

Entered - 3-12-09 sb  
CL 09L0191 GWENDOLYN BURNS

CLAIM OF: **CRAIG PICKETT AND HIS  
UNNAMED MINOR CHILD  
THROUGH THEIR ATTORNEY,  
NICOLE JONES ESQ.,  
JONES FEDERAL & APPELLATE, LLC**  
Suite 1B  
3505 Veterans Memorial Highway  
Lithia Springs, Georgia 30122

10-R-0359

MAR 01 2010

For damages alleged to have been sustained from an  
unlawful arrest on August 15, 2008 at Atlantic Station.

THIS ADVERSED REPORT IS APPROVED

BY: \_\_\_\_\_  
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

RECEIVED  
MAR 01 2010  
CITY CLERK

### ADVERSE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 2/23/10

CHAIR: [Signature]

[Signature]

[Signature]

[Signature]

MAR 01 2010

ADVISED BY  
CITY CLERK



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON  
MUNICIPAL CLERK

March 10, 2010

55 TRINITY AVENUE, S W  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6030  
FAX (404) 658-6273

Ms. Nicole Jones, Esquire  
Jones Federal & Appellate, LLC  
Suite 1B  
3005 Verterans Memorial Highway  
Lithia Springs, Georgia 30122

**1R-0359**

**RE: Craig Pickett and His Unnamed Minor  
Child**

Dear Ms. Jones

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 15, 2010. 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. 09L0191

Date: December 13, 2009

Claimant /Victim CRAIG PICKETT AND HIS UNNAMED MINOR CHILD
BY: (Atty) (Ins. Co.) Nicole Jones, Esq., Jones Federal & Appellate, LLC
Address: Suite 1B, 3505 Veterans Memorial Highway, Lithia Springs, Georgia 30122
Subrogation: Claim for Property damage \$ unspecified Bodily Injury, unspecified
Date of Notice: 3/4/09 Method: Written, Proper Improper X
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.)
Date of Occurrence 8/15/08 Place: Atlantic Station
Department POLICE Bureau: Office:
Employee involved Officer Sokloski Disciplinary Action: None

NATURE OF CLAIM: Claimants allege that Craig Pickett was illegally arrested by a Police Officer who relied on a cancelled warrant. However, with regard to Craig Pickett, the claim as presented fails to meet the six month time period requirements of notice. Moreover, a municipal corporation shall not be liable for the torts of policemen or other officers engaged in the discharge of the duties imposed on them by law, pursuant to § 36-33-3.

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X 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 X Other 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,

[Handwritten signature]

INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X (Account charged: General Fund Water & Sewer Aviation
Claims Manager: Concur/date 02/11/10
Committee Action: Council Action

# JONES FEDERAL & APPELLATE, LLC

FACSIMILE (679) 990-5077  
E-Mail: nicole.jones@jfa-law.com

ATTORNEYS AT LAW

SUITE 1B  
3505 VETERANS MEMORIAL HIGHWAY  
LITHIA SPRINGS, GEORGIA 30122  
(770) 934-8789

ENTERED - 3-12-09 - SB  
0910191 - G. BURNS

BURNS  
03/10/09  
*[Signature]*

March 3, 2009

Elizabeth Chandler  
C/O City of Atlanta  
Suite 4100, Law Department  
68 Mitchell Street, SW  
Atlanta, Georgia 30303

*[Handwritten initials]*

Certified Letter No. 7006 2760 0005 0463 8626

RE: Ante Litem Notice, O.C.G.A. § 36-33-5, Demand before bringing action.

To: Ms. Elizabeth Chandler, C/O Shirley Franklin, Mayor of City of Atlanta.

You are hereby notified that on August 15, 2008 at 5:00 P.M., Mr. Craig Pickett and his minor child was injured at Atlantic Station Atlanta Georgia.

The injury occurred as follows: Officer Sokloski approached Mr. Pickett in the parking lot and placed him and his child under arrest with the pretense of a valid arrest warrant for Mr. Pickett. Said warrant was cancelled July 2, 2008 and was obtained by falsifying an affidavit.

The extent of injuries were as follows: Emotional distress from being manhandled by police; anxiety from having been arrested in front of his child; anxiety stress from having to find someone to care for his minor child; anxiety stress from having been transported a holding cell by a different Zone officer; anxiety from being arrested in front of a place of business where he was going to an interview for employment; child threatened; and false arrest and imprisonment.

The injury was the result of negligence as follows: The police did not have a valid warrant to arrest Mr. Pickett.

Pickett Ante Litem Notice  
March 3, 2009  
page 2 of 2

10-R-0359

As a result of said violation, negligence and injury, Pickett and his child has suffered the following damages: Extreme emotional distress and public embarrassment.

This notice is made pursuant to O.C.G.A. § 36-33-5, and Pickett and minor child demand restitution.

Please govern you agents to act accordingly and avoid Mr. Pickett or I shall be forced to seek a restraining order.

If you have any questions or concerns, please contact my office at the numbers above.

Sincerely,

A handwritten signature in cursive script that reads "Nicole Jones".

Nicole Jones, Esq.

On behalf of the firm

NYJ/at

		03-01-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0275	36. 10-R-0350	42. 10-R-0356
2. 10-O-0276	37. 10-R-0351	43. 10-R-0357
3. 10-O-0277	38. 10-R-0352	44. 10-R-0358
4. 10-O-0278	39. 10-R-0353	45. 10-R-0359
5. 10-O-0279	40. 10-R-0354	46. 10-R-0360
6. 10-O-0289	41. 10-R-0355	47. 10-R-0361
7. 10-O-0290		48. 10-R-0362
8. 10-O-0291		49. 10-R-0363
9. 10-O-0292		50. 10-R-0364
10. 10-O-0293		51. 10-R-0365
11. 10-O-0294		52. 10-R-0366
12. 10-O-0296		53. 10-R-0367
13. 10-O-0241		54. 10-R-0368
14. 10-O-0307		55. 10-R-0369
15. 10-R-0334		56. 10-R-0370
16. 10-R-0335		57. 10-R-0371
17. 10-R-0390		58. 10-R-0372
19. 10-R-0395		59. 10-R-0373
20. 10-R-0407		60. 10-R-0374
21. 10-R-0411		61. 10-R-0375
22. 10-R-0394		62. 10-R-0376
23. 10-R-0396		63. 10-R-0377
24. 10-R-0338		64. 10-R-0378
25. 10-R-0339		65. 10-R-0379
26. 10-R-0340		66. 10-R-0380
27. 10-R-0341		67. 10-R-0381
28. 10-R-0342		68. 10-R-0382
29. 10-R-0343		69. 10-R-0383
30. 10-R-0344		70. 10-R-0384
31. 10-R-0345		71. 10-R-0385
32. 10-R-0346		
33. 10-R-0347		
34. 10-R-0348		
35. 10-R-0349		