

MAGISTRATE COURT OF CLAYTON COUNTY

DISPOSSESSORY PROCEEDING

Clerk of Magistrate Court
9151 Tara Boulevard
Room 2TC08
Jonesboro, GA 30236-4912

PLAINTIFF'S NAME, ADDRESS & PHONE NO.

VS.

DEFENDANT'S NAME & ADDRESS

PLAINTIFF'S ATTY. NAME, ADDRESS & PHONE

1. Defendant is in possession as tenant of premises at the address in Clayton County as stated.
2. Affiant is the () Owner. () Attorney. () Agent. () Lessee of the owner of said premises.
3. Tenant: () fails to pay the rent which is now past due.
() holds the premises over and beyond the term for which they were rented or leased to him.
() other grounds: _____
4. Plaintiff desires and has demanded possession of the premises.
5. Defendant has failed and refused to deliver possession of the premises.

WHEREFORE, Plaintiff DEMANDS:

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

Sworn to and subscribed on _____, 20 _____

Signature of Affiant

Name of Affiant (Print or Type)

Phone Number/ Email Address

Witness the Honorable Chief Judge Keisha Wright Hill of said Court: The above affidavit was sworn to and subscribed before the undersigned Deputy Clerk by affiant as provided by O.C.G.A. §44-7-50 and summons issued pursuant thereto.

Magistrate/Deputy Clerk/ Notary Public

SUMMONS

TO THE SHERIFF OF CLAYTON COUNTY or his lawful deputies.

GREETINGS: The Defendant must file either an oral or written Answer at the Clerk of Magistrate Court of Clayton County between 8:30 A.M. and 5:00 P.M. or electronically at <http://www.odysseyfilega.com> (convenience fee applies) **within seven (7) days from the date of the actual service** unless the seventh day is a Saturday, a Sunday, or a Court holiday, in which case the Answer may be made on the next business day. If the Answer is oral, the substance thereof shall be endorsed on the dispossession affidavit. The Answer may contain any legal or equitable defense or counterclaim. If no Answer is filed, a writ of possession may be issued pursuant to O.C.G.A. § 44-7-53.

This ____ day of _____, 20 _____ DEPUTY CLERK



ENTRY OF SERVICE (Sheriff/Process Server)

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

DATE OF SERVICE _____,

DEPUTY SHERIFF/PROCESS SERVER: Print Name _____

Signature _____



WRIT OF POSSESSION

You are hereby commanded to remove said 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