



COMMON COUNCIL MEETING

Common Council Chambers

Monday, July 6, 2015

6:30 p.m.

*5:30 p.m. Public Hearing regarding proposed designation of
57 Montgomery Street as an historic landmark*

*6:00 p.m. Public Hearing regarding the proposed
abandonment of High Road Extension*

- I. ROLL CALL:**

- II. REVIEW OF MINUTES:**

- III. READING OF ITEMS** by the City Chamberlain of any resolutions not listed on the printed agenda.

- IV. PUBLIC PARTICIPATION:** Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda items.

- V. MAYOR'S COMMENTS:**

- VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:**

- VII. MOTIONS AND RESOLUTIONS:**
 - 1. FROM CITY ADMINISTRATOR BUNYI,** Resolution R15-52, approving the allocation of \$25,000.00 in support the EFC for a drinking water grant.

2. **FROM CHAIRMAN PETSAS**, Resolution R15-53, the Council's opposition to the Administration's plan to reduce the number of days the transfer station is open to the public.

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM PASTOR WHITTED**, a presentation regarding the future of the YMCA.
2. **A PRESENTATION FROM NEW YORKERS AGAINST GUN VIOLENCE.**
3. **FROM CHANTEL SMART**, a notice of Claim.
4. **FROM FRANK W. WHITE, JR.**, a notice of Claim sustained on August 23, 2014.
5. **FROM IRA A. GETTER**, a notice of property damage sustained on June 10, 2015.
6. **FROM LATORIA MCKINNEY**, a notice of property damage sustained on June 23, 2015.

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

RESOLUTION
R15-52

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session at the Council Chambers, City Hall, Poughkeepsie, New York on July __, 2015 at 6:30 o'clock p.m., local time.

The meeting was called to order by _____, and, upon roll being called, the following members were:

PRESENT:

Councilmember Christopher D. Petsas
Councilmember Joseph Rich
Councilmember Robert L. Mallory, Jr.
Councilmember Lee David Klein
Councilmember Ann E. Perry
Councilmember ShaRon McClinton
Councilmember Randall A. Johnson II
Councilmember Tracy Hermann

ABSENT:

The following persons were ALSO PRESENT:

Acting Commissioner of Finance Karen Sorrell

The following resolution was offered by Councilmember _____, seconded by Councilmember _____, to wit;

RESOLUTION DATED JULY __, 2015

A RESOLUTION AUTHORIZING THE COMMITMENT OF 2014 CDBG FUNDS IN THE AMOUNT OF \$25,000 TO PAY A PORTION OF THE COST OF THE WATER STORAGE AND DISTRIBUTION IMPROVEMENTS

WHEREAS, the City of Poughkeepsie (the "City") has heretofore authorized the issuance of obligations in the amount of \$11,688,000 to finance the construction of one or more water storage reservoirs at College Hill and including reconstruction or disposition of the existing tank, original furnishings, equipment, machinery, apparatus, appurtenances, and incidental site and other improvements and expenses in connection therewith, and the reconstruction and replacement of water distribution lines at various locations throughout the City, to address water quality issues ("Water Storage and Distribution Improvements"); and

WHEREAS, it has been determined that the aforesaid purpose constitutes a Type I action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment; and

WHEREAS, the City has applied to New York State Environmental Facilities Corporation for financial assistance for the project, referred to as DWSRF Project #18120; and

WHEREAS, the City has approved its 2014 Annual Action Plan for the CDBG 2014-15 program year, including an allocation for Infrastructure Projects ("2014 CDBG Plan");

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Poughkeepsie, Dutchess County, New York (the "City") (by the favorable vote of not less than two-thirds of all of the members of the Common Council) as follows:

Section 1. There amount of \$25,000 from the Infrastructure Project allocation in the 2014 CDBG Plan is hereby committed and approved for the Water Storage and Distribution Improvements described herein.

Section 2. This resolution shall take effect immediately upon its adoption.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Councilmember Christopher D. Petsas	VOTING	_____
Councilmember Joseph Rich	VOTING	_____
Councilmember Robert L. Mallory, Jr.	VOTING	_____
Councilmember Lee David Klein	VOTING	_____
Councilmember Ann E. Perry	VOTING	_____
Councilmember ShaRon McClinton	VOTING	_____
Councilmember Randall A. Johnson II	VOTING	_____
Councilmember Tracy Hermann	VOTING	_____

The foregoing resolution was thereupon declared duly adopted.

Approved: _____, 2015

John C. Tkazyik
Mayor

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Chamberlain of the City of Poughkeepsie, Dutchess County, New York (hereinafter called the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on the ____ day of July, 2014 and entitled:

RESOLUTION DATED JULY __, 2015

A RESOLUTION AUTHORIZING THE COMMITMENT OF 2014 CDBG FUNDS IN THE AMOUNT OF \$25,000 TO PAY A PORTION OF THE COST OF THE WATER STORAGE AND DISTRIBUTION IMPROVEMENTS

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of _____, 2015.

-SEAL-

Deanne Flynn
City Chamberlain

**RESOLUTION
(R-15-53)**

**A RESOLUTION OF THE COMMON COUNCIL OPPOSING THE REDUCTION
IN HOURS AT THE CITY OF POUGHKEEPSIE TRANSFER STATION**

Introduced by Council Member _____ :

WHEREAS, the City of Poughkeepsie Transfer Station provides a valuable service to the community by providing a place for residents to deposit rubbish, debris and bulk items; and

WHEREAS, formerly the transfer station was open six days a week, Monday through Saturday allowing the community to deposit such items conveniently and efficiently; and

WHEREAS, the City Administration has notified the Common Council of its intention to close the transfer station on at least one day during the week; and

WHEREAS, the policy will have a determinately effect on the community, lead to increase debris, bulky waste and rubbish on the City streets and reduce the efficiency now provided to City residents; and

WHEREAS, no information as to the cost efficiency, money saved or fiscal impact have been provided to the Common Council justify such a policy;

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby states its opposition to the city administration adopting a policy of closing the transfer station for the reasons stated above:

Second by Council Member _____ .

CCM 7/16/15
Item H-3

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

CITY OF Poughkeepsie
CITY CHAMBERLAIN
2015 JUN -3 PM 12:57

**NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK**

TODAY'S DATE: 5/19/15

NAME AND ADDRESS OF EACH CLAIMANT:

Chantal Smart
2302 Linden Ct
Poughkeepsie NY 12603

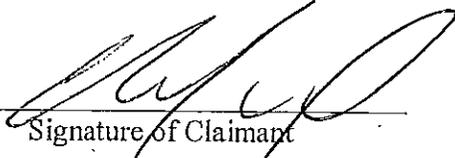
TELEPHONE NUMBER: 845-454-7435 - 845-224-7030

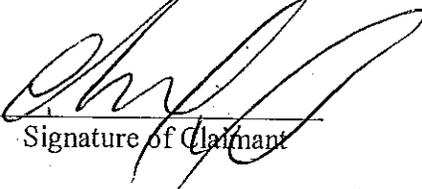
~~NAME AND ADDRESS OF ATTORNEY (IF ANY):~~

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE):

I hit three consecutive potholes on Dwight Ave in the City of Poughkeepsie NY. They were not easily seen because of the shade of the trees on that side of the road. The last of the tree potholes was very deep slicing my tire.

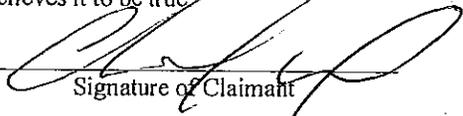
ITEMS DAMAGED OR INJURIES SUSTAINED: The car had to be towed and the tire replaced

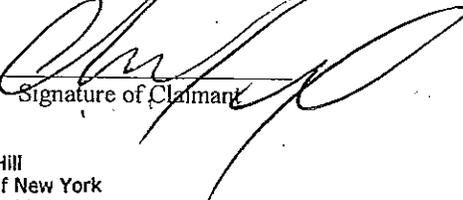

Signature of Claimant


Signature of Claimant

STATE OF NEW YORK, COUNTY OF _____ s.s.: ..

Chantal Smart being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.


Signature of Claimant


Signature of Claimant

Sworn to before me this 29 day of May, 2015

Margaret E. Hill
Notary Public

Margaret E. Hill
Notary Public, State of New York
No. 01HI6179460
Qualified in Dutchess County
Commission Expires 12-24-15

NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.

ARLINGTON AUTO & TIRE

678 Dutchess Turnpike (RT 44)
Poughkeepsie, NY 12603
845 471-2800



NY State Facility ID License# 7105915

Customer : SMART, CHANTAL
Address : 2302 LINDEN CT
City : POUGHKEEPSIE, NY 12603-
Home (845) - Ext: Fleet/Unit No
Cell (845)224-7030 Ext:

Vehicle : 2007 HONDA ACCORD
License : 3DC3982
VIN : 1HGCM66517A029875
Engine : V6-2997 3.0L
Mileage : In 130503 Out 13/

Invoice# : 0125524
Date / Time : 5/19/2015 5:05 pm
Page : Page 2 of 2
Trans :
PO # :

Op	Tech	Labor Description	Labor	Parts	Subtotal
	Qty	Part Number Part Description		Parts Each	
TIR023	085	(1)PLATINUM TIRE INSTALLATION PACKAGE INCLUDES, BALANCE, SNAP IN RUBBER VALVE, NITROGEN FILL & FREE TIRE ROTATIONS. OUR ROAD FORCE BALANCE WARRANTEED UNTIL TREAD WORN DOWN TO 3/32". ALIGNMENT IS A SEPARATE PROCESS, SUGGESTED PERIODICALLY OR WHEN THE TIRES SHOW EVIDENCE OF WEAR, WE CAN QUOTE YOU AS REQUESTED. ALIGNMENT IS ALWAYS SUGGESTED WITH NEW TIRES (START AT \$89.99 FOR MOST CARS, SOME MAY REQUIRE SPECIAL PROCEDURES OR ADJUSTMENT KITS AND FABRICATION AVAILABLE AT ADDITIONAL COST). TPMS light resetting may be required, some vehicles require this procedure at additional charges.Oxide corrosion to wheels may be repaired on request at additional cost. If a non oem item is chosen it is agreed the choice is at customers request for their own purpose. We suggest OEM equivalent tires.	19.99	70.00	89.99
	1.00	33519 FARLONG Tread Depth: 11/32 Warranty: 0 Rating: P-95W Size: 2155017 Tire 1 DOT: Not on File		70.00	
	1.00	VS VALVE STEM		0.00	
TIR505	085	NY TIRE TAX	0.00	2.50	2.50
	1.00	NY-DISP NY TIRE TAX		2.50	
521001	085	VEHICLE NOTES: 1.)CAR WAS TOWED IN, A POTHOLE DISABLED THE CAR, FOUND A SLIT IN THE SIDEWALL NEAR THE BEAD OF THE TIRE 2.)WHEEL HAS A SLIGHT BEND IN IT P/F	0.00		
<p>----- Payments: VISA, \$99.80, on 05/19/15 CardNo: [*****5278], AuthorizationNo: [77886B]</p>					

*See reverse side for warranty. All warranty service must be performed here or if outside of 25 miles at an authorized dealer. Call 845-471-2800/ 800-426-0733 before you authorize any co's to obtain an authorization to proceed. No refunds for work performed without a valid authorization. Labor cost is calculated at the hourly rate of 109.99 per hour and/or a flat rate of \$____. Optional methods may be available as an alternative, a lower priced estimate or higher quality components-discuss with your representative prior to work authorization. Once authorized parts and labor can not be returned with the exception of special manufacturers guarantees of satisfaction. We want you to be completely satisfied - please discuss all concerns

- I am happy with my experience today and will return!
- I am not happy and I want the general manager to contact me at #

Signature X _____
Customer Authorization for total

Labor :	\$19.99
Parts :	\$72.50
Sublet :	\$0.00
Other Fees :	\$0.00
Supply Charges :	\$0.00
Subtotal :	\$92.49
Sales Tax :	\$7.31
Total :	\$99.80
Paid :	\$99.80
Due :	\$0.00

