

Milwaukee City Clerk
200 E. Wells St. Room 205
Milwaukee, WI 53202

RE: C.I. File #1032-2014-2474

To whom it may concern:

I am in receipt of the denial by the city of Milwaukee of the claim on behalf of the Estate of Kwata Shields. I write to request a hearing on this claim.

It is my position that had the Milwaukee Police Department carried out their duty to do an adequate and timely investigation of the crime scene, the life of my son would have been saved. The fact that the property was never carefully examined before the police withdrew from the scene resulted in my son bleeding to death unattended in the back yard.

Sincerely,

LaKeisha Cole



CITY OF MILWAUKEE
2015 DEC 23 PM 3:54
CITY CLERK'S OFFICE

RECEIVED

DEC 26 2015

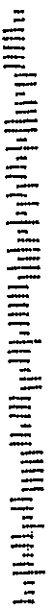
OFFICE OF
CITY ATTORNEY

CITY OF MILWAUKEE
OFFICE OF THE CITY ATTORNEY
800 City Hall
200 East Wells Street
Milwaukee, Wisconsin 53202-3551

Ms. LaKeisha Cole
623 West Burleigh Street
Milwaukee, WI 53212



JAF2SSB 53212



PRESORTED
FIRST CLASS



U.S. POSTAGE PITNEY BOWES
ZIP 53202 \$000.39¹
02 1W
0001396581 DEC 04 2015

Ka. Kusha Cole has
submitted a claim for
her son Kwata Shields,
Age 19, DOB: 8/17/1994
in relation to a shooting
that occurred near 20th Street
& West Street Street at 1:50am.
She alleges that the Milwaukee
Police Department failed to
search the area for her
seriously injured son Kwata.
She alleges the police did NOT

→

find him until 5am

She alleges he was left to
die in the rear of the home
and died because he
was not found earlier.

NOTICE OF CLAIM AND CLAIM FOR DAMAGES
Pursuant to Wisconsin Statute Section 893.80(1d)(b)

This Notice must be served upon the appropriate clerk or the person who performs the duties of a clerk or secretary for the local governmental body. Either attach the previously served Notice of Injury or Circumstances to this Notice or provide the additional information which would have been provided in the Notice of Injury or Circumstances form.

Claimant Name(s): Lakeisha Cole

Claimant Address: 623 W Burleigh Street

Claimant Phone Number: 414-374-7864

Provide an Itemized Statement of the Claim or Relief Sought, including proof of the amount of the claim by means of receipts or itemized estimates, and a specific dollar amount for settlement or alternative relief sought (use additional sheets if necessary):

Signature(s) of claimant or claimant's agent:

Lakeisha Cole

Date: 8-27-2014

Date: _____

Date: _____

RECEIVED

SEP 9 2014

OFFICE OF
CITY ATTORNEY

NOTICE OF INJURY OR CIRCUMSTANCES
Pursuant to Wisconsin Statute Section 893.80(1d)(a)

This Notice must be served upon the local governmental body and upon the body's officers, officials, agents or employees within 120 days after the happening of the event giving rise to the claim. Service is to be accomplished as set forth in Wisconsin Statute Section 801.11.

Claimant Name(s): Lakeisha Cole

Claimant Address: 623 W Burleigh Street

Claimant Phone Number: 414-374-7864

Date and Time of Event Giving Rise to the Claim: June 22, 2014 at 1:50 AM

Location of Event Giving Rise to the Claim: Rear 2153 S 20th Milw WI

Statement of the Circumstances of the Event Giving Rise to the Claim, including the names of all persons involved, the identification of all witnesses, if any, and the names and job titles of the local governmental body's employees or agents involved (use additional sheets if necessary):

Signature(s) of claimant or claimant's agent:

Lakeisha Cole

Date: 8-27-14

Date: _____

Date: _____

CITY OF MILWAUKEE
2014 SEP -8 PM 1:08
CITY CLERK'S OFFICE

**STATE OF WISCONSIN
NOTICE OF INJURY AND CLAIM
Pursuant to Wis. Stat. Section 893.82**

This notice must be served upon the Attorney General by certified mail within 120 days of the event giving rise to the claim for such injury, damage or death at 114 East, State Capitol, Madison, Wisconsin 53707-7857.

Claimant Name(s): Lakeisha Cole
Address: 623 W Burleigh St (street)
Milwaukee WI 53212 (city, state, zip code)
Phone: 414-374-7864
Date and Time of Occurrence: June 22, 2014 at 1:50am
Location: Rear 2153 S 20th Milwaukee WI

Statement of Circumstances Giving Rise to the Claim for Such Injury, Damage or Death and Names of Persons Involved, Including Name(s) of State Officer(s), Agent(s) or Employee(s). (If additional space is needed, continue on backside of this form or other sheets.)

