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July 17, 2006

Frank Spain
10144 West Jonen Street
Milwaukee, WI 53224

RE: Frank Spain
C.I. File No: 06-S-157

Dear Mr. Spain:


We have received your claim in the amount of \$250.00, relating to damage done by the Milwaukee Police Department (MPD) on May 17, 2006 when they made forced entry into your property at 5533-A North 36th Street.

Our investigation reveals the MPD came to this property to locate and arrest Ryan Hausenstein, who resided there and had two outstanding felony warrants. The officers knocked on the door and announced their presence. The subject looked out of a window and ran into the interior of the residence. The officers gave numerous warnings to the subject and forced entry was made. The subject was located and taken into custody. Our office spoke with the sergeant on scene and he indicated the situation was such that immediate entry was required. Because the MPD was acting within the sphere of their responsibility, the City would not be liable. Therefore, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the date 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 M. OVERHOLT
Investigator Adjuster

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