**"SEE REVERSE SIDE FOR IMPORTANT SAFETY INFORMATION WARN!
AND WARRANTY INFORMATION"**

ARLINGTON AUTO AND TIRE
678 DUTCHESS TURNPIKE
POUGHKEEPSIE, NY 12603
(845) 471-2800

SALE

Store: 1 Term: 00

REF#: 00000021

Batch #: 097 RRN: 513921600295

05/19/15 17:05:03

Trans ID: 305139759030012

APPR CODE: 77886B

VISA Manual CP

*****5278 **/**

AMOUNT \$99.80

APPROVED

THANK YOU

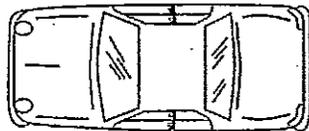
CUSTOMER COPY



ROAD SERVICE

BRANDL'S TOWING • (845) 454-2258

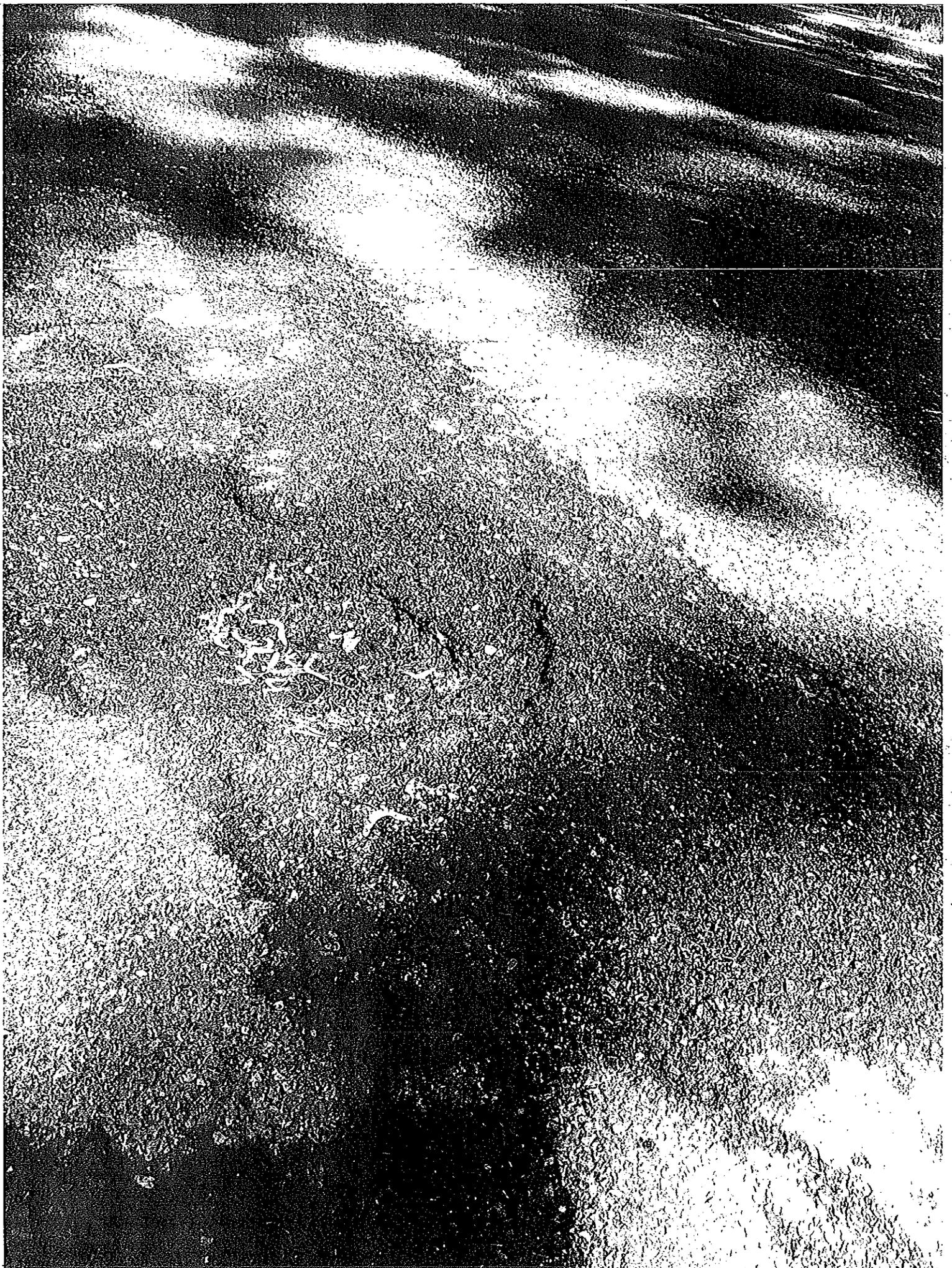
18 Commerce Street • Poughkeepsie, NY 12603

TIME OF CALL A.M. P.M.	DATE IN	DATE OUT	TIME START A.M. P.M.	TIME FINISH A.M. P.M.	REQUESTED BY	POJ/CASE#	OFFICER NAME
	5/19/15						
NAME						PHONE #	
ADDRESS							
CITY						STATE	ZIP
YEAR	MAKE/MODEL			COLOR	ODOMETER	DRIVER	
					130503		
MARKER PLATE #	STATE	VIN #	REGISTERED OWNER				
		1HGCM66S17A029875					
LOCATION OF VEHICLE							
Hooker Ave / Dwight St							
TOWED TO							
INSPECTED BY INSURANCE CO.				APPRAISER NAME		DATE	DRIVER
							Jay
RELEASED BY			DATE	PHONE#			
REASON FOR TOW			TYPE OF TOW		PERSONAL'S TAKEN BY		
<input type="checkbox"/> ACCIDENT <input checked="" type="checkbox"/> BREAK DOWN <input type="checkbox"/> ABANDONED <input type="checkbox"/> UNREGISTERED <input type="checkbox"/> NO START <input type="checkbox"/> OUT OF GAS <input checked="" type="checkbox"/> FLAT TIRE <input type="checkbox"/> FIRE LANE <input type="checkbox"/> LOCK OUT <input type="checkbox"/> NO TRESPASS <input type="checkbox"/> TOW ZONE <input type="checkbox"/> ARREST <input type="checkbox"/> STOLEN <input type="checkbox"/> IMPOUNDED <input type="checkbox"/> SNOW <input type="checkbox"/> REMOVAL			<input type="checkbox"/> SLING/HOIST <input type="checkbox"/> FLAT BED/RAMP <input checked="" type="checkbox"/> WHEEL LIFT <input type="checkbox"/> _____		DATE PHONE# _____ _____		
SPECIAL EQUIPMENT USED			TOWED BY ORDER OF		VEHICLE STORAGE TIME		
<input type="checkbox"/> WINCH <input type="checkbox"/> FLARES <input type="checkbox"/> DOLLIES <input type="checkbox"/> SCOTCH BLOCKS <input type="checkbox"/> RAMPS <input type="checkbox"/> _____ <input type="checkbox"/> SNATCH <input type="checkbox"/> _____ <input type="checkbox"/> BLOCKS <input type="checkbox"/> _____			<input type="checkbox"/> STATE POLICE <input type="checkbox"/> LOCAL POLICE <input type="checkbox"/> OWNER OF A CAR <input type="checkbox"/> DEALER		FROM _____ TO _____ DAYS @ \$ _____ INDICATE DAMAGED AREA(S) ON VEHICLE: 		
METHOD OF PAYMENT			OTHER SERVICES		MILEAGE		
<input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> DRIVER'S LIC.# <input checked="" type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  EXP. DATE _____			<input type="checkbox"/> SWEEP <input type="checkbox"/> FIRST AID <input type="checkbox"/> REMOVE <input type="checkbox"/> AXLE <input type="checkbox"/> SECURE <input type="checkbox"/> LOOSE PARTS		FINISH _____ START <u>3</u> _____ TOTAL _____		
CREDIT CARD#			LABOR TIME		TOWING CHARGE		
<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/> 			<input type="checkbox"/> EXTRA PERSON <input type="checkbox"/> SPECIAL EQUIPMENT <input type="checkbox"/> STORAGE		MILEAGE LABOR EXTRA PERSON SPECIAL EQUIPMENT STORAGE		
AUTHORIZED SIGNATURE			EXTRA PERSON		MILEAGE		
_____ DATE _____			<input type="checkbox"/> EXTRA PERSON <input type="checkbox"/> SPECIAL EQUIPMENT <input type="checkbox"/> STORAGE		MILEAGE LABOR EXTRA PERSON SPECIAL EQUIPMENT STORAGE		
DRIVER SIGNATURE			EXTRA PERSON		MILEAGE		
_____ DATE _____			<input type="checkbox"/> EXTRA PERSON <input type="checkbox"/> SPECIAL EQUIPMENT <input type="checkbox"/> STORAGE		MILEAGE LABOR EXTRA PERSON SPECIAL EQUIPMENT STORAGE		
DRIVER #			TRUCK #		TOTAL		
					TOTAL TAX TOTAL		

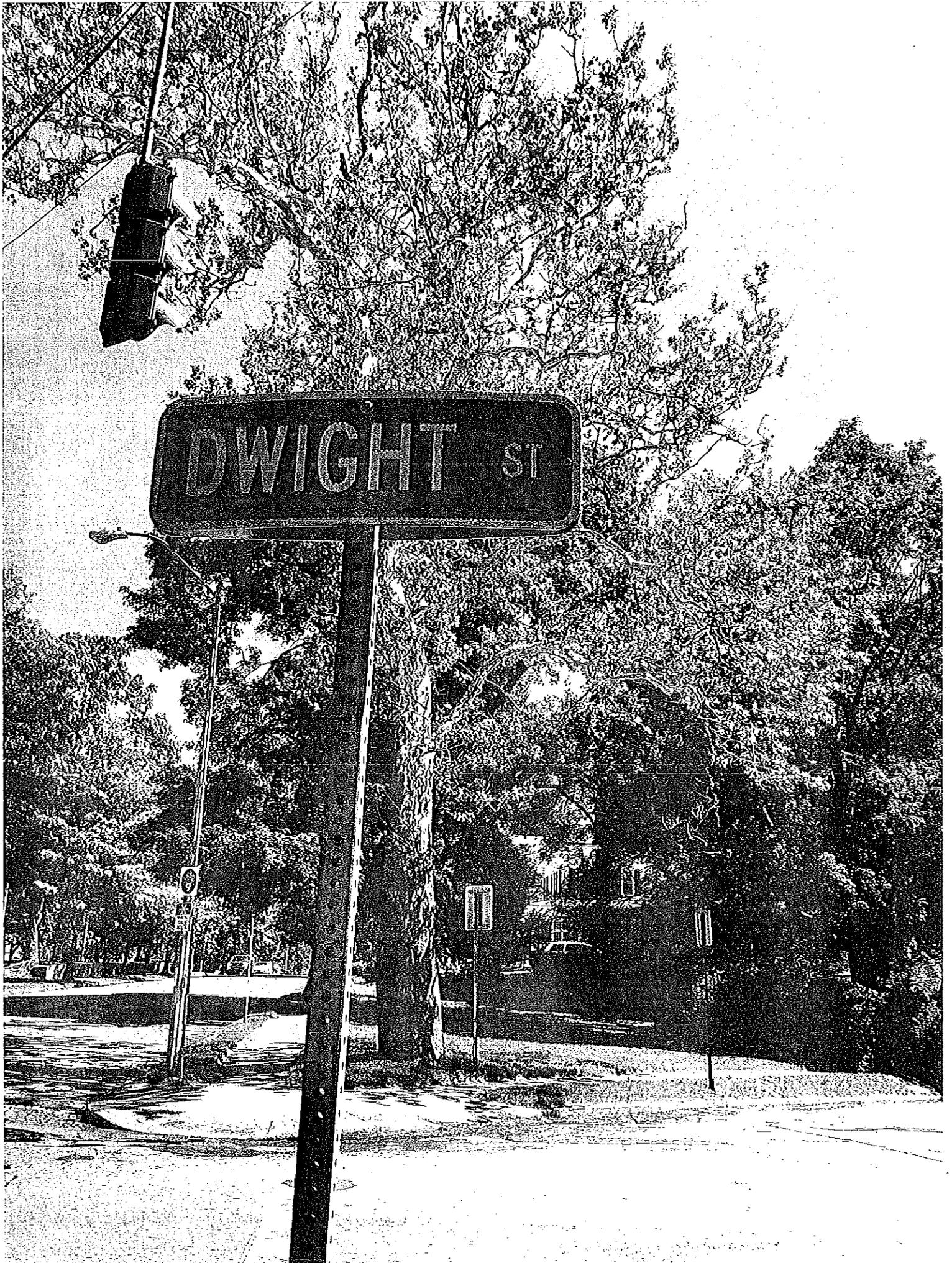
We cannot be responsible for damages caused by faulty tires, bumper brackets, etc. This company assumes no responsibility for loss or damage by theft, fire or any other cause beyond our control, to any vehicle placed with them for storage or repair.

