

REVISED 7/8/22

MAGISTRATE COURT OF CLAYTON COUNTY
STATE OF GEORGIA
APPLICATION FOR DISPOSSESSORY WRIT OF POSSESSION

Case No. \_\_\_\_\_

Plaintiff
Vs.

(Name) \_\_\_\_\_

(Address) \_\_\_\_\_

Defendant

Application is hereby made to the Court for the issuance of a Writ of Possession due to:

\_\_\_\_\_ the Defendant failure to file his/her answer, and Plaintiff has NOT accepted any money.
\_\_\_\_\_ the Defendant failing to comply with the Order of this Court dated \_\_\_\_\_, in that payment(s) of
\$\_\_\_\_\_ due on \_\_\_\_\_ was/were not made.
\_\_\_\_\_ Court's Order dated \_\_\_\_\_, Writ of Possession shall issue instanter, but shall not be executed prior to
\_\_\_\_\_.
\_\_\_\_\_ Other: \_\_\_\_\_.

STATEMENT OF ACKNOWLEDGMENT OF NOTICE AND WAIVER OF ADDITIONAL NOTICE OF POSSIBLE ISSUANCE OF CITATION AGAINST PLAINTIFF
FOR VIOLATION OF CLAYTON COUNTY CODE,
IF PERSONAL PROPERTY OF THE DISPOSSESSED TENANT OR DISPOSSESSED MORTGAGOR IS NOT REMOVED FROM THE PROPERTY WITHIN
TWENTY-FOUR (24) HOURS

Pursuant to Code of Clayton County, Georgia, Section 82-92 et. seq., in the event that the plaintiff in a writ of possession proceeding may require the sheriff's assistance with regard to the removal of the personal property of the dispossessed tenant or dispossessed mortgagor from the premises and onto some portion of plaintiff's property, a citation for violation of the County's code may issue against the plaintiff if the personal property is not removed from plaintiff's property within twenty-four (24) hours of the date and time of the execution of the writ of possession, and the property otherwise is in violation of the county code.

The undersigned plaintiff, plaintiff's attorney, or plaintiff's authorized agent states under oath that he/she is authorized to act on behalf of plaintiff and hereby acknowledges notice, and waives any additional notice, and acknowledges that a citation for violation of the Code of Clayton County, Georgia, Section 82-92 et. seq., may issue against plaintiff, if the personal property of the dispossessed tenant or dispossessed mortgagor is not removed from plaintiff's property within twenty-four (24) hours of the date and time of the execution of the writ of possession and the property otherwise is in violation of the county code.

\_\_\_\_\_ Date \_\_\_\_\_ Plaintiff/Plaintiff's Attorney/Plaintiff's Authorized Agent

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

Notary Public/Deputy Clerk

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.) Instanter or 2.) Seven days from the date of judgment; or 3.) Pursuant to the terms of a consent judgment filed herewith.

\_\_\_\_\_ Judge, Magistrate Court of Clayton County