



County of Santa Cruz

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GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

Agenda May, 7, 2002

To: Board of Supervisors

Re: Claim of Connie Banegas, No. 102-113

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:

- X 1. Reject the claim of Connie Banegas, No. 102-113 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.

cc: Mark Tracy, Sheriff-Coroner
Rama Khalsa, Administrator
Health Services Agency

RISK MANAGEMENT

By Janet McKinley
Janet McKinley, Risk Manager

DANA McRAE, COUNTY COUNSEL

By Kim Elizabeth Baskett
Kim Elizabeth Baskett, Assistant County Counsel

Banegas
0030 102-113



SAWL & NETZER

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March 21, 2002

Via Certified Mail

County of Santa Cruz
Clerk of the Board of Supervisors
701 Ocean Street
Santa Cruz CA 95060

RE: Claim of Connie Banegas
Date of Incident: October 4, 2001

To Whom It May Concern:

Pursuant to California Government Code, Claimant, Connie Banegas, presents the following claim against the County of Santa Cruz.

Claimant Connie Banegas' address is 663 E. Malone St., Hanford, California.

County of Santa Cruz should send all notices regarding this claim to Sawl & Netzer, attention John R. Malmo, Attorney at Law, 2150 Tulare Street, Fresno, CA 93721.

Claimant seeks damages arising from an incident, which occurred on October 4, 2001, in the County of Santa Cruz. Claimant Banegas' left leg was broken, and her knee injured, while she was in the Santa Cruz County Jail. Claimant Banegas' left leg was broken as the result of excessive, unlawful, unreasonable, unconstitutional and malicious use of force on her body. She was thus denied her Civil Rights.

Claimant's injury was a fracture, and other injuries, to her left knee and leg.

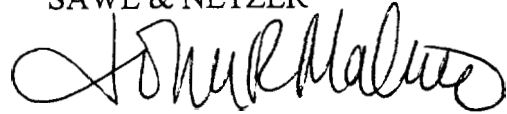
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The total amount of damages is uncalculated at this time; however, the amount in the controversy is in excess of the minimal jurisdiction requirement of the Superior Court, and jurisdiction and over the claims would properly rest in the Superior Court of California or in the United States Federal District Court.

Very truly yours,

SAWL & NETZER



JOHN R. MALMO

JRM/lc
Enclosure