THANK YOU!

107006

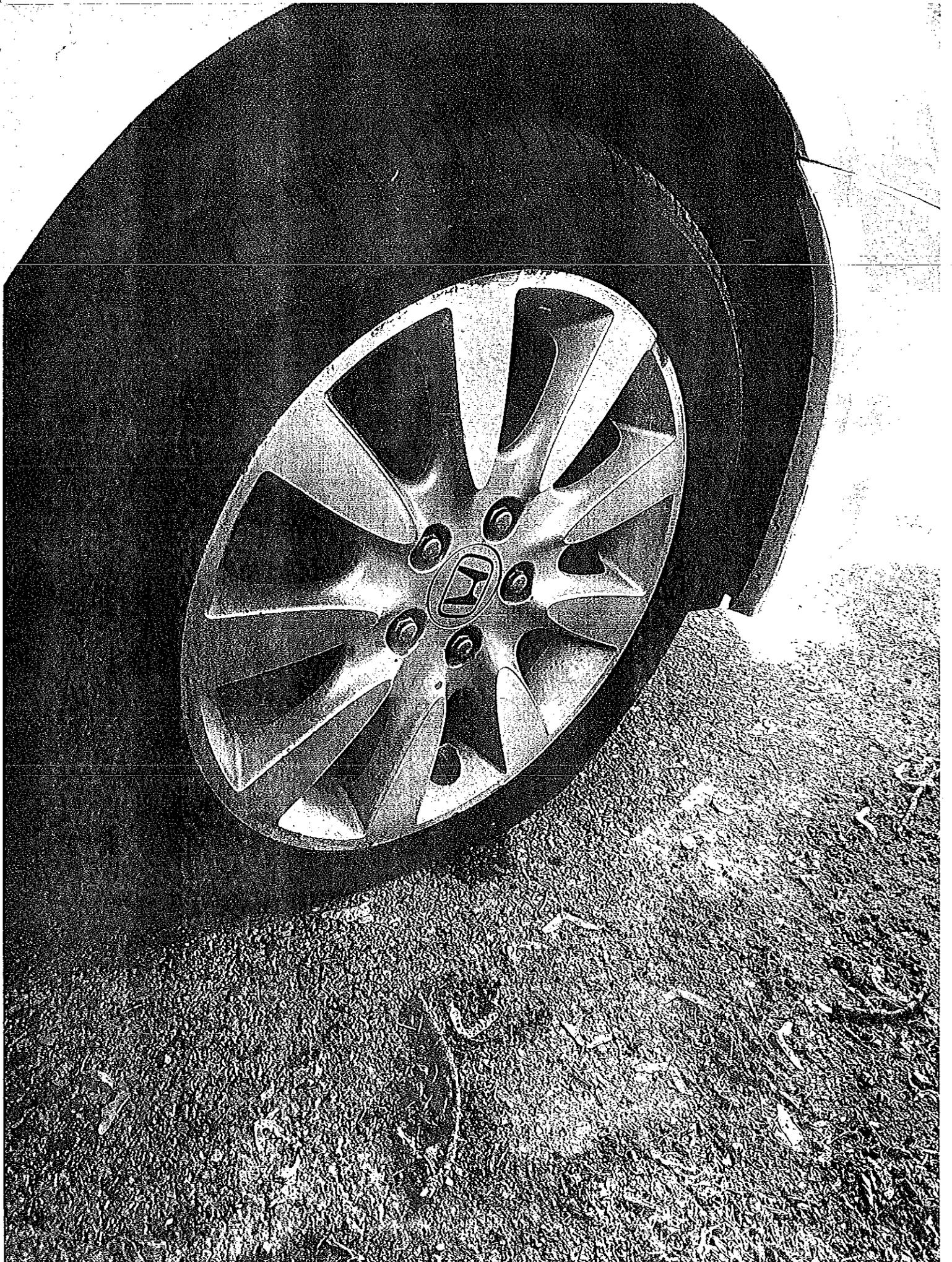


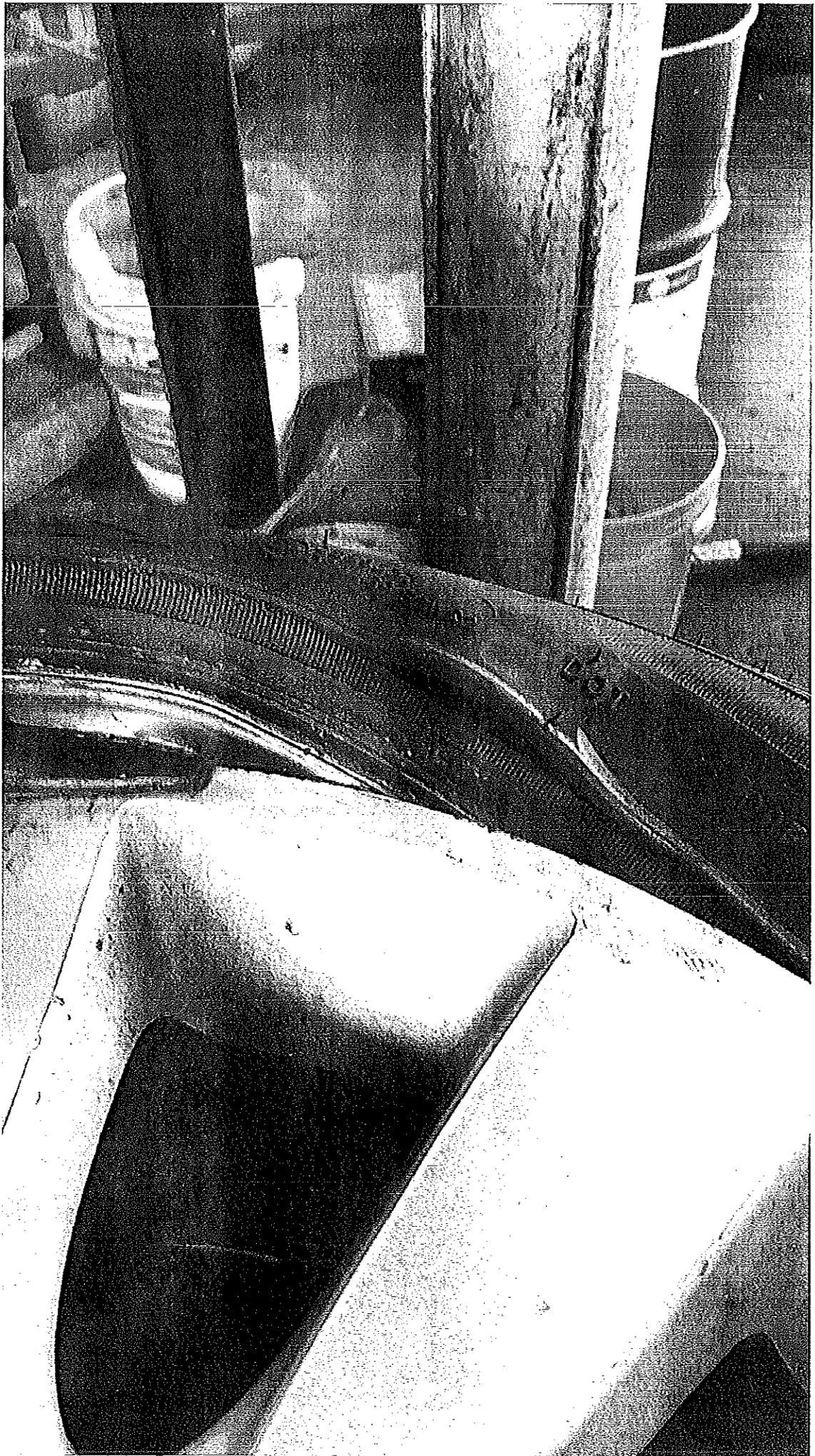




DWIGHT ST







COM 7/16/15
Item 14-4

In the Matter of the Claim of

FRANK W. WHITE JR,

Claimant,

-against-

CITY OF POUGHKEEPSIE , POLICE OFFICER SEAN MCCARTY , POLICE OFFICER BRYAN CRONK, POLICE OFFICER VAN WAGNER, POLICE OFFICER ROBERT HABERSKI, AND POLICE OFFICER HAMEL DETECTIVE BARTOLOTTI, THOMAS MATTHEWS, INDIVIDUALLY AND AS EMPLOYEES OF THE CITY OF POUGHKEEPSIE POLICE DEPARTMENT,, STEVE ROSENBLUM as PAROLE REVOCATION SPECIALIST,

Respondents.

TO: CITY OF POUGHKEEPSIE

PLEASE TAKE NOTICE that the undersigned claimants hereby make claim and demand against you as follows:

1. The name and post-office address of the claimant and claimants' attorney is:

FRANK W. WHITE JR
Claimant represented by
Ryenne Konan Law Office
Attorney for Claimant
4 Marshall Rd, Suite 107
Wappingers Falls, NY 12590

CITY OF PUGHKEEPSIE
62 Civic Center,
Poughkeepsie, NY 12601

STATE OF NEW YORK

BOARD OF PAROLE

STEVE ROSENBLUM

20 Manchester Rd,
Poughkeepsie, NY 12601

DUTCHESS COUNTY ATTORNEY

22 Market Street, 5th Fl
Poughkeepsie, NY 12601

MAILED 8 JUN 17
CITY OF PUGHKEEPSIE
CLERK OF BOARD OF PAROLE

2. The nature of the Claim:

a. Claim is for False Imprisonment, Malicious Prosecution, Falsification of Evidence, and Conspiracy against Claimant FRANK WHITE JR, which caused mental anguish, Anxiety, and humiliation to Claimant, Loss Wages and Loss of his Job, Loss of opportunities to go school, and Legal Expenses. Claimant also missed the birth of his son while incarcerated.

b. Violation of Claimant's rights under 42 U.S.C § 1983.

3. The time when, the place where and the manner in which the claim arose: This claim arose on or about the 23rd day of August, 2014 at approximately 7:55P.M at 389 Mansion Street, in the City of Poughkeepsie, New York. Claimant was arrested by Officer McCarthy, Cronk, Hamel and Van Wagner from the Poughkeepsie Police Department, and charged with Criminal Possession of a controlled substance in the third degree, a class B Felony and Criminal Possession of a weapon in the Second and Third Degree , a class C and D Felony. See Exhibit A. Claimant was on parole at the time of the arrest. Claimant was working 40 hours a week, and reduced to 33 hours because Claimant started to Culinary School on August 11, 2014, and was due to finish school on December 4, 2014, with a salary of \$17 an hour as a chef. Claimant made \$8 an hour at his regular job.

Claimant was arrested by Officer Cronk , McCarty, Van Wagner, and Hamel, and charged with two felonies without probable cause. The prosecution was maintained and continued by the Dutchess County District Attorney Office. Because claimant was on parole, the New York State Division of Parole, Dutchess County Office Liaison issue a warrant for claimant's arrest as well.

4.(a) The District Attorney is elected and compensated by the county's voters; therefore a District attorney's torts, as a local policymaker for the county, are the torts of the county.

(b) District Attorney's Torts are also torts of the State of New York

(c) Claims concerning the City of Poughkeepsie Police Department have to be filed with the City of Poughkeepsie.

