

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD (414) 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

July 26, 2004

Jennifer DeBerry
7804 West Lolita Avenue
Milwaukee, WI 53223

RE: Jennifer DeBerry
C.I. File No: 04-S-200

Dear Ms. DeBerry:

This office is in receipt of your claim in the amount of \$2,268.00, relating to missing items and damage sustained to your vehicle on June 6, 2004 that you allege occurred at or near 5125 West Burleigh Street.

Our investigation reveals that your 2000 Chrysler van was towed to the tow lot on June 6, 2004 as Prisoner's Property, pursuant to your husband's arrest for endangering safety by the use of a dangerous weapon. The police officer on scene that night indicated you were there, but the vehicle was not released to you because you did not have any identification on your person and the tow was already called in. The officer also noted the vehicle was thoroughly searched because they were searching for the gun involved in the above-noted incident. The officers had no information or recollection of the wedding ring, earrings, or knife you alleged were in the vehicle. They also denied causing any of the damage you alleged to your seat or tapes and cd's. The City is tendering the part of your claim regarding the misalignment of your vehicle to C.H.I. Towing, the towing contractor for the City. You will receive a copy of this letter under separate cover. Since the police department followed normal and customary procedures in this matter and you failed to provide any specific evidence to support your damage and theft claim, the City cannot accept liability or refund the towing fees associated with this incident. Accordingly, we are denying your claim.

Jennifer DeBerry

July 26, 2004

Page 2

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



ROBERT M. OVERHOLT

Investigator Adjuster

RMO:beg

1044-2004-1802:83328

c: David Lawrence

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD (414) 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

July 26, 2004

C.H.I. Towing, Inc.
2240 South 38th Street
Milwaukee, WI 53215

Re: Communication from Jennifer DeBerry
C.I. file No: 04-S-200

Dear C.H.I. Towing, Inc.:

I am forwarding to your attention a claim received by the City of Milwaukee from Jennifer DeBerry, who alleges damage to her vehicle. Ms. DeBerry alleges the when she picked her vehicle up from the tow lot the vehicle's alignment was off.

The PT-27 that was completed prior to the towing of Ms. DeBerry's vehicle does not note any damage to the alignment components or misalignment of the vehicle. It appears that this damage to the claimant's vehicle occurred during the tow process. Therefore, we are tendering the claim to you.

If we do not hear that this matter has been resolved in 30 days, we will tender the claim to your insurance carrier.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Melanie R. Swank'.

MELANIE R. SWANK
Assistant City Attorney

MRS:beg

Enclosure

1044-2004-1802:83331

c: Jennifer DeBerry (w/o enclosure)
David Lawrence (w/o enclosure)