

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: November 13, 1990
AGENDA ITEM NO. RA 19

DEPT.: COUNTY COUNSEL

BY: JEFFREY G. GREEN

PHONE: 966-3625

RECOMMENDED ACTION AND JUSTIFICATION:

Adopt Resolution denying Claim for Damages No. C90-15

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Board usually accepts Counsel's recommendation in these matters.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

N/A

COST: (X) Not Applicable
A. Budgeted current FY \$ _____
B. Total anticipated costs \$ _____
C. Required add'l funding \$ _____
D. Source: _____

SOURCE: () 4/5ths Vote Required
A. Internal transfers \$ _____
B. Unanticipated revenues \$ _____
C. Reserve for contingency \$ _____
D. Description: _____
Balance in Reserve for Contingencies,
if approved: \$ _____

CLERK'S USE ONLY:
Resolution No. 90-526
Ordinance No. _____
Vote: Ayes: 5 Noes: _____
Absent: _____ Abstained: _____
Min Approved () Denied
() Minute Order Attached

The foregoing instrument is a correct copy of the original on file in this office.

DATE: _____
ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of Calif.
By: _____
Deputy

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

Claim denial form and claim

ADMINISTRATIVE OFFICER'S
RECOMMENDATION:

This item on agenda as:

- Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action

Comment: _____

A.O. Initials: 

1 JEFFREY G. GREEN
2 County Counsel
3 Courthouse
4 Mariposa, California

5
6 BEFORE THE BOARD OF SUPERVISORS

7 OF

8 MARIPOSA COUNTY, STATE OF CALIFORNIA

9 In the Matter of:)
10 CLAIM FOR DAMAGES)
11 PURSUANT TO GOVERNMENT CODE)
SECTION 911.6)

12 James Branson

13 P. O. Box 97

14 Midpines, CA 95345

15 having filed with this Board on October 16, 1990 a claim
16 for damages in the amount of \$ 250.00;

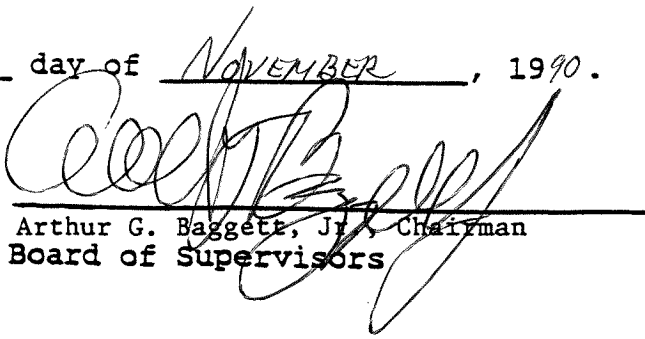
17 NOW, THEREFORE, it is ordered by the Board of Super-
18 visors that the claim is hereby REJECTED.

19 The foregoing order was passed by the following vote of
20 the Board:

21 AYES: BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER
22 NOES: NONE
23 ABSENT: NONE
24 ABSTAINED: NONE

25 Dated this 19th day of NOVEMBER, 1990.

26 ATTEST:

27 
28 Arthur G. Baggett, Jr., Chairman
Board of Supervisors

27 Margie Williams
28 MARGIE WILLIAMS, Clerk of the Board

TO: James Branson
P. O. Box 97
Midpines, CA 95345

RE: CLAIM FOR DAMAGES, NOTICE OF REJECTION

NOTICE IS HEREBY GIVEN that the claim which you presented to the Board of Supervisors of Mariposa County on October 16, 1990, was rejected by action of the Board on 11/13/90.

"WARNING"

"Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim." (See Government Code Section 945.6.)

"You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately."

JEFFREY G. GREEN
Mariposa County Counsel

PROOF OF SERVICE BY MAIL (1013a, 2015.5 C.C.P.)

STATE OF CALIFORNIA, COUNTY OF Mariposa

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is:

5088 Bullion Street, Mariposa, CA 95338, MAILING ADDRESS: P. O. Box 189, Mariposa

On November 20, 1990, I served the within _____
Notice of Rejection of Claim

on the Claimant
in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mariposa, California addressed as follows:

James Branson
P. O. Box 97
Midpines, CA 95345

I declare, under penalty of perjury, that the foregoing is true and correct.

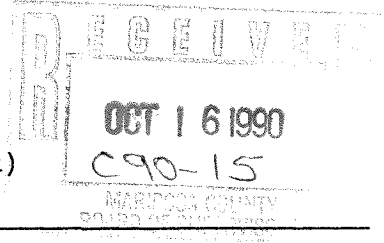
Executed on November 20, 1990, at Mariposa California.

Thelma Brownfield

County of Mariposa Claim Form

Claim of James BRANSON
(Claimant)
v.
COUNTY OF MARIPOSA

CLAIM FOR PERSONAL
INJURIES AND/OR PROPERTY
DAMAGES
(SECTION 910 OF THE
GOVERNMENT CODE)



To the BOARD OF SUPERVISORS OF MARIPOSA COUNTY:

You are hereby notified that: (Please print)

Claimant: JAMES BRANSON

Whose address is: PO Box 97

City and State: MIDPINES CA Zip: 95345

claims damages from the COUNTY OF MARIPOSA in the amount, computed as of the date of presentation of this claim, of \$ 250.00

This claim is based on (check appropriate box or boxes)

- Property Damage
- Personal Injury
- Contract
- Other (list) WORK-LOSS

which occurred on OCT 14+15, 1990, in the vicinity of:

called (subpoena) Jury WITNES
(place where incident occurred)

Describe generally the facts and circumstances that give rise to the claim: (Please use back of this page if more space is needed.)

I WAS called (ordered) (subpoena) To be in court these two days and my loss of work pay was 250.00 I have no way of being reimbursed except your payment. Please pay or I'll see you in court

The name(s) of the public employee(s) causing claimant's injuries or damages under the above described circumstances (is) (are):

- self -

The injuries sustained by claimant, as far as known, as of the date of presentation of this claim consist of: (describe generally claimant's injuries or damages:)

Two day work
\$125.00 day Total \$250.00 lost of
work pay.

The amount claimed, as of the date of presentation of this claim is computed as follows:

Damages incurred to date

Expenses for medical and hospital care \$ _____

Loss of earnings \$ 250.00

Specific damages (itemize) _____

_____ \$ _____

_____ \$ _____

Other damages (itemize) _____

_____ \$ _____

_____ \$ _____

Total damages incurred to date: \$ 250.00

Estimated future damages as far as known from this incident:

Total estimated prospective damages: \$ _____

TOTAL AMOUNT CLAIMED AS OF DATE OF PRESENTATION OF THIS CLAIM: \$ 250.00

All notices or other communications with regard to this claim should be sent to claimant at: James Branson

P.O. Box 97 Mariposa, CA 95345
(address to which notices are to be sent) 212

Dated: 10/15/90 Signed: James W Branson
(claimant/agent for claimant)

GOVERNMENT CODE §911.2. Time of or presentation of claims
A claim relating to a cause of action for death or for injury to person or to personal property or growing crops shall be presented as provided in Article 2 (commencing with Section 915) of this chapter not later than the 100th day after the accrual of the cause of action. a claim relating to any other cause of action shall be presented as provided in Article 2 (commencing with Section 915) of this chapter not later than one year after the accrual of the cause of action.