GRANT F. LANGLEYCity 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

April 21, 2015

Ms. Blanche Austin 2555 N. 13th Street Milwaukee, WI 53206

RE: C.I. File No. 1032-2014-3273

Communication from BLANCHE AUSTIN

Dear Ms. Austin:

We have received your claim in the amount of \$1,596.68, relating to damage allegedly sustained on September 1, 2014 when the Milwaukee Police Department (MPD) made forced entry into your residence at 2555 North 13th Street. You also alleged, in a conversation with our office, that your television was broken by a MPD dog and that a safe was moved and that your old coins were taken by someone.

The MPD records indicate that on September 1, 2014 police were dispatched to 2555 North 13th Street for an entry complaint. After they arrived, the police announced themselves and observed a person's hand shut the rear door of the residence. They feared that a suspect was committing a felony and feared for safety of the occupants inside the house. As part of the investigation, the police requested the Milwaukee Fire Department to make forced entry to the rear door while they made forced entry to the front door. The police then searched inside your residence, with a dog, and found only your grandson. The dog did not break your television. The police sergeant did not recall seeing a safe. They did not take your old coins.

The police and fire departments exercised appropriate action in this forced entry and as such, the City would not be liable. Therefore, we are denying your claim.

THOMAS O. GARTNER STUART S. MUKAMAL THOMAS J. BEAMISH MAURITA F. HOUREN JOHN J. HEINEN SUSAN E. LAPPEN JAN A. SMOKOWICZ PATRICIA A. FRICKER-**HEIDI WICK SPOERL KURT A. BEHLING GREGG C. HAGOPIAN ELLEN H. TANGEN** JAY A. UNORA MARYNELL REGAN **G. O'SULLIVAN-CROWLEY** KATHRYN Z. BLOCK **ADAM B. STEPHENS KEVIN P. SULLIVAN** THOMAS D. MILLER JARELY M. RUIZ ROBIN A. PEDERSON MARGARET C. DAUN JEREMY R. MCKENZIE MARY L. SCHANNINS PETER J. BLOCK **NICHOLAS P. DESIATO** JOANNA GIBELEV JENNY YUAN T.C. MAKAYA KAIL J. DECKER ALLISON N. FLANAGAN LA KEISHA W. BUTLER Assistant City Attorneys



Ms. Blanche Austin April 21, 2015 Page Two

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 MANGLEY

City Attorney

stevenm. Carini

STEVEN M. CARINI Investigator Adjuster

SMC:cdr

1032-2014-3273/214715