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CITY OF LEMOORE
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CLAIM FORM
FORM B APR 06 2010

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CITY CLERK'S OFFICE

(Please Print Name) CITY CLERK'S OFFICE

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CLAIM AGAINST City of LEMOORE

Claimant's name: Robert K. Fields

SS# [REDACTED] DOB: [REDACTED] Gender: Male Female

Claimant's address [REDACTED] B Liberty AVE FRESNO, CA 93702

Address where notices about claim are to be sent, if different from above: _____

Date of incident/accident: DECEMBER 30th 2009

Date injuries, damages, or losses were discovered: DECEMBER 30th 2009

Location of incident/accident: [REDACTED] B. Liberty AVE FRESNO, CA 93702

What did entity or employee do to cause this loss, damage, or injury? SEE ATTACH

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)? UNKNOWN

What specific injuries, damages, or losses did claimant receive? SEE ATTACH

(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)] SEE ATTACH

How was this amount calculated (please itemize)? SEE ATTACH
\$ 4305.00

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: 2-23-10 Signature: Robert K. Fields

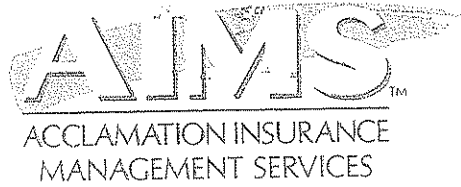
If signed by representative: Representative's Name _____ Address _____

Telephone # _____

Relationship to Claimant _____

Home -- 559- [REDACTED]

John Henderson



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APR 02 2010

CITY CLERK'S OFFICE

March 31, 2010

City of Lemoore
119 Fox Street
Lemoore, CA 93245

Attention: Nanci Lima

FIRST REPORT

Re:	Claim No.	:	13249
	Our Principal	:	City of Lemoore
	Claimant	:	Fields, Robert
	Date of Loss	:	December 30, 2009
	AIMS File No.	:	FR92632-AH

Dear Ms. Lima:

GOVERNMENT CODE

Claim was timely filed with the City on March 1, 2010. The claim was insufficient, and was returned to the claimant. An amended claim was filed on March 24, 2010, but was still insufficient. The City issued another insufficiency notice on March 25, 2010. It is our understanding that the claimant phoned your offices and discussed the nature of the insufficiency with MJ Lyle. We are anticipating the amended claim to be filed in the near future.

SUMMARY OF OCCURRENCE

The claimant alleges that City of Lemoore police officers searched his residence and caused structural damages to his garage.

DATE, TIME AND PLACE

This loss reportedly occurred on December 30, 2009, at [REDACTED] E. Liberty Avenue, Fresno, CA 93702.



P.O. Box 227
Bakersfield, CA 93302
661/328-0626
FAX 661/328-9698
CAL. LIC. 2772984



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Re: Claimant: Fields, Robert
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POLICE VERSION

We have secured the enclosed incident report under case number 0903071. The incident relates to a robbery at Royer's Cycle and Marine, wherein various items were stolen such as generators, cash registers, sunglasses and jackets. The suspects crashed a vehicle into the store to gain entry. Officers recovered a portion of a broken license plate frame at the scene.

Lemoore Police Department later received a call from a CHP officer who had pulled over a van which had been reported as stolen. The officer found male occupants in the van along with clothes hangers and tags within, marked Royer's Cycle and Marine. The occupants denied having anything to do with the robbery at the cycle shop, but were booked on charges related to the stolen van.

The three male occupants were minors, so pertinent information related to their identities have been edited out of the enclosed report. However, search warrants were obtained for the three suspects' residences, which were then carried out with the assistance of the Fresno Police Department.

Although the addresses are also blanked out, page 17 of the report indicates that they had to force entry through a garage door, which sustained "minor damage around the door knob." It is also noted that this particular home was "in total disarray...(and) the garage was full of stuff front to back, top to bottom." It does not appear that any of the stolen goods were located at the residences.

We will be following up with the Police Department to determine if any supplemental reports or any arrests have been made. We will attempt to verify if the residence noted to have slight damage to the garage door is our claimant's residence.

CLAIMANT

Robert Fields: [REDACTED] E. Liberty Avenue, Fresno, CA 93702.

At this time we have not corresponded directly with Mr. Fields, as a sufficient claim has not been filed.

He is claiming damages to the garage door and frame, and two interior doors, with an estimate provided totaling \$2,305.00.

LIABILITY

This appears to be a case of doubtful liability against the Lemoore Police Department. The officers had a search warrant related to the residences of three juveniles found in a stolen van with evidence from the cycle shop robbery within the van. If officers are not able to gain access to locked rooms, it is within their authority to force entry. This appears to be the case at the noted residence.

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Immunities would therefore be available to the City under California Penal Code 844 - Breaking Doors or Windows to Make Arrest.

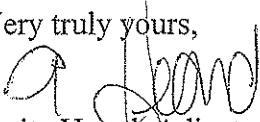
FURTHER ACTIVITIES

1. Monitor for Government Code compliance; amended claim filing.
2. Follow up with Lemoore Police Department; secure any supplemental reports.
3. Further assess liability.
4. Confer with claimant.

REMARKS

This concludes current activity. We will continue on a 30 day reporting diary as outlined above. Please do not hesitate to contact the undersigned with any questions or comments.

Very truly yours,



Anita Heard, Adjuster
AIMS

cc: AIMS/Fresno
Attn: Kenneth Wilkerson

Enclosure: Police Report