I certify that the above-described injury, damage or death actually occurred, that I have read the above foregoing notice of injury and claim, and that the same is true to my own knowledge except as to those matters stated upon information and belief and as to those matters, I believe the same to be true.

Date: 8-27-2014

Lakeisha Cole

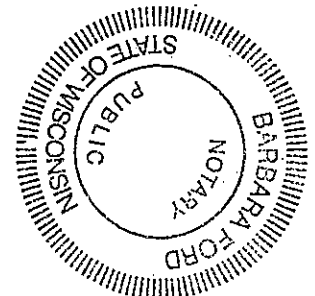
Signature of Claimant

Subscribed and sworn to before me
this 27 day of August, 2014.

Barbara Ford

Notary Public, State of Wisconsin

My Commission: December 4, 2016



INSTRUCTIONS FOR BRINGING A CLAIM AGAINST A LOCAL GOVERNMENTAL BODY OR THE STATE OF WISCONSIN

To bring a claim, pursuant to Wisconsin state law, against a local governmental body, the State of Wisconsin, or their employees for financial compensation relating to any injury, damage or death, you must serve Notice documents regarding the event giving rise to the claim. Here are some instructions for serving the Notice documents, along with blank Notice forms which can be used. Be aware that there are different Wisconsin statutes and different Notice requirements and forms which apply, depending upon whether your claim is against a local governmental body or the State of Wisconsin. Serving these Notice documents can be complicated, so it is best to consult the experienced attorneys of Samster, Konkell & Safran, S.C. for help with this process.

Claims against Local Governmental Bodies and their Employees

There are two Notice requirements for claims against a local governmental body, such as a county, city, village, town, volunteer fire company, political corporation, governmental subdivision or agency, and its employees. Both Notice requirements are set forth in Wisconsin Statute Section 893.80(1d).

First, you must serve a written Wisconsin Statute Section 893.80(1d)(a) **Notice of Injury or Circumstances**. This Notice must be served upon the appropriate local governmental body, and on the officer, official, agent or employee, within 120 days after the happening of the event causing the injury, damage or death giving rise to the potential claim. This Notice is necessary to put the local governmental body on notice of a potential future claim, in order to allow them time to investigate the circumstances of the event. Providing this Notice does not mean that a claim must be pursued, however, failure to provide this Notice might have the effect of preventing a successful claim being pursued in the future. Service is to be accomplished by one of the methods set forth in Wisconsin Statute Section 801.11. The **Notice of Injury or Circumstances** must contain the following information:

- the name of the person(s) making the claim;
- the addresses of the person(s) making the claim;
- the phone numbers of the person(s) making the claim;
- the date and time of the event giving rise to the claim;
- the location of the event giving rise to the claim;
- the names of all persons involved in the event giving rise to the claim;
- the identification of all witnesses to the event giving rise to the claim;
- the names and job titles of the local governmental body's employees or agents involved in the event giving rise to the claim, if known, and;
- the circumstances of the event giving rise to claim.

Second, either at the same time or at a later date than when serving the **Notice of Injury or Circumstances**, you must serve a written Wisconsin Statute Section 893.80(1d)(b) **Notice of Claim and Claim for Damages**. This Notice must be served upon the appropriate clerk, or the person who performs the duties of a clerk or secretary, for the local governmental body. This Notice must be served before you can file a lawsuit for monetary damages relating to any injury, damage or death. The **Notice of Claim and Claim for Damages** must contain the same information as provided in the **Notice of Injury or Circumstances** described above, as well as the following information:

- Proof of the amount of the claim being made, by means of an itemized statement of the relief sought, including receipts or itemized estimates; and
- A specific dollar amount for settlement or alternative relief sought.

For both Notices, please keep the following in mind. If you are married, then your spouse should also be named and should sign the Notices. If a child has a claim, then the parents of the child should also be named and should sign the Notices.

After the **Notice of Claim and Claim for Damages** has been served, the local governmental body has 120 days to respond. The response will be one of the following three alternatives.

1. The local governmental body may formally deny the claim. Formal denial is accomplished by serving a notice of disallowance upon the claimant, by either registered or certified mail, advising that the claim has been denied. The denial should also state that no action or lawsuit may be brought after six months from the date of service of the notice of disallowance. The formal denial shortens the normal statute of limitations time period for bringing a claim or filing a lawsuit against the local governmental body.
2. The local governmental body may not respond. If so, after 120 days have elapsed from the date of serving the **Notice of Claim and Claim for Damages**, your claim will be deemed disallowed. As a result, you may bring a claim or file a lawsuit at any time until the normal statute of limitations time period expires.
3. The local governmental body may honor your claim and pay the amount you have requested, or negotiate a settlement amount with you.

