

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

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April 10, 2003

Audie J. Wall
3426 North 5th Street
Milwaukee, WI 53212

RE: C.I. File No: 03-S-130

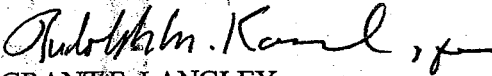
Dear Mr. Wall:

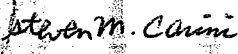
This office is in receipt of your claim in the amount of \$5,000.00, relating to injuries you sustained on January 14, 2003 when you allege you tripped and fell on an uneven sidewalk near Old World Third Street and State Street.

Our investigation reveals that the Infrastructure Service Division records from January 2, 2002 to March 28, 2003 indicate that asphalt patching was conducted in this area on three occasions after the date on which you allegedly tripped and fell. Their records also indicate that, between January 2, 2002 and March 28, 2003, they received only one complaint, on January 15, 2003 about the sidewalk in the 300 block of West State Street in front of Lukas' Tavern. They sent a crew to patch this location the next day. Upon notification of a hazard the division will send a repair crew to correct it usually within 24 hours. Prior to January 14, 2003, the City had no notice of this hazard and because of this lack of notice, the City would not be liable. Accordingly, 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 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


STEVEN M. CARINI
Investigator Adjuster

SMC:beg
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