

**IN THE MAGISTRATE COURT OF CLAYTON COUNTY
STATE OF GEORGIA**

Plaintiff/Landlord vs. _____

Defendant

Street Address

City, State, Zip

Phone Number

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CASE NO. _____

Proceeding Against Tenant by Landlord

ANSWER by Tenant/Defendant

I am the Defendant named above. I state the following in answer to Plaintiff's claim: _____

My landlord is not entitled to evict me or secure a money judgment for the following reason(s): _____

COUNTERCLAIM

My landlord owes me \$ _____ for the following reason(s): _____

WHEREFORE I ask this Court to:
(1) Dismiss Plaintiff's claim with all costs assessed against Plaintiff; (2) Enter judgment in my favor and against Plaintiff; and (3) Grant other and further relief as the Court deems just and proper.

Sworn to and subscribed before me
this _____ day of _____, 200____. _____
DEFENDANT

Notary Public/Clerk/Deputy Clerk

NOTICE OF TRIAL DATE	
The Plaintiff and Defendant are required to appear for trial at _____ o'clock ____m. on the _____ day of _____ 200____, Room _____, on the 2 nd Floor of the Clayton County Justice Center, Magistrate Court, 9151 Tara Boulevard, Jonesboro, Georgia.	
_____ DEFENDANT	_____ DEPUTY CLERK

COURT INSTRUCTIONS

Failure of the Plaintiff to attend may result in dismissal of the claim for lack of prosecution. Failure of the Defendant to attend may result in the entry of a judgment in favor of the Plaintiff and/or an instant writ of possession. DO NOT BE LATE. If you are not present in the courtroom when the calendar is called, your case will be jeopardized.

The Court will hear all the evidence at the time of trial. You should bring any documents, receipts, canceled checks, photographs or other similar documents with you for the trial. If any of your documents were prepared by a person who is not a party to this case, you should have the person who prepared the document present to testify as to the contents of the document. Failure to do so may result in the evidence being ruled inadmissible. Letters from witnesses and damage estimates, even if notarized, are generally not admissible as evidence. The Court does not call witnesses on the telephone. While parties to actions filed in Magistrate Court are not required to have an attorney, please remember that the rules of evidence contained in Georgia law still apply. Evidence or testimony not presented properly will not be considered.

If either party has witnesses that will not voluntarily appear for trial or needs documents produced that are in the custody of a third person, you may obtain subpoenas from the Clerk of Court. It is the responsibility of the party sending the subpoena to have it served in the manner provided by law.