5. Facts : Frank White Jr (hereinafter claimant) was born on October 25, 1988. Before his arrest of August 23, 2014, Claimant resided at 34 Bement Avenue, Poughkeepsie, New York. In 2008, Claimant pleaded guilty to the crime of robbery and was sentenced to 5 five years in jail with five years post release supervision. Claimant was released from jail on September 27, 2013. In January 2014, Claimant found employment at Taco Bell as a cook and was making \$8.00 per hour. Claimant was working 40 hours a week. On August 11, 2014, Claimant started school at the culinary institute in order to become a chef on December 4, 2014. Claimant would have been making \$17 per hour as a chef. Claimant reduced his hours from 40 to 33 in order to go to school. Claimant's girlfriend was pregnant and was due to have their first born in October 2014. Claimant does not own a car, and does not operate a car. Claimant's uncle Mr. Jack Lee Goodman owns and operates a white Toyota Corolla. On August 23, 2014, Claimant was going to work, and was riding as a front seat passenger in his uncle car, who was giving Claimant a ride to work. The car in which Claimant was riding as a front passenger, was pulled over by the City of Poughkeepsie Police Department officers. The driver was asked to step out of the vehicle. Officer McCarthy asked permission to search the car and the driver refused and denied permission to the officer. In the meantime, Officer Cronk approached the passenger side, and asked claimant to stepped out of the vehicle. Claimant asked Officer Cronk the reason why he

would step out of the vehicle. Officer Cronk drew his weapon and ordered Claimant to step out of the vehicle. Claimant asked the officer to wait for him to put on his sneakers, and then Claimant stepped out of the vehicle. Officer Cronk handcuffed Claimant, took the keys of the vehicle and opened the trunk of the car. Officer pulled a gun out of the trunk of vehicle. The driver and Claimant were then arrested and charged with the crime of weapon possession, and Claimant was also charged with possession of a controlled substance. The car was towed to the police station for further searches.

On August 24, 2014, after consulting with the District Attorney Office (See Exhibit **B** Arrest Report), Claimant was charged and arraigned in the City of Poughkeepsie Court presided by Honorable Katherine Moloney on the felony charges of Criminal Possession of weapon in the Second Degree, class C Felony under New York Penal Law (NYPL) 265.03; Criminal Possession of a weapon in the Fourth Degree, a class D Felony under NYPL 265.02. Claimant was also arraigned on the charge of Criminal Possession of a controlled substance in the third degree in violation of NYPL 220.16(1), a class B Felony. The Court set a bail of \$15,000.00 cash or \$30,000.00 bond. (See Exhibit **C**). The Poughkeepsie Journal published the story.(See Exhibit **D**)

On August 25, 2014, Assistant District Attorney, Matthew Weishaupt sent a notice pursuant to Section 190.50 (5)(a), wherein he stated that the felony complaint would be presented to a Grand Jury. (See Exhibit **E**). Defendant was assigned an attorney from the Ulster County Public Defender Office, Mikael Cohn, Esq.(Exhibit **F**). The District Attorney Office provided 179 pages of discovery to Claimant upon Claimant's request, and not a single picture of the drugs allegedly seized on Claimant was included.

On October 01, 2014, because the People failed to indict, Claimant requested a preliminary hearing. The Court scheduled the Preliminary Hearing for October 7, 2014 at 11:00 AM. On October 7, 2014, the People declined to go forward with the preliminary hearing, and Defendant was released on his own recognizance with recommendation that Claimant do not leave the State of New York, and that Defendant be present for the future proceedings in the matter. However, because Claimant was on parole hold triggered by the felony charges, Claimant remained in custody.

On March 17, 2015, the People reduced the felony charges to criminal possession of a weapon in the Fourth Degree under NYPL 265.01 and Criminal Possession of a controlled substance in the Seventh Degree in violation of NYPL 220.03, all misdemeanor charges. Claimant was arraigned on the misdemeanor charges. Further, the People made an offer of a plea to Criminal Possession of Controlled Substance in the Seventh Degree in full satisfaction with time served. Claimant declined the offer and insisted on going to trial. The Court adjourned the matter to April 14 for motions.

On March 23, 2015, Claimant hired the Law Firm of RYANNE KONAN to represent Claimant before the City Court of Poughkeepsie, Criminal Part. On April 14, 2015, Claimant, through his new attorney, filed new discovery demand, demand of bills of particulars, as well as an omnibus motion seeking to dismiss all charges for lack of probable cause. Claimant's attorney insisted on the record that he wanted to see the laboratory reports for the drugs, the pictures of the drugs seized on claimant because a camera was available at the time of the arrest. Honorable Maloney adjourned the matter to April 29, 2015, in order for the People to answer Claimant's new discovery demand and motions. Respondent, in his omnibus motion, did not request a dismissal in interest of justice, nor did Respondent request a dismissal out of mercy.

On April 29, 2015, Claimant appeared before honorable Moloney with his new attorney. The people offered to dismiss the matter in the interest of justice. The Court dismissed the matter in the interest of justice upon request of the people. Claimant remained in custody because of the parole hold.

Claimant's attorney advised the Court that the people must preserved the evidence seized on Claimant because the People have not produced a single picture of the drugs seized on Claimant. Claimant's attorney further stated on the record that Claimant did not possess any drugs.

On May 7, 2015, a parole hearing was held before Honorable Elliot McIntosh, Administrative Judge. Upon information and belief, Mr. Steve Rosenblum stated before Hon. Elliot McIntosh, that Assistant District Attorney Antoni Perosi had informed him that the search was a bad search, that the District Attorney lacked evidence to prove the guilt of Claimant.

On May 21, 2015, Claimant was finally released from jail after the parole office decided that there was lack of evidence to prove Claimant's guilt.

6. Discovery Documents Served by the People.

a. The Arrest Report bears the name of Larry White (See Exhibit G).

b. The Poughkeepsie Police Department had already pulled Claimant's records on August 22, 2014 at 7:43:01 PM, and had plenty of time to get a warrant if the information in their possession had a basis and was reliable.(Exhibit H).

c. The gun clip produced by the people has a date of August 22, 2014 on it and does not appear to be loaded.(Exhibit I).

d. The laboratory report states that all 60 bags recovered from plaintiffs tested positive for presence of cocaine. (Exhibit J).

7.(a) To establish a cause of action for false imprisonment, the claimant must show (1) the Defendant intended to confine him,(2) the Claimant was conscious of the confinement,(3)Claimant did not consent to the confinement,(4) the confinement was not otherwise privileged(Restatement, 2d, Torts, § 35). New York Authorities recognized that neither actual malice nor want of probable cause is an essential element of an action for false imprisonment.

(b)To establish a cause of action for malicious prosecution, the accused needs to show (1) commencement or continuation of a criminal proceeding by Defendant or respondent,(2) the termination of the proceeding in favor of the accused ,(3) absence of probable cause for the criminal proceeding,(4) and actual malice (Prosser, Torts (4th Ed), § 119). Regarding the element of malice, a plaintiff need not demonstrate the defendant's intent to do him or her personal harm, but need only show a reckless or grossly negligent disregard for his or her rights. An egregious deviation from proper investigative procedures or by initiation of the prosecution notwithstanding the total absence of probable cause, qualifies as actual malice.

c. To establish a claim for Falsified Evidence under Section 1983, a plaintiff must demonstrate that defendant utilized misconduct in order to procure false evidence; that the Plaintiff suffered a deprivation of liberty; and that the deprivation of liberty maybe considered a legally cognizable result of the initial misconduct.

d. To establish a conspiracy claim under Section 1983, plaintiff must allege an agreement between two or more state actors, or between a state actor and a private party; to act in concert to

inflict an unconstitutional injury; and an overt act done in furtherance of that goal causing damages.

Here, the discovery documents show that the police had received information from a confidential informant on or before August 22, 2014. If the police believed that the information was reliable and had verified its basis, they could have obtained a warrant. Second, the police saw that Claimant was not operating the car as opposed to the information they received. Third, the police pretexting of a powder located on the front passenger side floor, engaged in a search of car. Officer Cronk who is an experienced officer, could not distinguish between powder and broken piece of Styrofoam. Fourth, Claimant did not have any drugs in his possession, and yet the officers provided affidavits wherein they stated that drugs, heroin and cocaine were recovered on Claimant. Fifth, the laboratory report states that all sixty bags recovered tested positive for the presence of cocaine which contradicts the arrest report. Although a camera was available, and used by officer Cronk to take a picture of the Gun, the police failed to produce pictures of the drugs recovered. 179 pages of discovery were served on defense counsel by the District attorney office, and no picture of a drug, which contradicts the policies of the District Attorney Office and that of the Police Department. Either the District Attorney Office did not want to know that the pictures of the drugs existed, or it did not care, or knew that the drugs did not exist at all.

Concerning the Gun, the arrest report states that the gun was in a black bag, that the black bag was in a red bag, and that the red bag was in the trunk of a car that claimant was not the owner of, and did not operate. Nothing found in the car belongs to Claimant, not even a piece of mail. Further, the picture of the gun recovered is an isolated picture.

Normally, the police will take the picture of the gun while in the trunk, in the black back inside the red bag to avoid any suspicion of tampering with evidence. Here, the police decided to tamper with evidence, and showed a picture of a gun, with a clip with a date of August 22, 2014. No other evidence contained in the red bag was photographed by the police. Also, the report does not state where the photograph of the gun was taken from.

With no evidence recovered on Claimant, the officers, after consulting with the District Attorney Office, charged Claimant with felonies that he did not commit. The New York State Department of Correction and Community Supervision issued a warrant for a parole violation as a result of the charges of felony filed against claimant.

Although all charges were dismissed against Claimant on April 29, 2015, and a parole hearing was held to vacate the warrant on May 7, 2014, Claimant remained in custody.

7. As a result of the false imprisonment, the malicious prosecution, Conspiracy, falsified evidence, unlawful search, Claimant suffered humiliation, anxiety, mental anguish, loss of wages, and loss of opportunity to finish school. Claimant missed the birth of his child.

8. Claimant asked for all Respondents to put him back to work, to put him back to school. Claimant further requests \$ 500,000.00 (Five Hundred Thousand) from the Department of Corrections and Community Supervision as compensation for his damages.

The undersigned claimant (s) therefore present this claim for adjustment and payment. You are hereby notified that unless it is adjusted and paid within the time provided by law from the date of presentation to you, the claimant(s) intend(s) to commence an action on this claim.

By:



FRANK W. WHITE JR

Dated: Wappingers Falls, New York

May 26 , 2015

By:



Ryanne Konan, Esq.
4 Marshall Road, Suite 107
Wappingers Falls, NY 12590

INDIVIDUAL VERIFICATION

State of New York

County of Dutchess ss.:

FRANK WHITE JR., being duly sworn, deposes and says that deponent is claimant in the within action; that he has read the foregoing notice of claim and knows the contents thereof; that the same is true to deponents own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters deponent believes it to be true.



FRANK WHITE JR

Sworn to before me, this

26th day of July, 2015



NOTARY PUBLIC

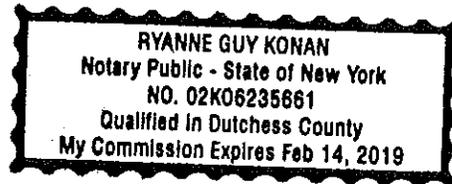


EXHIBIT A

STATE OF NEW YORK: COUNTY OF DUTCHESS
COURT: CITY OF POUGHKEEPSIE, NEW YORK

Incident Number: 14-43252
FILLED OUT BY: Sgt. McCarthy



THE PEOPLE OF THE STATE OF NEW YORK

- AGAINST -

INFORMATION
MISDEMEANOR COMPLAINT
FELONY COMPLAINT

Frank White DOB: 10/25/88
Defendant (s)

14-6219

ORIGINAL

BE IT KNOWN THAT, by this Accusatory Instrument, Sgt. McCarthy and Sgt. Cronk of an address known to the City of Poughkeepsie Police Department as the complainant herein, accuses the above named defendant (s), with having committed the offense of: **Criminal possession of a controlled substance in the third degree** in violation of Section: **220.16 Sub. 1** and of the Penal Laws of the State of New York, a class **B/Felony** on the **23** day of **August 2014** at about **1955** hours in that the defendant: **when he knowingly and unlawfully possesses: a narcotic drug with intent to sell it.**

At the places described below in the County of Dutchess in the State of New York the defendant (s) did at the time and date mentioned aforesaid commits the offense under the following circumstances: To Wit: On the above date and time, the above defendant, while in front of 390 Mansion St in the City of Poughkeepsie, did knowingly and unlawfully possess a narcotic drug with the intent to sell it. Specifically, the above defendant while seated in the passenger seat of a four door, white, 1998 Toyota Corolla bearing NY registration GMA4056, did possess in his right front pants pocket a white latex glove. This glove did containing ten (10) glassine envelopes as well as a clear piece of plastic containing fifty (50) glassine envelopes. All of the aforementioned glassine envelopes contained an off white powder. Additionally, the above defendant did possess in the same right, front, pants pocket a clear piece of plastic containing two pieces of a white chunky substance. Sgt. Cronk field tested a portion of the off white powder contained in one of the glassine envelopes, this test was positive for the presence of heroin. Sgt. Cronk also performed a field test on a portion of the white chunky substance contained in the piece of plastic, this test was positive for the presence of cocaine. The above defendant further possessed one cell phone and thirty four dollars and fifty cents in US currency. All contrary to the above provisions.

