

**MAGISTRATE COURT OF CLAYTON COUNTY/STATE OF GEORGIA
DISPOSSESSORY PROCEEDING**

CLERK'S USE ONLY

PLAINTIFF:

(Name)
(Street Address)
(City, State, Zip Code)

DEFENDANT:
(Name)

(Street Address)
(City, State, Zip Code)

Empty box for Clerk's use only.

CASE NUMBER
20__ CM _____

Personally appeared the undersigned affiant who on oath says that he/she is _____ and that defendant(s) is (are) in possession as tenant of premises at said address as stated above, in Clayton County, the property of said plaintiff. FURTHER: (select only one)

- THAT tenant fails to pay the rent which is now past due;
- THAT tenant holds the premises over and beyond the term for which they were rented or leased to tenant(s);
- THAT tenant is a tenant at sufferance;
- THAT _____ ; and plaintiff is entitled to recover any and all rent that may come due until this action is finally concluded.

Plaintiff desires and has demanded possession of the premises and Defendant has failed and refused to deliver said possession.

WHEREFORE, Plaintiff DEMANDS: (select all that apply)
possession of the premises; past due rent of _____ ; rent accruing up to the date of judgment or vacancy at the rate of _____ per day;

Sworn to and subscribed before me, this _____ day of _____, 20 _____.

AFFIANT

By: _____
Deputy Clerk/ Notary Public

Affiant Phone # w/ Area Code

SUMMONS

TO THE SHERIFF OF CLAYTON COUNTY OR HIS LAWFUL DEPUTIES

GREETINGS: The defendant(s) is/are commanded and required to file an answer to said affidavit in writing or orally in person at the Magistrate Court of Clayton County, Jonesboro, Georgia on or before the seventh (7th) day after the date of service of the within affidavit and summons. EACH defendant is required to file an answer in his or her own name. If such an answer is not made, a Writ of Possession and/or Judgment may issue as provided by law.

Witness the Honorable Wanda L. Dallas, Chief Magistrate of said Court.

This _____ day of _____, 20 _____. _____ Deputy Clerk

SHERIFF'S ENTRY OF SERVICE

I have served the foregoing affidavit and summons on the Defendant(s) by delivering a copy of same _____ Personally____ Notoriously (name) _____ By posting a copy to the door of the premises and depositing a copy in the U.S. Mail, First Class in an envelope properly addressed, with adequate postage thereon, said copy containing notice to the Defendant(s) to answer at the place stated in said summons.

DATE OF SERVICE _____ D/Sheriff

IMPORTANT NOTICE

Pursuant to *Official Code of Georgia*, Section 44-7-55(c), any writ of possession issued pursuant to this article shall authorize the removal of the tenant or his or her personal property or both from the premises and permit the placement of such personal property on some portion of the landlord's property; further, it provides that after execution of the writ, such property shall be regarded as abandoned.

Pursuant to Code of Clayton County, Georgia, Section 82-91 et. seq., if such personal property is not removed from the landlord's property within twenty-four (24) hours of the date and time of the execution of the writ of possession, and if the property otherwise is in violation of the county code, a citation for violation of the county code may issue against the plaintiff.

WRIT OF POSSESSION

To the Sheriff of Clayton County or his lawful deputies:
You are hereby commanded to remove said defendant together with defendant(s)' property thereon from said premises and to deliver full and quiet possession of the same to the plaintiff herein; effective 1.) Instantly or 2.) Seven days from the date of judgment; or 3.) Pursuant to the terms of a consent judgment filed herewith.

This _____ day of _____, 20 _____. _____
Judge, Magistrate Court of Clayton County