Claims against the State of Wisconsin and its Employees

The Notice requirements for bringing a claim against the State of Wisconsin or one of its agencies or its employees are set forth in Wisconsin Statute Section 893.82. Within 120 days (180 days for medical malpractice claims) of the event causing the injury, damage or death giving rise to the claim, the claimant must serve a written **Notice of Injury and Claim**, which must contain the following information:

- the name of the person(s) making the claim;
- the addresses of the person(s) making the claim;
- the phone numbers of the person(s) making the claim;
- the date and time of the event giving rise to the claim;
- the location of the event giving rise to the claim;
- the names of all persons involved in the event giving rise to the claim;
- the names of all state officers, employees or agents involved in the event giving rise to the claim; and
- the circumstances of the event giving rise to the claim.

The Notice **must be sworn to by the claimant**, meaning that the claimant must sign the Notice in the presence of a Notary Public. In addition, the Notice **must be served upon the State of Wisconsin Attorney General at his or her office in the Capitol, by certified mail**. According to the Wisconsin statutes, the **Notice of Injury and Claim** shall be considered to be given, upon mailing, for the purpose of computing the time of giving notice within the required time period. At the time of serving the **Notice of Injury and Claim**, or at a later date prior to filing a lawsuit, the claimant may also provide proof of the amount of the claim being made, by means of an itemized statement of the relief sought, including receipts or itemized estimates, along with a specific dollar amount for settlement or alternative relief sought.

Please keep in mind that, if you are married, then your spouse should also be named and should sign the Notice. If a child has a claim, then the parents of a child should also be named and should sign the Notice.

GRANT F. LANGLEY
City Attorney

LINDA ULISS BURKE
VINCENT D. MOSCHELLA
DANIELLE M. BERGNER
MIRIAM R. HORWITZ
Deputy City Attorneys



Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551
Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

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JOANNA GIBELEV
JENNY YUAN
T.C. MAKAYA
KAIL J. DECKER
ALLISON N. FLANAGAN
Assistant City Attorneys

September 10, 2014

Chief Edward Flynn
Milwaukee Police Department
749 West State Street, Room 714
Milwaukee, WI 53233

Re: ProLaw No. 1032-2014-2474
Communication from LaKEISHA COLE

Dear Chief Flynn:

Enclosed is a copy of a document recently filed with the Office of the City Clerk. Because litigation may ensue, we request that you forward a copy of all records, recordings and reports related to the incident described therein to the attention of our Claims Section. We also request that you maintain the originals of those items, and that a "hold" be placed on any evidence or property inventoried relative to the underlying incident, until we provide you with further notification that all related litigation has been completed, or until seven years has passed from the date of the underlying incident.

Very truly yours,

GRANT F. LANGLEY
City Attorney

c: Captain Timothy Heier (via email)

GFL:cdr

Enclosure
1032-2014-2474/207336



Milwaukee City Clerk
200 E. Wells St. Room 205
Milwaukee, WI 53202

RE: C.I. File #1032-2014-2474

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Sincerely,

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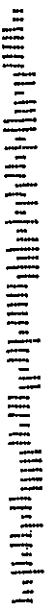
OFFICE OF
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CITY OF MILWAUKEE
OFFICE OF THE CITY ATTORNEY
800 City Hall
200 East Wells Street
Milwaukee, Wisconsin 53202-3551

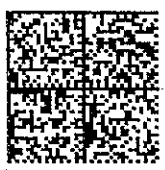
Ms. LaKeisha Cole
623 West Burleigh Street
Milwaukee, WI 53212




JAN 25 5 32 AM '12



PRESORTED
FIRST CLASS



U.S. POSTAGE  PITNEY BOWES
ZIP 53202 \$000.39¹
02 1M
0001396581 DEC. 04. 2015

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submitted a claim for
her son Kwata Shields,
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& West Street Street at 1:50am.
She alleges that the Milwaukee
Police Department failed to
search the area for her
son who was injured on Kwata.
She alleges the police did NOT
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find him until 5am
She alleges he was left to
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Claimant Phone Number: 414-374-7864

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Signature(s) of claimant or claimant's agent:

Lakeisha Cole

Date: 8-27-2014
Date: _____
Date: _____

RECEIVED

SEP 9 2014

OFFICE OF
CITY ATTORNEY

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Date and Time of Event Giving Rise to the Claim: June 22, 2014 at 1:50 AM

Location of Event Giving Rise to the Claim: Rear 2153 S 20th Milw WI

Statement of the Circumstances of the Event Giving Rise to the Claim, including the names of all persons involved, the identification of all witnesses, if any, and the names and job titles of the local governmental body's employees or agents involved (use additional sheets if necessary):

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Date: _____

CITY CLERK'S OFFICE
2014 SEP -8 PM 1:08
CITY OF MILWAUKEE

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Pursuant to Wis. Stat. Section 893.82**

This notice must be served upon the Attorney General by certified mail within 120 days of the event giving rise to the claim for such injury, damage or death at 114 East, State Capitol, Madison, Wisconsin 53707-7857.