The above allegations of facts are made by the complainant herein on direct knowledge and/or upon information and belief, with the Source of the complainant's information and the grounds for his belief being: **Direct knowledge and positive field tests for heroin and cocaine**

False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Laws.

Sworn to before me on 8/23, 2014

Sgt. John Heun #119

Sgt. Cronk #123
Deponent

14-67329



STATE OF NEW YORK: COUNTY OF DUTCHESS
COURT: CITY OF POUGHKEEPSIE, NEW YORK

Incident Number: 14-43252
FILLED OUT BY: Sgt. McCarthy

THE PEOPLE OF THE STATE OF NEW YORK
- AGAINST -

FELONY COMPLAINT

Frank W. White Jr. DOB: 10/25/88
Defendant (s)

ORIGINAL

BE IT KNOWN THAT, by this Accusatory Instrument, Sgt. McCarthy and [redacted] of an address known to the City of Poughkeepsie Police Department as the complainant herein, accuses the above named defendant (s) with having committed the offense of: **Criminal possession of a weapon in the second degree** in violation of Section: 265.03 Sub. 3 Of the Penal Laws of the State of New York, a class C Felony on the 23rd day of August 2014 at about 2002 hours in that the defendant: **A person is guilty of criminal possession of a weapon in the second degree when, such person possesses any loaded firearm. Such possession shall not, except as provided in subdivision one or seven of section 265.02 of this article, constitute a violation of this subdivision if such possession takes place in such person's home or place of business.**

At the places described below in the County of Dutchess in the State of New York the defendant (s) did at the time and date mentioned aforesaid commits the offense under the following circumstances: **To wit: On the above date and time the above defendant, while in front of 390 Mansion St in the City of Poughkeepsie, did possess a loaded firearm. Specifically, the defendant was the passenger in a white, four door, 1998 Toyota Corolla, bearing NY registration GMA4056. The defendant was found to possess in the trunk of said vehicle a red bag which contained several bags of ammunition including but not limited to 9mm ammo. Also possessed in the same red bag was a black cloth bag which contained a black semi-automatic Highpoint 9mm handgun. All contrary to the above provisions.**

The above allegations of facts are made by the complainant herein on direct knowledge and/or upon information and belief, with the Source of the complainant's information and the grounds for his belief being: **Direct Knowledge and an investigation conducted by members of the City of Poughkeepsie Police Department.**

False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Laws.

Sworn to before me on 26 AUG, 2014

SGT. D. BRENDA #111

[Signature]
Deponent

14-67329



STATE OF NEW YORK: COUNTY OF DUTCHESS
COURT: CITY OF POUGHKEEPSIE, NEW YORK

Incident Number: 14-9704
FILLED OUT BY: Deigan #89

THE PEOPLE OF THE STATE OF NEW YORK

INFORMATION
MISDEMEANOR COMPLAINT
FELONY COMPLAINT

- AGAINST-

ORIGINAL

Frank W. White Jr. DOB: 10/25/88
Defendant (s)

BE IT KNOWN THAT, by this Accusatory Instrument, Sgt. McCarthy and Sgt. Cronk of an address known to the City of Poughkeepsie Police Department as the complainant herein, accuses the above named defendant (s), with having committed the offense of: **Criminal possession of a weapon in the third degree** in violation of Section: 265.02 Sub. 1 and of the Penal Laws of the State of New York, a class **D/Felony** on the 23rd day of August 2014 at about 2002 hours in that the defendant: **when: he commits the crime of criminal possession of a weapon in the fourth degree as defined in subdivision one, two, three or five of section 265.01, and has been previously convicted of any crime.**

At the places described below in the County of Dutchess in the State of New York the defendant (s) did at the time and date mentioned aforesaid commits the offense under the following circumstances: **To wit: On the above date and time the above defendant, while in front of 390 Mansion St in the City of Poughkeepsie, did possess a loaded firearm and has been previously convicted of a crime. Specifically, the defendant was the passenger in a white, four door, 1998 Toyota Corolla, bearing NY registration GMA4056. The defendant was found to possess in the trunk of said vehicle a red bag which contained several bags of ammunition including but not limited to 9mm ammo. Also possessed in the same red bag was a black cloth bag which contained a black semi-automatic Highpoint 9mm handgun. A check of the defendants criminal history showed he had been previously convicted of a felony (violent) on March 26, 2009. All contrary to the above provisions.**

The above allegations of facts are made by the complainant herein on direct knowledge and/or upon information and belief, with the Source of the complainant's information and the grounds for his belief being: **Direct knowledge and an investigation conducted by the members of the City of Poughkeepsie Police Department and an ejustice criminal history check.**

False statements made herein are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Laws.

Sworn to before me on 26 Aug, 20 14

SGT. DEIGAN #111

Sgt. McCarthy #23
SA M J #11
Deponent

EXHIBIT B

ARREST REPORT- MCCARTHY

Arrest Report

Office of the Administrative Sergeant

Date: August 23, 2014

CR# 14-43252

On August 23, 2014 Sgt. Cronk and I were assigned to a GIVE detail. At approximately 1945hrs we observed a white, four door, 1998 Toyota Corolla, bearing NY registration GMA4056, parked on Bement Avenue with its lights on. The vehicle is registered to Jack Goodman, DOB 04/30/1971, 34 Bement Ave, Apt 1, Poughkeepsie. We had previously received information from PO Haberski that Frank White was known to operate this vehicle and that he was allegedly dealing heroin and in possession of a black semi-automatic handgun. The vehicle pulled from the curb and traveled north on Bement to Cottage. As we followed the vehicle it traveled from Cottage to Winnikee and then east on Mansion Street. As we followed the vehicle down Mansion Street the vehicle began to swerve over the double yellow into the oncoming lane. At this time we activated our lights and pulled the Toyota over. I approached the driver's side of the vehicle and Sgt. Cronk approached the passenger side. A short time later PO's VanWagner and Hamel arrived as backup.

The driver identified himself, through his NYS driver's license, as the registered owner of the vehicle Jack Goodman, DOB 04/30/1971. The passenger identified himself verbally as Frank White, DOB 10/25/1988. I asked Mr. Goodman to step out of the car where I talked to him for several minutes. I advised him we had information that there was a gun in the car and asked him if he had any knowledge of one. Mr. Goodman denied having any knowledge. I asked him if he would consent to a search of the vehicle and he stated that he would not. After this conversation, Sgt. Cronk advised me that he could see a fairly large bulge in Mr. White's right front pocket. He believed this bulge could be consistent with a weapon. Additionally, there was a number of white "crumbs" of an unknown substance on the passenger side floor boards. (A later check of the substance on the floorboards showed it to be broken up pieces of Styrofoam). Mr. White was asked to exit the vehicle and he complied once he was allowed to put his sneakers on. Once out of the vehicle Sgt. Cronk advised Mr. White that we had information that there was a gun in the vehicle and he asked Mr. White if he had anything on him. Mr. White stated "I have been using" "check my pocket". Sgt. Cronk asked "what do you have drugs?" "How much" and he again stated "check my pocket". Sgt. Cronk then checked Mr. White's right front pants pocket, as Mr. White had instructed, (the same pocket with the bulge) and found a white latex glove containing both; a piece of clear plastic containing fifty glassine envelopes in five bundles and a separate bundle of ten glassine envelopes, all of these envelopes contained an off white powder. Also in Mr. White's right front pants pocket was a piece of plastic containing two pieces of a white chunky substance as well as thirty four dollars and fifty cents. Mr. White was placed into custody.

Mr. White being found in possession of heroin corroborated the information we had received. Mr. Goodman was not being charged with a crime and he has a valid driver's license so once released he would be driving the vehicle from the scene. With reasonable cause to believe that a firearm and/or further contraband may be located in the vehicle and knowing Mr. Goodman would be taking the Toyota we searched the vehicle prior to its release.

4 copies

Arrest Report

Office of the Administrative Sergeant

The search of the vehicle revealed a red bag which contained a large amount of ammunition including but not limited to 9mm ammunition. It further contained a plastic bag containing 223 magazines, what appeared to be a AK47 magazine and what appeared to be a Mac 10 magazine. This red bag also contained a black bag containing a 9mm Highpoint semi-automatic handgun. Mr. Goodman was then placed into custody. Both Goodman and White were transported to CPPD for paperwork and processing.

Sgt. Crank and I followed Hudson View Tow company to the impound yard and completed the proper impound paperwork for the Toyota.

Sgt. Crank field tested a portion of the off white powder contained in one of the glassine envelopes, this test was positive for the presence of heroin. Additionally, he field tested a portion of the white chunky substance contained in the plastic, this test was positive for the presence of cocaine. Sgt. Crank photographed the semi-automatic handgun and placed it into evidence, preserving it for DNA and prints. It should be noted that we were unable to locate a serial number at this time.

Mr. Goodman and Mr. White were interviewed by Detective Bartolotti, for further see detective report. Mr. White was booked and processed for CPCS 3rd and held pending arraignment. A file 15 of Mr. Goodman showed he had been convicted of four previous felonies (two violent, one firearm) and two previous misdemeanors so he was booked and processed for CPW 2nd and CPW 3rd and held pending arraignment. Goodman was also issued two UTTs.

After consulting with the DA's office on 8/26/14 Mr. White was also charged with CPW 2nd and 3rd.

For further see detective and CST reports.

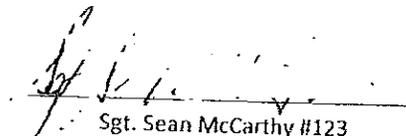

Sgt. Sean McCarthy #123

EXHIBIT C

ORIGINAL

STATE OF NEW YORK
COUNTY OF DUTCHESS
CITY COURT OF POUGHKEEPSIE

SECURING ORDER
DOCKET # 14-63015
DATE OF BIRTH 10/25/88
NYSID # 3863520L

THE PEOPLE OF THE STATE OF NEW YORK

V.

w.

Frank White, Jr.

The above named defendant having appeared before the undersigned on a (~~WARRANT~~)
(ACCUSATORY INSTRUMENT), charging the defendant with the most serious offense of
CPCS 3° in violation of Section
220.16 Sub Division 1 of the Penal Law
(Class B ~~Felony~~/Misdemeanor) (Violation) (Infraction)

AND (Check one box only)

further court attendance being required on the 25 day of Aug, 2014 at
9:00 a.m. before the City Court of Poughkeepsie,
(or, if different than above, cross out above and write in time and place below)
at _____ (AM/PM) before the _____ Court of _____;

OR the matter having been transferred for action of the Grand Jury

AND (Check one box only)

The defendant is REMANDED to the custody of the County Sheriff/Commissioner of Corrections until:

bail is posted in the amount of \$ 15,000 CASH OR \$ 30,000 BOND

OR without bail (Class A felony, or any felony charge with two previous felony convictions)

AND that this ORDER includes the lesser offense(s) of: _____

SPECIAL ORDERS/INSTRUCTIONS

- CPL 730 (competency) Exam ordered (UCS #16-A Attached)
- Additional Comments _____

Dated 8/24, 2014 Katherine A. Moloney/Frank M. Mora

(Circle one)

Katherine A. Moloney
CITY COURT JUDGE

EXHIBIT D

City police: Gun, heroin recovered in traffic stop

City police: Gun, heroin recovered in traffic stop

Roberto Cruz, Poughkeepsie Journal 1:07 p.m. EDT August 25, 2014



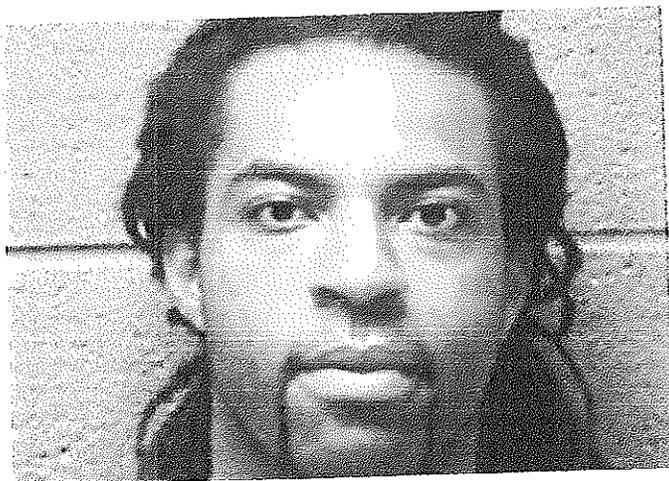
(Photo: Courtesy photo)

City police recovered an illegal handgun and 60 bags of heroin in a traffic stop Saturday night, according to a news release.

