

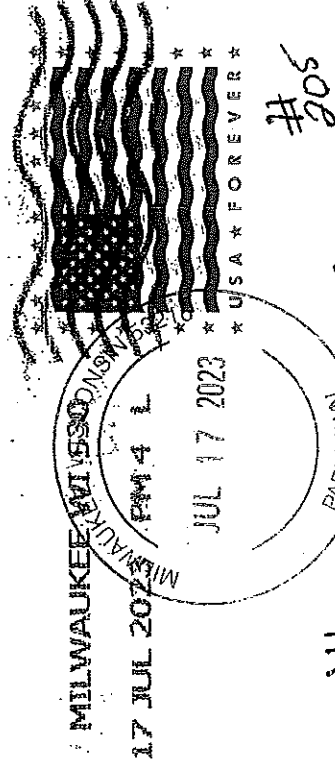
I am writing this statement to appeal the decision it was given. I will like to request a hearing solely off the facts I gave and was given. The lettered decision states that the tree branch failure was a result of a heavy wet snow-storm, so if that information is correct how is the city of Milwaukee not liable for the damages? The decision also states that the trees within that quarter section last pruning was in February, 2015 which was eight years ago. The decision states that the city has a new five year inspection cycle so that was well overdue. Also stated in the decision was the records indicating that the city had received two service request for that subject location within the past 6 years which is negligence on the city's part. I believe that the city of Milwaukee is liable for the damages my vehicle sustained.

Dwayne Ellis
4758 W 46th St
Milwaukee, WI 53218

CITY OF MILWAUKEE
2023 JUL 19 P 3:08
CITY CLERK'S OFFICE

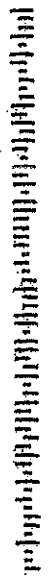
OFFICE OF CITY ATTORNEY
20 JUL 23 10:50

Duane Ellis
4758 N 46th St
Milwaukee Wisconsin 53218



Milwaukee City Clerk #205
200 East wells street
Milwaukee wis 53202

53202-357099



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June 26, 2023

*mailed
6-27-23*

Mr. Duwone Ellis
4758 N. 46th Street
Milwaukee, WI 53218

RE: Communications from DUWONE ELLIS
C.I. File No. 1068-2023-590

Dear Mr. Ellis:

We are in receipt of your claim regarding damages sustained to your 2007 Honda Accord, on March 22, 2023, when a City tree branch fell on your vehicle located at 4758 N. 46th Street.

Our investigation reveals that on March 22, 2023, Forestry Department reported they responded to an emergency call regarding a tree branch that fell on a vehicle at the subject location. Upon arrival, Forestry crew observed the vehicle had been moved into the driveway at 4758 N. 46th Street and damages were confirmed to the roof and windshield. Forestry further reported that the tree was alive with no evident of decay and that the branch failure was a result of a heavy wet snowstorm that occurred on March 9, 2023. The tree branch was removed.

Forestry maintenance records indicated that they received two service requests for the subject location with the past 6 years, for the incident in question.

According to the National Weather Service, on March 9-10, 2023, the City of Milwaukee experienced a snowstorm move through the city with 10.7 inches of heavy wet snow containing winds averaging 12.9MPH and peak winds of 25-30 MPH. The pruning of all trees growing within this quarter section was completed in February 2015, and the next inspection of all trees in this quarter section is scheduled to take place in 2023 based on the new 5-year inspection cycle of all City trees.

It is our position the City is not liable for damages and we are denying your claim.

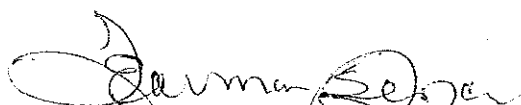
A rectangular stamp with the word "COPY" in a bold, sans-serif font. To the left of the word is a small icon of a document with a checkmark.




Mr. Duwone Ellis
June 26, 2023
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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,


TEARMAN SPENCER
City Attorney


MICHELLE THOMPSON-GRAY
Investigator Adjuster

MG/cdr

1068-2023-590/285863