

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

Pass and adopt this Resolution authorizing the Chairman to sign an order of the Board to reject Claim No. C95-6 in the amount of \$25,000. The County has no liability exposure in this matter; the claimant's remedy is to appeal his sentence through the court system.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board usually follows Counsel's recommendation in matters of this nature.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Claim would automatically be denied if no action is taken.

COSTS: (X) Not Applicable
A. Budgeted current FY \$ _____
B. Total anticipated costs \$ _____
C. Required additional funding \$ _____
D. Internal transfers \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

Claim No. C95-6.
Notice of Rejection.

SOURCE: () 4/5ths Vote Required
A. Unanticipated revenues \$ _____
B. Reserve for contingencies \$ _____
C. Source description: _____
Balance in Reserve for Contingencies, if approved: \$ _____

CLERK'S USE ONLY:
Res. No.: 95-211 Ord. No. _____
Vote - Ayes: 4 Noes: _____
Absent: None Abstained: _____
() Approved () Denied
() Minute Order Attached () No Action Necessary

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: MW

The foregoing instrument is a correct copy of the original on file in this office.
Date: _____
ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: _____
Deputy

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

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B. Reserve for contingencies	\$ _____
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List the attachments and number the pages consecutively:

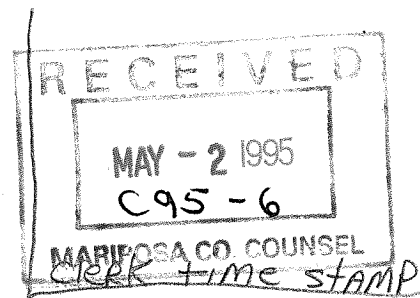
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Notice of Rejection.

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By: Deputy

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 Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action
Comment: _____
A.O. Initials: CM

CLAIM AGAINST PUBLIC ENT.



IN the MATTER of the claim of
Michael THOMAS Wise
- V -
MARIPOSA County

Michael THOMAS Wise, Hereby Presents this claim
to the clerk/council/Board of SUPERVISOR pursuant
to section 910 Government Code.

① THE name and Post-office address of Michael THOMAS Wise
is as follows: FB-132-A1114

WASCO STATE PRISON
PO BOX 5500
WASCO, Ca. 93280-5500

② THE post-office address to which Michael THOMAS Wise
desires notice of this claim to be sent is as follows.
4105 SULLIVAN, MARIPOSA, Ca. 95338

③ on or about the 16th of Feb. at MARIPOSA County
Superior Court. I recieved personal injurys. IN the
falling circumstances. I was sentences under the three
strike Law. They doubled my sentences. By giving me a
strike. by using a prior prison term of a bbb petty theft.
and a Second Degree burglary.

1 JEFFREY G. GREEN
2 County Counsel
3 P. O. Box 189
4 5100 Bullion St.
5 Mariposa, CA 95338

6 BEFORE THE BOARD OF SUPERVISORS

7 OF

8 MARIPOSA COUNTY, STATE OF CALIFORNIA

9 In the Matter of:)
10 CLAIM FOR DAMAGES PURSUANT)
11 TO GOVERNMENT CODE § 911.6)
12 Claim No. C95-6)

13 Michael Thomas Wise

14 4105 Sullivan

15 Mariposa, CA 95338


16 having filed with this Board on May 2, 1995 a claim for damages in the amount of
17 \$ 25,000;

18 NOW, THEREFORE, it is ordered by the Board of Supervisors that the claim is
19 hereby REJECTED.

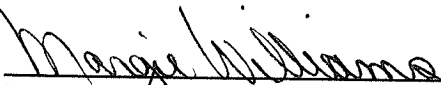
20 The foregoing order was passed by the following vote of the Board:

21 AYES: REILLY, BALMAIN, STEWART, PARKER
22 NOES: NONE
23 ABSENT: TABER
24 ABSTAINED: NONE

25 Dated this 16th day of May, 1995.

26 
27 GARRY R. PARKER, Chairman
28 Board of Supervisors

29 ATTEST:

30 
31 MARGIE WILLIAMS, Clerk of the Board

TO: Michael Thomas Wise
4105 Sullivan
Mariposa, CA 95338

RE: CLAIM FOR DAMAGES AMOUNT OF CLAIM \$ 25,000
NOTICE OF REJECTION
Claim No. C95-6

NOTICE IS HEREBY GIVEN that the claim which you presented to the Board of Supervisors of Mariposa County on May 2, 1995 was rejected by action of the Board on May 16, 1995.

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)

"NOTE: This six-month filing period applies only to State Court actions. If your action is based on federal law and/or you intend to file it in Federal Court, a shorter or longer period within which to file the action may apply."

"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.)

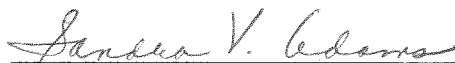
STATE OF CALIFORNIA, COUNTY OF MARIPOSA:

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 5100 Bullion Street (P. O. Box 189), Mariposa, CA 95338. On June 13, 1995 I served the within Notice of Rejection of Claim No. C95-6 on the claimant in said action by placing a true copy in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing a copy into an inter-office delivery receptacle located in Counsel's office:

Michael Thomas Wise
4105 Sullivan
Mariposa, CA 95338

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

Executed on June 13, 1995 at Mariposa, California.



Sandra V. Adams