman** in the sum of **\$1,014.63** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **as a result of vehicular damage on July 7, 2004 at 3941 Rosehill Court**, as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
APPROVED by the Mayor**

October 4, 2004
October 8, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0514

Date: September 9, 2004

Claimant /Victim JOBY CHEESMAN

BY: (Atty) _____

Address: 3941 Rosehill Court, Millbrook, Alabama 36054

Subrogation: _____ Claim for Property damage \$ 1,014.63 Bodily Injury \$ _____

Date of Notice: 08/09/04 Method: Written, proper X Improper _____

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

Date of Occurrence 07/07/04 Place: 3941 Rosehill Court, Mellbrook, Alabama

Department Police Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant purchased a vehicle that had been repossessed after the owner of same was arrested for homicide by Atlanta police. After the purchase of the vehicle it was damaged when Atlanta Homicide investigators removed pieces of carpet from same as evidence in the homicide. The investigation determined that the City violated the claimant's due process rights pursuant to Federal law.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ 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 _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

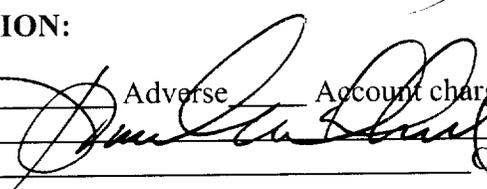
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,014.63 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____ 2P01 _____

Claims Manager:  Concur/date 09/11/04

Committee Action: _____ Council Action _____

		10-04-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1418	38. 04-R-1683	60. 04-R-1705
2. 04-O-1441	39. 04-R-1684	61. 04-R-1706
3. 04-O-1565	40. 04-R-1685	62. 04-R-1707
4. 04-O-1567	41. 04-R-1686	63. 04-R-1708
5. 04-O-0438	42. 04-R-1687	64. 04-R-1709
6. 04-O-1507	43. 04-R-1688	65. 04-R-1710
7. 04-O-1559	44. 04-R-1689	66. 04-R-1711
8. 04-O-1572	45. 04-R-1690	67. 04-R-1712
9. 04-O-1582	46. 04-R-1691	68. 04-R-1713
10. 04-O-1728	47. 04-R-1692	69. 04-R-1714
11. 04-O-1732	48. 04-R-1693	70. 04-R-1715
12. 04-R-1655	49. 04-R-1694	71. 04-R-1716
13. 04-R-1421	50. 04-R-1695	72. 04-R-1717
14. 04-R-1668	51. 04-R-1696	
15. 04-R-1719	52. 04-R-1697	
16. 04-R-1487	53. 04-R-1698	
17. 04-R-1624	54. 04-R-1699	
18. 04-R-1673	55. 04-R-1700	
19. 04-R-1674	56. 04-R-1701	
20. 04-R-1675	57. 04-R-1702	
21. 04-R-1491	58. 04-R-1703	
22. 04-R-1659	59. 04-R-1704	
23. 04-R-1660		
24. 04-R-1661		
25. 04-R-1662		
26. 04-R-1663		
27. 04-R-1664		
28. 04-R-1665		
29. 04-R-1613		
30. 04-R-1676		
31. 04-R-1677		
32. 04-R-1678		
33. 04-R-1679		
34. 04-R-1680		
35. 04-R-1681		
36. 04-R-1682		
37. 04-R-1718		