Jack Goodman, 43, a city resident, was charged with second- and third-degree criminal possession of a weapon charges, according to city police. His vehicle was stopped in the area of 390 Mansion St. about 7:50 p.m. Saturday, city police said.

His passenger, Frank White, 25, of the City of Poughkeepsie was charged with third-degree criminal possession of a controlled substance, police said.

Both were arrested and held at city lockup pending before being arraigned on Sunday, police and jail officials said.



Frank White, 25, faces a felony drug charge for alleged heroin possession, court officials said. (Photo: Courtesy photo)

Officers made the stop on a patrol paid for by the state Gun Involved Violence Elimination program, city police said. The program in May awarded Dutchess County \$342,512 and Ulster \$186,000 to curb gun violence, according to Journal archives.

City police have recovered 31 illegal handguns so far this year.

Goodman was held at the Dutchess County Jail without bail. White had a bail of \$15,000 and a bond of \$30,000, court officials said. Both were due in City of Poughkeepsie Court this morning.

Roberto Cruz: rcruz2@poughkeepsiejournal.com; 845-437-4843; Twitter: @robertocruzpj

Read or Share this story: <http://www.poughkeepsiejournal.com/story/news/crime/2014/08/25/gun-heroin-poughkeepsie-police/14561975/>

EXHIBIT E

THE DISTRICT ATTORNEY OF DUTCHESS COUNTY

236 MAIN STREET
POUGHKEEPSIE, N.Y. 12601
(845) 486-2300
FAX (845) 486-2324

WILLIAM V. GRADY
DISTRICT ATTORNEY

BRIDGET R. STELLER
Chief Assistant District Attorney

BUREAU CHIEFS
Edward F. Whitesell
Marjorie J. Smith
Frank F. Chase
Matthew A. Weishaupt
Edward T. McLoughlin

2/9

August 25, 2014

Frank White

Re: *People v. Frank White*
DUTCHESS COUNTY COURT
Date of Charge: August 23, 2014 12:00AM

PLEASE TAKE NOTICE, pursuant to Section 190.50(5)(a) of the Criminal Procedure Law, that an offense upon which the above-named defendant has been arraigned on a felony complaint in a local criminal court will be the subject of a Grand Jury proceeding.

If the defendant wishes to testify in this proceeding before the Grand Jury, the defendant or his attorney must serve written notice within a reasonable time upon the District Attorney of the County of Dutchess at the above address. Be sure to state an address to which communications should be sent.

Very truly yours,

Matthew Weishaupt
Assistant District Attorney

EXHIBIT F

ORIGINAL

POUGHKEEPSIE CITY COURT
COUNTY OF: DUTCHESS
STATE OF NEW YORK

=====
THE PEOPLE OF THE STATE OF NEW YORK

-against-

ORDER APPOINTING COUNSEL
DOCKET #: 14-67319

FRANK WHITE, DEFENDANT
=====

IT appearing to the satisfaction of the Court that the above defendant is financially unable to obtain counsel and the Office of the Public Defender requested 18-b assignment, and said defendant not having waived the appointment of counsel;

IT IS ORDERED that the following member of the Bar is hereby appointed to represent the defendant in all matters pertaining to this action in this Court:

ULSTER COUNTY PUBLIC DEFENDER
MIKAEL A. COHN, ESQ. 18 LUCAS AVENUE
KINGSTON NY 12401

*- in court
for
8/29/14
a*

DEFENDANT: FRANK WHITE .
34 BEMENT AVE APT #1
POUGHKEEPSIE, NY 12601

CHARGES: PL-220.16-01 -BF-, 3-CRIM POSS NARCO DRUG INT/

Defendant currently is IN CUSTODY.

The next court appearance is August 29, 2014 at 11:00a.m.
YOUR NOTICE OF APPEARANCE IS REQUIRED

Katherine A. Moloney

DATED: August 27, 2014

Katherine A. Moloney, City Court Judge

cc: FRANK WHITE
34 BEMENT AVE APT #1
POUGHKEEPSIE, NY 12601

DA *- for 8/29/14*

EXHIBIT G

4 Copies

Arrest Report, Officer: mccarthyS, Supervisor: cronkb, Merged By

who is this??

1. NYSO No.		2. OBTS No.		New York State ARREST REPORT		3. Case No. 2014-00043252		4. Rpt. No.		4b.																																																																																											
5. FBI No.		6. Arrest No.		7. Agency		8. Division/Precedent Patrol		9a.		9b.																																																																																											
9. Name (Last, First, Middle) White, Larry				10. Alias / Nickname / Middle Name (Last, First, Middle)				11. Phone Number																																																																																													
12. Street Number and Name, Building No., Apt. No.				13. City, State, Zip (C <input type="checkbox"/> T <input type="checkbox"/> V <input type="checkbox"/>)				14. Residence Status <input checked="" type="checkbox"/> Resident <input type="checkbox"/> Foreign Non-Resident <input type="checkbox"/> Non-Resident <input type="checkbox"/> Unk		15. Place of Birth																																																																																											
16. Date of Birth 10/25/1988		17. Age 25	18. Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> U		19. Race <input type="checkbox"/> Indian <input type="checkbox"/> White <input checked="" type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Other <input type="checkbox"/> Unknown		20. Ethnic <input type="checkbox"/> Non-Hispanic <input type="checkbox"/> Hispanic <input type="checkbox"/> Unknown		21. Skin <input type="checkbox"/> Light <input type="checkbox"/> Medium <input type="checkbox"/> Dark <input type="checkbox"/> Other <input type="checkbox"/> Unknown		22. Hair																																																																																										
22. Height		23. Weight	24. Hair	25. Eyes	26. Glasses <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Contact		27. Build <input type="checkbox"/> Small <input type="checkbox"/> Med <input type="checkbox"/> Large	28. Marital Status <input type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed <input type="checkbox"/> Unk		29. U.S. Citizen <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	30. Citizen of																																																																																										
31. Social Security No.		32. Education		33. Religion		34. Occupation		35. Employed <input type="checkbox"/> Yes <input type="checkbox"/> No		36. Scars / Marks / Tattoos (Describe)																																																																																											
37. Arresting Officer MCCARTHY, SEAN, M, SERGEANT			38. ID No.	39. Assisting Officer CRONK, BRYAN, A, SERGEANT		40. ID No.	41. Arrest Date 8/23/2014	42. Time 19:55	43. Location of Arrest (C <input type="checkbox"/> T <input type="checkbox"/> V <input type="checkbox"/>) 390, Mansion, STREET																																																																																												
44. Juvenile <input type="checkbox"/> Yes - No Further Process <input type="checkbox"/> Yes <input type="checkbox"/> No		45. Condition of Detainee At Arrest <input type="checkbox"/> Impaired Drugs <input type="checkbox"/> Mental Dis <input type="checkbox"/> Impaired Alco <input type="checkbox"/> Inj/IL <input checked="" type="checkbox"/> App Normal			46. Weapon(s) at Arrest		47. Co-defendant's Arrest No.																																																																																														
48. Miranda <input type="checkbox"/> Yes <input type="checkbox"/> No		49. Miranda By BARTOLOTTI	50. Miranda Date 8/23/2014		51. Miranda Time	52. Statements <input type="checkbox"/> Written <input type="checkbox"/> None <input type="checkbox"/> Verbal		53. Status <input type="checkbox"/> Bail/ROB <input type="checkbox"/> Parole <input type="checkbox"/> Probation	54. Search Warrant <input type="checkbox"/> Yes <input type="checkbox"/> No	55. ID Procedure <input type="checkbox"/> Line Up <input type="checkbox"/> Photo <input type="checkbox"/> None <input type="checkbox"/> Show Up																																																																																											
56. Arrestment Court		57. Arrestment Judge		58. Date	59. Time	60. Property <input type="checkbox"/> Yes <input type="checkbox"/> No	61. Evidence <input type="checkbox"/> Yes <input type="checkbox"/> No	61a. Processed By	61b. Disposition																																																																																												
62. Incident No.		63. Arrestee Status <input type="checkbox"/> ROR <input type="checkbox"/> Police Bail <input checked="" type="checkbox"/> Hpts <input type="checkbox"/> Cash Bail <input type="checkbox"/> Bail Bond <input type="checkbox"/> App TM <input type="checkbox"/> Ref to 3rd Party		64. Bail Amount		65. Bondsmen		66. Photo No.																																																																																													
67. Arrest Type <input type="checkbox"/> PW <input type="checkbox"/> IV <input type="checkbox"/> SUM <input checked="" type="checkbox"/> CIP <input type="checkbox"/> COMP <input type="checkbox"/> OP <input type="checkbox"/> FC <input type="checkbox"/> YCP <input type="checkbox"/> BW <input type="checkbox"/> AW <input type="checkbox"/> OT		68. Warrant No.		69. Arrest FOA <input type="checkbox"/> Yes <input type="checkbox"/> No		70. Other Agency		71. FP Taken <input type="checkbox"/> Yes <input type="checkbox"/> No																																																																																													
72. Location of Offense (C <input type="checkbox"/> T <input type="checkbox"/> V <input type="checkbox"/>)			73. Offense Date	74. No. Offenders	75. No. Victims	76. Return Court	77. Return Judge	78. Return Date	79. Time																																																																																												
80. Defendant Case TOT Agency				80a. Officer's Name				80b. ID No.	81. Time	82. Date																																																																																											
<table border="1"> <thead> <tr> <th>83. Law</th> <th>Article & Section</th> <th>SUB</th> <th>CL</th> <th>CAT</th> <th>DEG</th> <th>ATT</th> <th>NAME OF OFFENSE</th> <th>CTS</th> <th>NOIG CODE</th> <th>VICTIM Age Sex Race/Desc</th> <th>ASSOC. NO.</th> <th>TYPE</th> </tr> </thead> <tbody> <tr> <td>PL</td> <td>220.16</td> <td>01</td> <td>BF3</td> <td></td> <td></td> <td>X</td> <td>CRIM POSS NARCO DRUG INT/SELL</td> <td></td> <td></td> <td></td> <td></td> <td> <input type="checkbox"/> APP <input type="checkbox"/> UTT <input type="checkbox"/> OTH <input type="checkbox"/> JEP <input type="checkbox"/> UTT <input type="checkbox"/> OTH <input type="checkbox"/> APP <input type="checkbox"/> UTT <input type="checkbox"/> OTH <input type="checkbox"/> APP <input type="checkbox"/> UTT <input type="checkbox"/> OTH <input type="checkbox"/> APP <input type="checkbox"/> UTT <input type="checkbox"/> OTH <input type="checkbox"/> APP <input type="checkbox"/> UTT <input type="checkbox"/> OTH </td> </tr> </tbody> </table>												83. Law	Article & Section	SUB	CL	CAT	DEG	ATT	NAME OF OFFENSE	CTS	NOIG CODE	VICTIM Age Sex Race/Desc	ASSOC. NO.	TYPE	PL	220.16	01	BF3			X	CRIM POSS NARCO DRUG INT/SELL					<input type="checkbox"/> APP <input type="checkbox"/> UTT <input type="checkbox"/> OTH <input type="checkbox"/> JEP <input type="checkbox"/> UTT <input type="checkbox"/> OTH <input type="checkbox"/> APP <input type="checkbox"/> UTT <input type="checkbox"/> OTH																																																																
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85. OFFICER NARRATIVE See separate arrest narrative																																																																																																					
86. Arresting Officer's Signature																																																																																																					
87. ID No.																																																																																																					
88. Supervisor's Signature																																																																																																					
89. ID No.																																																																																																					
90. Arrest Made As A Result Of a SAFIS Letter P/A Identification? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown																																																																																																					
91.																																																																																																					
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93.																																																																																																					
94. 1 Page of 1 Page																																																																																																					

EXHIBIT H

8/22/2014 7:43:01 PM

0302STAT:NY 1942-1942 08/22/14 MSGID# 0b9f70e8-2a56-11e4-873e-b1b1b1b1b1b1 PART 1 OF 1
NYIS PARO KPOC 1942
NY0130200
NAM/WHITE, FRANK W
.SEX/M.RAC/ .DOB/102588

* WARNING - DO NOT SEARCH, DETAIN OR ARREST BASED SOLELY ON THIS INFORMATION *
* THE FOLLOWING RECORD IS A NYS PAROLE RECORD, CONTACT THE PAROLE OFFICER IF *
* THE RECORD SUBJECT IS ARRESTED FOR A NEW OFFENSE *

MKE/NY PAROLEE
NAM/WHITE, FRANK W SEX/M RAC/B DOB/1988-10-25
SID/3863520
HGT/601 WGT/160 EYE/BRO HAI/BLK
OFFENSE/ROBBERY 2ND (REV 09/78)*
RELEASE DATE/2013-09-27
EXPIRY DATE/2018-09-27

STREET/34 BEMENT AVE #1
CITY/POUGHKEEPSIE
PRECINCT/. COUNTY/.

