

ADVERSED BY  
CITY CLERK

Entered - 01/21/04 - sb  
CL - 04L0028 LISA CARTER

05-*R*-0433

**CLAIM OF: DOMETRIC OUTLAW,**  
Through his attorney  
Ramon Walls Palanca, Jr.  
3017 Piedmont Road, Suite 100  
Atlanta, Georgia 30305

For damages alleged to have been sustained during an arrest  
on August 17, 2003 at 2140 Spink Street.

THIS ADVERSED REPORT IS  
APPROVED

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

JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

MAR 21 2005  
CITY CLERK

COMMITTEE

# ADVERSE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 3/15/05

CHAIR: [Signature]

[Signature]

[Signature]

[Signature]

\_\_\_\_\_

\_\_\_\_\_

MAR 21 2005  
CITY CLERK



## 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) 658-6103

March 25, 2005

Ramon Walls Palanca, Jr.  
Attorney at Law  
3017 Piedmont Road  
Suite 100  
Atlanta, GA 30305

05-R-0433

RE: Dometric Outlaw

Dear Attorney Palanca:

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 January 03, 2005. 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. 04L0028

Date: March 1, 2005

Claimant /Victim DOMETRIC OUTLAW  
BY: (Atty) (Ins. Co.) Ramon Walls Palanca, Jr.  
Address: 3017 Piedmont Road, Suite 100 Atlanta, Georgia 30305  
Subornation: Claim for Property damage \$ Bodily Injury \$ 75,000.00  
Date of Notice: 01/09/04 Method: Written, proper X Improper           
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 08/16/03 Place: 2140 Spink Street  
Department Police Services Bureau:          Division:           
Employee involved Officer A. B. Tesle Disciplinary Action:         

NATURE OF CLAIM: The claimant alleges that he sustained bodily injuries when excessive force was used during an arrest at 2140 Spink Street. However, the claimant elected to file a lawsuit to resolve the issues raised in the claim.

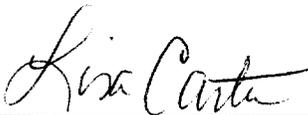
INVESTIGATION:

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:

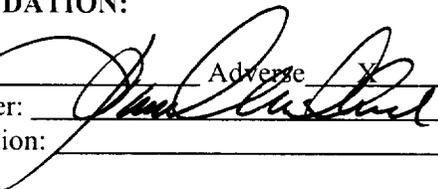
Function: Governmental X Ministerial           
Improper Notice          More than Six Months          Other X Damages reasonable           
City not involved          Offer rejected          Compromise settlement           
Repair/replacement by Ins. Co.          Repair/replacement by City Forces           
Claimant Negligent          City Negligent          Joint          Claim Abandoned         

Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$          Adverse Y Account charged: 1A01          2J01          2P01           
Claims Manager:  Concur/date 03/03/05  
Committee Action:          Council Action

RCS# 6559  
3/21/05  
2:26 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG 4-16 EXCEPT  
05-R-0499 04-O-2111  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	B Sheperd	NV Borders

CONSENT I