

AFFIDAVIT FOR GARNISHMENT

MAGISTRATE COURT OF CLAYTON COUNTY
Georgia, Clayton County

GARNISHMENT CASE NUMBER _____
Plaintiff's Attorney or Plaintiff's Address: _____

Plaintiff

Name Phone No.

VS.

Defendant

Address

Address

TO:

Garnishee

Address

Personally appeared the undersigned affiant who on oath says that he/she is the above Plaintiff, agent, or attorney at law, and that he/she has personal knowledge that the above Defendant is indebted to said Plaintiff on a judgment as described as follows:

1. \$ _____ is the balance due, plus \$ _____ garnishment costs. (Total due is \$ _____.)
2. Judgment was obtained in the _____ Court of _____ County.
3. _____ is the case number.
4. Affiant further states that affiant believes the Garnishee is or may be an employer of the Defendant and subject to (continuing) garnishment issue.

Sworn to and subscribed before me this

_____ day of _____, 20_____.

Affiant

Notary Public or Deputy Clerk

APPROVED BY: _____
Deputy Clerk, Magistrate Court of Clayton County

DEFENDANT TO BE SERVED BY: _____ Mail _____ Deputy Sheriff

REGULAR SUMMONS OF GARNISHMENT

MAGISTRATE COURT OF CLAYTON COUNTY
Georgia, Clayton County

GARNISHMENT CASE NUMBER
Plaintiff's Attorney or Plaintiff's Address:

Plaintiff Name Phone No.
VS.
Defendant Address
Address

TO:
Garnishee
Address

NOTICE TO DEFENDANT
1. \$ is total claimed due.
2. Judgment was obtained in Court of County.
3. is the Case Number.
4. A garnishment against the property and credit of the Defendant has been or will be served on the above named garnishee.

YOU ARE HEREBY COMMANDED to hold immediately all property, money, wages, except what is exempt, belonging to the defendant,, and file an answer in writing with the Magistrate Court of Clayton County NO sooner than thirty (30) days, and NO later than forty-five (45) days after date of service, in which you state what property, money, or effects you had in your hands at the date of service of this Summons AND also state what property, money or effects of the said Defendant have come into your hands between the time of service of this Summons and the time of making your answer; and what you owed the Defendant since the service of this Summons. Garnishee is required to pay into the registry of the Court any money admitted in the answer to be subject to garnishment. Failure to comply with the above requirements may result in a default judgment against the garnishee for the full amount claimed due on the judgment against the defendant.

WITNESS THE HONORABLE JUDGES OF THIS COURT.

This day of 20
CLERK, MAGISTRATE COURT OF CLAYTON COUNTY

IMPORTANT INSTRUCTIONS TO GARNISHEE:
1. Answer cannot be filed sooner than thirty (30) days after service of Summons of Garnishment on the Garnishee; and no later than forty-five (45) days after the date of service of Summons of Garnishment on the Garnishee.
2. File your Answer in writing with the Clerk, Magistrate Court, Clayton County Justice Center, 9151 Tara Blvd., Jonesboro, Georgia 30236-4912.
3. If you are not familiar with the Georgia Law applying in garnishment cases, consult your attorney, or otherwise obtain correct information, before paying the Defendant any sum after you have been served with this Summons of Garnishment.
4. A letter is insufficient, even though the Defendant is not employed by you.
5. Plaintiff, or their attorney, are the only ones who can authorize the Court to issue a Release, and relieve you of filing an Answer to this Summons.
6. Failure to file an answer may result in a default judgment being entered against the Garnishee for the amount claimed by Plaintiff against Defendant plus court costs.
7. Georgia law requires that the garnishee must mail a copy of their answer to the Plaintiff or Plaintiff's attorney. A certificate of service is provided on the answer.

MAGISTRATE COURT OF CLAYTON COUNTY
ANSWER OF GARNISHEE

1. From the time of service of this summons or since the date of the last answer, all debts accruing from the garnishee to the Defendant are \$
2. The Defendant is paid wages at the rate of \$ per for the period beginning 20, through the time of making this answer. The amount of wages which are subject to the garnishment is computed as follows:
Gross Earnings
Total F.I.C.A., State & Federal Taxes
Total Disposable Earnings
Amount herewith paid into Court
3. Garnishee further states that since the time of service of this summons or since the date of the last answer there has come in the possession of the garnishee no property or effects of the Defendant except:
4. () If checked, Defendant is not employed by garnishee and termination date was
5. () If checked, this is the last answer this garnishee is required to file to the presently pending summons of continuing garnishment in the above styled case.

Signed: Garnishee

CERTIFICATE OF SERVICE
This is to certify that I have this day served the Plaintiff or Plaintiff's attorney with a copy of this answer with a copy of this answer by depositing a copy of same in the United States Mail in a property addressed envelope with adequate postage thereon.
This day of 20
Garnishee

REGULAR SUMMONS OF GARNISHMENT

MAGISTRATE COURT OF CLAYTON COUNTY
Georgia, Clayton County

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Plaintiff's Attorney or Plaintiff's Address:

Plaintiff Name Phone No.
VS.
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