AREA OFFICE/.
AREA TELEPHONE/.
AREA STREET/.
AREA CITY/.
SR PAROLE OFFICER/DAVILA, MARIO
PAROLE OFFICER/COOPER, FRITZ

ARRESTING AGENCY ORI/NY0130200 - POUGHKEEPSIE PD
ARRESTING PHONE/845-451-4000

11

EXHIBIT I



EXHIBIT J



City of Poughkeepsie Police Department Detail



Print Date/Time: 08/27/2014 12:24
 Login ID: ParisiA
 Case Number: 2014-00043252
 Seq # 2

ORI Number: City of Poughkeepsie Police
 NY0130200

Tag Number: 90693 Item Number: 1
Property Codes: Property Type: Drugs/Narcotics Property Class: Consumable Goods
 Seized UCR Value: Initial Value:
 Quantity: 2.000 Unit of Measure: Dosage Units/Items Measurement Source: Estimate

Make: Model: Style: D-Cocaine-10
 Year: OAN: Serial #:
 Condition: Reg. Type: Reg. ORI:
 Reg. State: Reg. Year: Reg. Date:

Date Received: 08/25/2014
 Stolen Location:
 Description: 2 pieces of a white substance
 Style Desc:
 Color:
 Reg. Number:
 Reg. Expiration:

Recovery Information

Location: Date: Code: Value:
 RFOJ?: ORI:

Associated Subjects

Type	Name	Address	Phone	Notified How	Date
Owner					

Insurance Company: Policy Number: Lein Holder:

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/25/2014 08:47	Type: Intake	4557-BRYAN CRONK		6129-THOMAS MATTHEWS	
	Code: Evidence				
	Remarks:				



City of Poughkeepsie Police Department Detail



Print Date/Time: 08/27/2014 12:24
 Login ID: ParisiA
 Case Number: 2014-00043252
 Seq # 3

ORI Number:

City of Poughkeepsie Police
 NY0130200

Tag Number: 90694

Item Number: 1

Property Codes:

Property Type: Drugs/Narcotics Property Class: Consumable Goods

Date Received: 08/25/2014

Seized

UCR Value:

Initial Value:

Stolen Location:

Quantity: 60.000

Unit of Measure:

Dosage
Units/Items

Measurement
Source:

Estimate

Description:

white glove
containing 10
glassine
envelopes
and piece of
plastic with
50 glassine
envelopes all
with an
offwhite
powder

Make:

Model:

Style:

D-Cocaine-10

Style Desc:

Year:

OAN:

Serial #:

Color:

Condition:

Reg. Type:

Reg. ORI:

Reg. Number:

Reg. State:

Reg. Year:

Reg. Date:

Reg. Expiration:

Recovery Information

Location:

Date:

Code:

Value:

RFOJ?:

ORI:

Associated Subjects

Type	Name	Address	Phone	Notified How	Date
Owner					

Insurance Company:

Policy Number:

Lein Holder:

Chain of Custody

Date	Transaction	From	From Role	To	To Role
08/25/2014 08:51	Type: Intake	4557-BRYAN CRONK		6129-THOMAS MATTHEWS	

Code: Evidence
 Remarks:

COM 7/6/15
Item IX-S

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

**NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK**

TODAY'S DATE: 6/22/15

NAME AND ADDRESS OF EACH CLAIMANT:

IRA A. GETTER
21 LOWN CT.
POUGHKEEPSIE, NY 12603

TELEPHONE NUMBER: 845-471-3621

NAME AND ADDRESS OF ATTORNEY (IF ANY):

NONE

CITY OF POUGHKEEPSIE
2015 JUN 23 AM 9:27

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE):

ON 6/10/15 @ ~ 10:30 AM, A CITY OF POUGHKEEPSIE GARBAGE TRUCK BACKED UP INTO MY PARKED VAN CAUSING DAMAGE TO THE PASSENGER SIDE.

ITEMS DAMAGED OR INJURIES SUSTAINED:

2002 KIA SEDONA LX

[Signature]
Signature of Claimant

[Signature]
Signature of Claimant

STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

Ira Getter being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.

[Signature]
Signature of Claimant

[Signature]
Signature of Claimant

Sworn to before me this 22 day of June, 2015

[Signature]
Notary Public



NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.

ACCIDENT INFORMATION EXCHANGE FORM

NY State Law requires that any accident resulting in a fatality, injury or damage to property of any person (including damage to your vehicle) or entity over \$1000 be reported by YOU to the Department of Motor Vehicles (DMV) within 10 days after an accident. Failure to report an accident or failure to give correct information is a misdemeanor and may result in the suspension/revocation of your driver's license (or operating privilege in NYS) and all vehicle certifications or registrations.

Report your Accident to DMV on DMV form MV-104 (Report of Motor Vehicle Accident). Police Accident Reports (DMV form MV-104A) DO NOT satisfy YOUR civilian reporting requirement.

Accident Report # Q3RG044G/PMR	Local Codes 2015 - 15165	Date 06/10/2015	Time 11:07 AM	# of Veh. 2	Town, City, Road Name POUGHKEEPSIE, CITY OF - 1402 15 SPOOR AVENUE (SERVICE ROAD)
Police Agency POUGHKEEPSIE CITY PD - 01302	Officer's Name/Badge ID# MCSPEDON GEORGE D 32				

VEHICLE # 001

Operator's Name PARKED	Date of Birth	Address 15 SPOOR AVENUE SERV RD		
City/State/Zip POUGHKEEPSIE NY 12601	Motorist I.D.# 000000000	Vehicle Year and Make 2002 KIA	License Plate # and State GED1527 NY	
Vehicle Type SUBN	Insurance Code and Company 484 - NEW SOUTH INS.CO.	Vehicle Owner GETTER IRA A		
Vehicle Towed By	Vehicle Towed To			

Miscellaneous Notes

VEHICLE # 002

Operator's Name SHAW GEORGE	Date of Birth 11/09/1953	Address 26 HOWARD STREET		
City/State/Zip POUGHKEEPSIE NY 12601	Motorist I.D.# 803979833	Vehicle Year and Make 2006 CHEV	License Plate # and State AD8982 NY	
Vehicle Type DUMP	Insurance Code and Company 997 - SELF-INSURER	Vehicle Owner POUGHKEEPSIE CITY OF;		
Vehicle Towed By	Vehicle Towed To			

Miscellaneous Notes

Please wait 14 days before contacting DMV to request a copy of your accident report.

If you want to purchase a copy of the police accident report, form MV-104A, complete DMV's "REQUEST FOR COPY OF ACCIDENT REPORT" form MV-198C and send it to DMV. The form and instructions are available at www.dmv.ny.gov or at your local DMV office.

THE FORM MV-104A MAY ALSO BE PURCHASED BY CONTACTING THE INVESTIGATING POLICE AGENCY.
POUGHKEEPSIE CITY PD, 62 CIVIC CENTER PLAZA, POUGHKEEPSIE, NY 12602
To obtain a blank civilian Accident Report (Form MV-104),
visit the DMV office nearest you
or
access forms online at www.dmv.ny.gov



Kelley Blue Book The Trusted Resource[®]

Advertisement

Why ads?

Used 2002 Kia Sedona Pricing Report



Style: LX Minivan
Mileage: 142,685

Vehicle Highlights

Fuel Economy:
City 14/Hwy 18/Comb 16 MPG

Doors: 4

Drivetrain: FWD

EPA Class: Minivan

Country of Origin: Korea

Max Seating: 7

Engine: V6, 3.5 Liter

Transmission: Automatic

Body Style: Van

Country of Assembly: Korea

Buy from a Dealer



Based on Good Condition or Better

Fair Purchase Price valid for your area through 6/25/2015

Your Configured Options

Our pre-selected options, based on typical equipment for this car.

✓ Options that you added while configuring this car.

Engine

V6, 3.5 Liter

Transmission

Automatic

Drivetrain

FWD

Comfort and Convenience

Air Conditioning

Air Conditioning, Rear

Power Windows

Power Door Locks

Cruise Control

Steering

Power Steering

Tilt Wheel

Entertainment and Instrumentation

AM/FM Stereo

Cassette

Safety and Security

Dual Air Bags

Roof and Glass

Privacy Glass

Wheels and Tires

Steel Wheels

Glossary of Terms

Suggested Retail Price - Suggested Retail Price is representative of dealers' asking prices. It assumes that the vehicle has been fully reconditioned and takes into account the dealers' profit and costs for advertising. The final sale price will likely be less, depending on the car's actual condition, popularity, warranty and local market factors.

Kelley Blue Book® Fair Purchase Price (Used Car) - This is the price people are typically paying a dealer for a used car with typical mileage in good condition or better. This price is based on actual used-car transactions and adjusted regularly as market conditions change.

Tip:

Kelley Blue Book pricing is based on actual transactions and adjusted regularly as market conditions change.

