



County of Santa Cruz

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GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

Agenda June 26, 2001

To: Board of Supervisors

Re: Claim of Billy Quealy, No. 001-101

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

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

1. Reject the claim of _____ and refer to County Counsel.
- X 2. Deny the application to file a late claim on behalf of Billy Quealy, No. 001-101 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.

cc: Not County Jurisdiction

RISK MANAGEMENT

BY Janet McKinley

COUNTY COUNSEL

By Kim Elizabeth L Baskett

001-101

RE: 4/19/01
QUELYRECEIVED
PERSONNEL DEPT - 1 Pursuant to Section 911.4 of the Government Code01 JUN -4 PM 3: 05
TO: CLERK OF THE BOARD OF SUPERVISORS
701 OCEAN STREET, ROOM 500
SANTA CRUZ, CA 95060(831)454-2323 Phone
(831)454-2327 Fax
0024

Billy QUELY hereby makes application for leave to present a late claim founded on a cause of action for "due process violation" leading to "takings" w/comp. which occurred on June '00 and for which a claim was not presented within six (6) months, (for death, injury to personal property or person or crops) or 1 year (any other cause of action), by Section 911.2 of the Government Code. For additional circumstances relating to the said cause of action, claimant refers to and hereby incorporates by reference, the proposed claim attached to this application.

Claimant hereby sets forth the following reasons why said claim was not timely presented:

① JURISDICTION CHANGE - was originally content of broader "class action" challenge to the implementation of the 'Newber Ordinance' itself, as a Bill of Attainder. ^{they} Originally thought 6 mos. expired option, also, but learned the exempt is usually granted when County is partnered to private agencies, where Constitutional question promises to be granted appeal & discretion of Counsel to avoid Court.

Said application is being presented within a reasonable time after occurrence of said cause of action, not to exceed one year from the date of the occurrence giving rise to the claim.

WHEREFORE, claimant respectfully requests that said application be granted pursuant to Government Code 911.6 and that said claim which is hereby attached, be received and acted on in accordance with Sections 910 et seq., of the Government Code of the State of California.

DATED 5/17/01 CLAIMANT Billy Queley

Rev. 9/00
PER5115
rms

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2/6/07/01



reasons for one year statute to apply =

- a) a change of jurisdiction for individual case w/ damages from class action for remedy only judgement
- b) County is joined in a partnership w/ SPCA, a private org.
- c) constitutional question of due process "crime court" will bring County back to court on Appeal of late claim denial. ∴ also; "eminence"
- d) save court cost & time to study & make judgement other than on timeliness in this case.

b) County is joined in a partnership w/ SPCA, a private org.

c) constitutional question of due process
"crime court" will bring County back to fore
on Appeal of late claim denial: also; "eminence"

d) save court cost & time to study & make judgement other than on timeliness in this case.

BILLY QUARRY