COUNTY OF SANTA CRUZ

OFFICE OF THE COUNTY COUNSEL

701 OCEAN STREET, SUITE 505, SANTA CRUZ, CA 95060-4068 (831) 454-2040 FAX: (831) 454-2115

DANA McRAE, COUNTY COUNSEL

Chief Deputy **Rahn Garcia**

	Assistants		*Special Counsel*
Marie Costa	**Shannon M. Sullivan**	**Betsy L. Allen**	**Dwight Herr**
Jane M. Scott	**Miriam L. Stombler**	**David Brick**	**Deborah Steen**
Tamyra Rice	**Jason M. Heath**	**Jessica C. Espinoza**	**Samuel Torres, Jr.**
	Christopher R. Cheleden	**Sharon Carey-Stronck**	

GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

Agenda: 2/12/08

To: Santa Cruz County Board of Supervisors

Re: Brian Lee, Claim No. 708-049

Original document and associated materials are on file at the Clerk of the Board of Supervisors.

In regard to the above-referenced claim, this is to recommend that the Board take the following action:

1. X Reject the claim of Brian Lee and refer to County Counsel.
2. ____ Deny the application to file a late claim on behalf of _____ and refer to County Counsel.
3. ____ Grant the application to file a late claim on behalf of _____ and refer to County Counsel.
4. ____ Approve the claim of _____ in the amount of _____ and reject the balance, if any, and refer to County Counsel
5. ____ Reject the claim of _____ as insufficiently filed and refer to County Counsel.

RISK MANAGEMENT

By: Janet McKinley

Janet McKinley
Acting Risk **Manager**

DANA McRAE, COUNTY COUNSEL

By: J M Heath

Jason M. Heath
Assistant County Counsel

cc: **Steve Robbins,** Sheriff **Department**

708-049

CLAIM AGAINST THE COUNTY OF SANTA CRUZ
(Pursuant to Section 910 et Seq., Govt. Code)

RECEIVED
CLERK OF THE BOARD
BOARD OF SUPERVISORS
COUNTY OF SANTA CRUZ
JAN 2008

TO: BOARD OF SUPERVISORS
COUNTYOFSANTACRUZ
ATTN: Clerk of the Board
Governmental Center
701 Ocean Street, Santa Cruz, CA 95060

1. Claimant's Name: BRIAN I. E.

Address: 241 California [redacted] ST. 0032
Santa Cruz, CA. 95060

Phone No:

P.O. Box to which notices are to be sent:

2. Occurrence: THEFT OF LEGALLY Grown Medicinal marijuana

Date: July 9, 2007 Place: 785 ORMSBY TRAIL, Corralitos, CA

Circumstances of occurrence or transaction giving rise to claim: See Addendum:

3 General description of indebtedness, obligation, injury, damage or loss incurred so far as is now known:

REPLACEMENT COST FOR [redacted] MEDICAL MARIJUANA. Pain and suffering due to not having medicine $100/day.

4. Name(s) of public employee(s) causing injury, damage or loss, if known: SGT. STEVE CARNEY

5. Amount claimed now ..... $ 15,500

Estimated amount of future loss, if known ..... $ 36,500

TOTAL $ 52,

6. Basis for above computations: The cost of medicinal marijuana at medical clubs + pain & suffering from not having medicine

7. If the amount claimed is over $10,000, indicate th court of jurisdiction:

_____ Municipal court X _____ Superior court

CLAIMANT'S SIGNATURE: Brian I. E.

Note: Claim must be presented to Clerk, Board of Supervisors, within six (6) months after the act which occasioned the injury.

Americans with Disabilities Act questions or requests for accommodations may be directed to the ADA Coordinator at 454-2962 (TDD 454-2123). PER5003

11

Addendum:

On the date and time above, Santa Cruz Sheriffs Sgt. Carney entered on to my private property and cut down my legally grown medical marijuana garden. I have a valid and current medical recommendation as well as a County medical marijuana card enabling me to grow for medical purposes. I was growing within the legal guidelines set forth by Santa Cruz county law.