Vince's Auto Body Works
QUALITY SERVICE SINCE 1946
185 Smith Street, Poughkeepsie, NY 12601
Phone: (845) 454-3220
FAX: (845) 485-4111

Workfile ID: d6d626e3
State ID: 7034149
License Number: RS# 7034149

Preliminary Estimate

Customer: GETTER, IRA

Written By: Joe Lomoriello, IA-703660

Insured: GETTER, IRA
Type of Loss:
Point of Impact:

Policy #:
Date of Loss:

Claim #:
Days to Repair: 0

Owner:
GETTER, IRA
21 LOWN CT.
POUGHKEEPSIE, NY 12603
(845) 471-3621 Evening

Inspection Location:
Vince's Auto Body Works
185 Smith Street
Poughkeepsie, NY 12601
Repair Facility
(845) 454-3220 Business

Insurance Company:

VEHICLE

Year: 2002 Body Style: 4D VAN VIN: KNDUP131126270524 Mileage In:
Make: KIA Engine: 6-3.5L-FI License: DXB1621 Mileage Out:
Model: SEDONA LX Production Date: State: NY Vehicle Out:
Color: WHITE Int: Condition: Good Job #:

TRANSMISSION

Automatic Transmission

POWER

Power Steering
Power Brakes
Power Mirrors

DECOR

Dual Mirrors
Body Side Moldings

Tinted Glass

CONVENIENCE

Intermittent Wipers
Tilt Wheel
Cruise Control
Rear Window Wiper

RADIO

AM Radio
FM Radio

Stereo

Cassette

SAFETY

Drivers Side Air Bag
Passenger Air Bag

SEATS

Cloth Seats
Reclining/Lounge Seats
3rd Row Seat

WHEELS

Wheel Covers

PAINT

Clear Coat Paint

TRUCK

Power Rear Window

Preliminary Estimate

Customer: GETTER, IRA

Vehicle: 2002 KIA SEDONA LX 4D VAN 6-3.5L-FI WHITE

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		FENDER					
2	Repl	RT Fender	0K52Y52111	1	227.81	2.0	2.7
3		Add for Clear Coat					1.1
4		Add for Edging					0.5
5		Add for Clear Coat					0.1
6		FRONT DOOR					
7	Repl	RT Door shell LX to 7/1/02	0K58A58020B	1	717.00	5.0	3.5
8		Overlap Major Adj. Panel					-0.4
9		Add for Clear Coat					0.6
10		Add for mirror power				0.6	
11	Repl	RT Mirror assy LX	0K54A69120XX	1	308.33	Incl.	0.9
12		Overlap Minor Panel					-0.2
13		Add for Clear Coat					0.1
14		SIDE LOADING DOOR					
15	Repl	RT Outer panel LX	0K54A72031	1	406.83	7.0	2.3
16		Overlap Major Adj. Panel					-0.4
17		Add for Clear Coat					0.4
18		Add for Edging					0.5
19		Add for Clear Coat					0.1
20	Repl	RT Body side mldg	0K53A506R2XX	1	68.75	0.3	0.5
21		Overlap Minor Panel					-0.2
22		Add for Clear Coat					0.1
23		SIDE PANEL					
24	*	Rpr RT Side panel LX				10.0	2.2
25		Overlap Major Adj. Panel					-0.4
26	*	Add for Clear Coat					0.4
27	#	VEHICLE IN MY OPINION IS A TOTAL LOSS		1			
SUBTOTALS					1,728.72	24.9	14.4

Preliminary Estimate

Customer: GETTER, IRA

Vehicle: 2002 KIA SEDONA LX 4D VAN 6-3.5L-FI WHITE

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			1,728.72
Body Labor	24.9 hrs @	\$ 55.00 /hr	1,369.50
Paint Labor	14.4 hrs @	\$ 55.00 /hr	792.00
Paint Supplies	14.4 hrs @	\$ 28.00 /hr	403.20
Subtotal			4,293.42
Sales Tax	\$ 4,293.42 @	8.1250 %	348.84
Grand Total			4,642.26
Deductible			0.00
CUSTOMER PAY			0.00
INSURANCE PAY			4,642.26

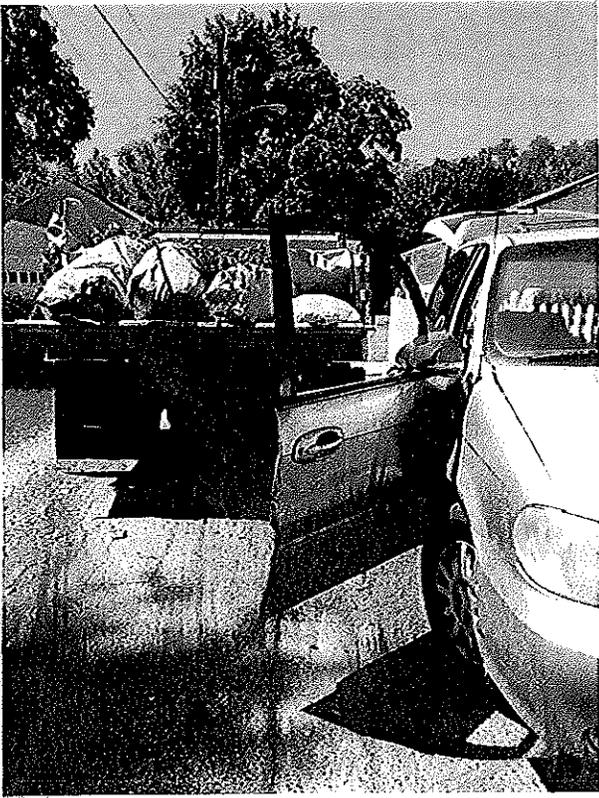
All vehicle parts are O.E.M. unless stated otherwise. Paint, coatings are PPG, 3M and others. Part/labor prices are current and subject to change. Shop is not responsible for damages hidden or otherwise overlooked by its employees. This estimate does not obligate this shop to repair this vehicle.

AUTHORIZATION OF REPAIRS: I authorize Vince's Auto Body Works to make the enclosed described repairs. Their employees and/or agents may road test my vehicle as they see fit. I agree that this shop is not responsible for vehicle damage, theft, fire and/or loss due to reasons beyond their normal control. Old parts will be junked unless instructed otherwise. Signed: _____ Date: _____
Time: _____

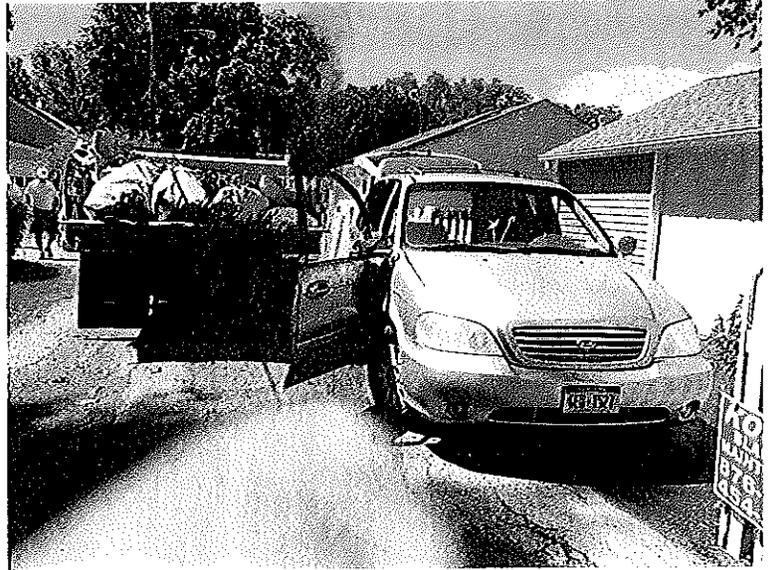
DIRECTION OF PAY: I authorize _____ to make payment for the supplemental repairs to my vehicle directly to Vince's Auto Body Works in my behalf. Amount (if known) \$ _____
Signed _____ Date _____

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR COMMERCIAL INSURANCE OR A STATEMENT OF CLAIM FOR ANY COMMERCIAL OR PERSONAL INSURANCE BENEFITS CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, AND ANY PERSON WHO, IN CONNECTION WITH SUCH APPLICATION OR CLAIM, KNOWINGLY MAKES OR KNOWINGLY ASSISTS, ABETS, SOLICITS OR CONSPIRES WITH ANOTHER TO MAKE A FALSE REPORT OF THE THEFT, DESTRUCTION, DAMAGE OR CONVERSION OF ANY MOTOR VEHICLE TO A LAW ENFORCEMENT AGENCY, THE DEPARTMENT OF MOTOR VEHICLES OR AN INSURANCE COMPANY, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL ALSO BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE VALUE OF THE SUBJECT MOTOR VEHICLE OR STATED CLAIM FOR EACH VIOLATION.

You are entitled to the return of all replaced parts, except warranty and exchange parts, but you must ask for them in writing before any work is done. If you authorize work by phone, the shop must keep any replaced parts, and make them available when you pick up the vehicle.



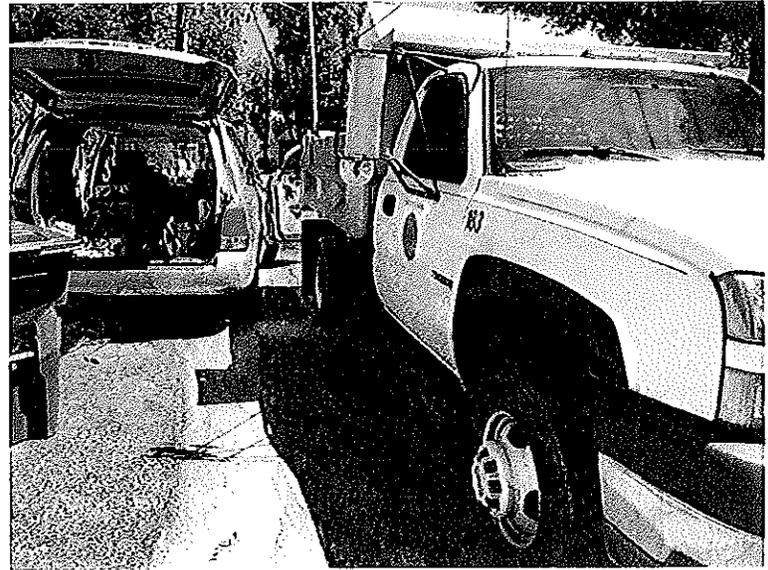
IMG_1198



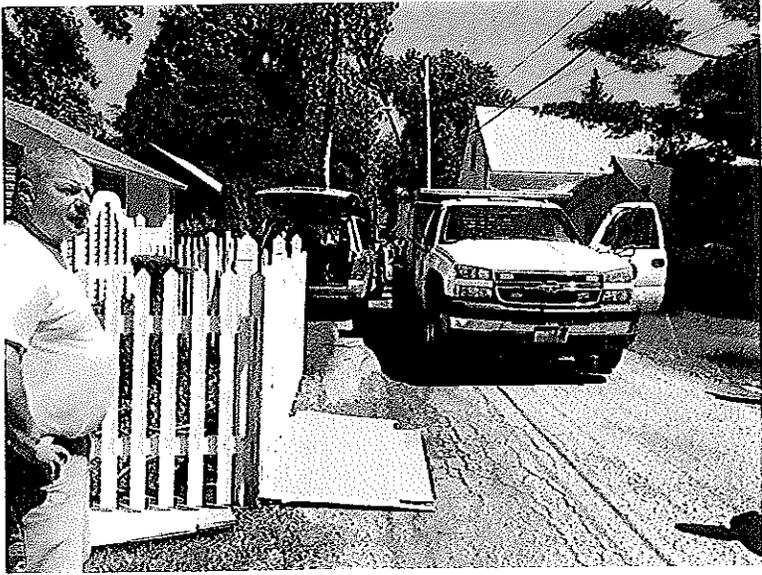
IMG_1199



IMG_1202



IMG_1203



IMG_1204

CCM 7/6/15
Item 1X-6

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

2015 JUN 26 AM 10:44
CITY OF Poughkeepsie
CITY CHAMBERLAIN

**NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK**

TODAY'S DATE: 6/24/2015
NAME AND ADDRESS OF EACH CLAIMANT:

Latoria McKinney
P.O. Box 136
Poughkeepsie, New York 12602

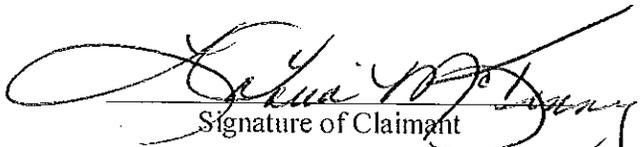
TELEPHONE NUMBER: 845 3376823

NAME AND ADDRESS OF ATTORNEY (IF ANY):

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE):

On 6/23/2015 a tree on Mansion Street fell on my vehicle. The city department was called and also the police. There were pictures taken by the

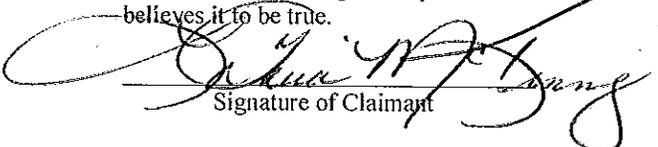
ITEMS DAMAGED OR INJURIES SUSTAINED: City Department. The damage
2004 Porsche total \$700.00


Signature of Claimant

Signature of Claimant

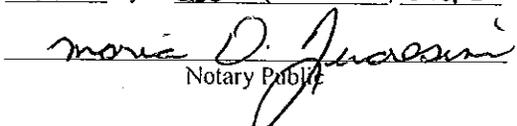
STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

LATORIA MCKINNEY being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.


Signature of Claimant

Signature of Claimant

Sworn to before me this 24th day of June, 2015


Notary Public

MARIA D QUARESIMO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01QU6112101
Qualified in Dutchess County
My Commission Expires 6-28-2016

NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.