Claimant Name(s): Lakeisha Cole
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Milwaukee WI 53212 (city, state, zip code)
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I certify that the above-described injury, damage or death actually occurred, that I have read the above foregoing notice of injury and claim, and that the same is true to my own knowledge except as to those matters stated upon information and belief and as to those matters, I believe the same to be true.

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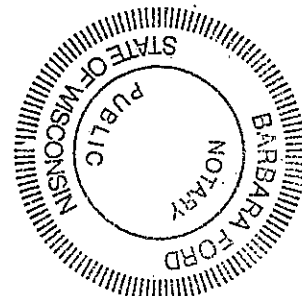
Signature of Claimant

Subscribed and sworn to before me
this 27 day of August, 2014.

Barbara Ford

Notary Public, State of Wisconsin

My Commission: December 4, 2016



INSTRUCTIONS FOR BRINGING A CLAIM AGAINST A LOCAL GOVERNMENTAL BODY OR THE STATE OF WISCONSIN

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GRANT F. LANGLEY
City Attorney

LINDA ULISS BURKE
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ALLISON N. FLANAGAN
Assistant City Attorneys

September 10, 2014

Chief Edward Flynn
Milwaukee Police Department
749 West State Street, Room 714
Milwaukee, WI 53233

Re: ProLaw No. 1032-2014-2474
Communication from LaKEISHA COLE

Dear Chief Flynn:

Enclosed is a copy of a document recently filed with the Office of the City Clerk. Because litigation may ensue, we request that you forward a copy of all records, recordings and reports related to the incident described therein to the attention of our Claims Section. We also request that you maintain the originals of those items, and that a "hold" be placed on any evidence or property inventoried relative to the underlying incident, until we provide you with further notification that all related litigation has been completed, or until seven years has passed from the date of the underlying incident.

Very truly yours,

GRANT F. LANGLEY
City Attorney

c: Captain Timothy Heier (via email)

GFL:cdr

Enclosure
1032-2014-2474/207336



GRANT F. LANGLEY
City Attorney

LINDA ULISS BURKE
VINCENT D. MOSCHELLA
MIRIAM R. HORWITZ
ADAM B. STEPHENS
Deputy City Attorneys

CITY OF
MILWAUKEE
Office of the City Attorney

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ANDREA J. FOWLER
PATRICK J. MCCLAIN
NAOMI E. GEHLING
CALVIN V. FERMIN
BENJAMIN J. ROOVERS
Assistant City Attorneys

December 1, 2015

Ms. LaKeisha Cole
623 West Burleigh Street
Milwaukee, WI 53212

RE: C.I. File No. 1032-2014-2474
Communication from LAKEISHA COLE

Dear Ms. Cole:

We have received your claim on behalf of the Estate of Kwata Shields in relation to his death occurring on June 22, 2014 at 2157 South 20th Street.

While we are sorry for your loss, based upon our investigation and the legal requirements involved in cases of this kind, we must inform you that the City of Milwaukee and the Milwaukee Police Department are not liable for Mr. Shield's death. Upon review of the information we received from the Milwaukee Police Department and the Milwaukee County Medical Examiner, the police department took the appropriate action and followed the proper procedures while investigating this incident. Further, according to the medical examiner, Mr. Shield would have died as a result of the gunshot wounds he received, regardless of police action or alleged inaction. While our decision does not diminish the unfortunate circumstances of his death, we are unable to accept liability.



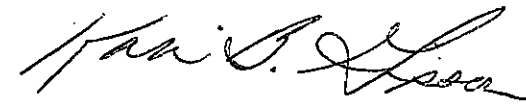
Ms. LaKeisha Cole
December 1, 2015
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If you wish to appeal this decision, you may do so by sending a written statement requesting a hearing within 21 days of the postmarked date of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202. Please include a photocopy of this letter's envelope, showing the postmark, and retain the original in the event further proof is needed.

Very truly yours,



GRANT E. LANGLEY
City Attorney



KARI GIPSON
Investigator Adjuster

KBG:cdr

1032-2014-2474/223088