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April 19, 2010

James Mlaker
2025 West Alvina Avenue
Milwaukee, WI 53221

RE: James Mlaker
C.I. File No.: 10-S-57

Dear Mr. Mlaker:

We have received your claim in the amount of \$1,787.00, relating to damage sustained to your home at 2025 West Alvina Avenue on December 27, 2009 when the Milwaukee Police Department (MPD) made forced entry.

Our investigation reveals the MPD was called to a gas station burglary at 2012 West College Avenue. One of the responding officers observed a set of footprints near the service station and they were followed to your home. The MPD attempted to make contact with the occupants of your home. They received no response and during the course of these events, they observed someone appear to look out of the window. This person failed to come to the door. Since the officers feared for the welfare of the occupants and to safeguard against the potential destruction of evidence from the burglary, the decision was made to force entry into the home. Since the MPD was acting within its sphere of responsibility, the City cannot accept liability and we are denying your claim.


James Mlaker
April 19, 2010
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If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,



GRANT F. LANGLEY
City Attorney



ROBERT OVERHOLT
Investigator Adjuster

RMO:ms

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