

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

DISPOSSESSORY PROCEEDING

PLAINTIFF: (PLEASE PRINT NEATLY & CLEARLY)

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

CLERK'S USE ONLY

DEFENDANT: (PLEASE PRINT NEATLY & CLEARLY)

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

CASE NUMBER
20 CM

Personally appeared the undersigned affiant who on oath says that he/she is (owner), (agent), (attorney at law) for plaintiff herein, 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: (circle only one)

- (a) THAT tenant fails to pay the rent which is now past due;
- (b) THAT tenant holds the premises over and beyond the term for which they were rented or leased to tenant(s);
- (c) THAT tenant is a tenant at sufferance;
- (d) 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: (circle all that apply)

- (a) possession of the premises; (b) past due rent of \$ _____; (c) rent accruing up to the date of judgment or vacancy at the rate of \$ _____ per day; (d) _____.

Sworn to and subscribed before me, this _____

AFFIANT

Phone # w/Area Code

_____ day of _____, 20 _____.

By: _____
Deputy Clerk/ Notary Public

PLEASE READ:

Because of the global COVID-19 pandemic, you may be eligible for temporary protectionism from eviction under the laws of your State, territory, locality, or tribal area, or under Federal law. Learn the steps you should take now. Visit www.cfpb.gov/eviction or call a housing counselor at 800-569-4287.

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) calendar day (including weekends and holidays) 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 Keisha Wright Hill, 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

IN THE MAGISTRATE COURT OF CLAYTON COUNTY
STATE OF GEORGIA

} CASE NO. _____
} _____
} Plaintiff,
} v. _____
} Dispossessory Proceeding
} _____
} _____
} Defendant.

CERTIFICATION OF AVAILABILITY FOR VIDEO MEDIATION AND/OR TRIAL

COMES NOW the [] Plaintiff [] Attorney for Plaintiff and certifies that,

(Check all that apply)

[] I have the ability to participate in a video mediation and/or trial because I do have access to, or can gain access to a desktop, laptop, or cellular device with a camera that allows use of the ZOOM App [To download the ZOOM App, go to <https://zoom.us/download>]

[] I do not have the ability to participate in video mediation and/or trial because I do not have access to or cannot gain access to the necessary equipment

If able to participate in video conferencing, please answer the following:

[] I voluntarily agree to binding mediation via ZOOM to work toward resolving my case. I agree to receive notices regarding my participation in *mediation only* at my email address. I understand that I am not required to resolve my case via mediation; and if no resolution is reached, I still have a right to a trial on all the issues in my case.

[] I DO NOT agree to binding mediation via ZOOM teleconferencing. By not participating, I understand that I risk significant delay before my case could be resolved by the court.

[] Plaintiff has not received any money from the Defendant since this case was filed.

[] The parties have already reached a settlement agreement, with a copy attached.

This ____ day of _____, 2020.

Print Name []Plaintiff []Attorney for Plaintiff

Email Address (please write LEGIBLY)

Signature of []Plaintiff []Attorney for Plaintiff

Phone Number