

MAGISTRATE COURT OF BURKE COUNTY, GEORGIA

DATE FILED _____

STATEMENT OF CLAIM

CASE NO. _____

Plaintiff's Name & Address

vs.

Defendant's Name & Address

Defendant's Name & Address (If two Defendants)

Suit on Note Suit on Account Other: _____

1. The Court has jurisdiction over the defendant(s) the Defendant(s) is a resident of _____ County;
 other (please specify) _____

2. Plaintiff(s) claims the Defendant(s) is indebted to the Plaintiff(s) as follows (You must include a brief statement giving reasonable notice of the basis for each claim contained in the Statement of Claim):

3. That said claim is in the amount of \$ _____, principal \$ _____ interest, plus _____ costs to date, and all future costs of this suit.

State of Georgia, _____ County:

_____ being duly sworn on oath says the foregoing is a just and true statement the amount owing by defendant(s) to plaintiff(s), exclusive of all set-offs and just grounds of defense.

Sworn and subscribed before me this

_____ day of _____, 20_____

Plaintiff(s) or Agent
(If Agent, Title or Capacity) _____

Notary Public/Attesting Official

Daytime Phone Number

NOTICE AND SUMMONS

TO: All Defendant(s) You are hereby notified that the above named Plaintiff(s) has/have made a claim and is requesting judgment against you in the sum shown by the foregoing statement. YOU ARE REQUIRED TO FILE or PRESENT AN ANSWER (answer forms can be obtained at <https://georgiamagistratecouncil.com/forms> or from the clerk's office) TO THIS CLAIM WITHIN 30 DAYS AFTER SERVICE OF THIS CLAIM UPON YOU. IF YOU DO NOT ANSWER, JUDGMENT BY DEFAULT WILL BE ENTERED AGAINST YOU. YOUR ANSWER MAY BE FILED IN WRITING OR MAY BE GIVEN ORALLY TO THE JUDGE OR CLERK. If you choose to file your answer orally, it MUST BE IN PERSON and within the 30 day period. NO TELEPHONE ANSWERS ARE PERMITTED. The court will hold a hearing on this claim at a time to be scheduled after your answer is filed. You may come to court with or without an attorney. If you have witnesses, books, receipts, or other writings bearing on this claim, you should bring them to court at the time of your hearing. If you want witnesses or documents subpoenaed, see a staff person in the Clerk's office for assistance. If you have a claim against the Plaintiff(s), you should notify the court by immediately filing an answer and counterclaim. If you admit to the Plaintiffs' claim but need additional time to pay, you must come to the hearing in person and tell the court your financial circumstances. Your answer must be RECEIVED by the clerk within 30 days of the date of service. If you are uncertain whether your answer will timely arrive by mail, file your answer in person at the clerk's office during normal business hours.

This _____ day of _____, 20_____

IN THE MAGISTRATE COURT OF Burke COUNTY
STATE OF GEORGIA

Plaintiff

v.

Case No. _____

Defendant

Address

AFFIDAVIT FOR SUMMONS OF DISPOSSESSORY

Personally appeared _____, who upon oath says that he is owner, or (attorney, agent or lessee) for the owner of said premises, and that Defendant is in possession as tenant of premises at the above address in _____ County.

Further Tenant:

(a) fails to pay the rent which is now past due.

(b) holds the premises over and beyond the term for which they were rented or leased to him or

(c) _____, and that

(d) 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 filed and refused to deliver said possession.

WHEREFORE, Plaintiff DEMANDS:

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

Sworn to and subscribed before me,

this _____, 20 _____

Affiant

Clerk/Magistrate

SUMMONS

TO: The Constable of the Magistrate Court or Sheriff or his Deputies of said County,

GREETING:

The defendant(s) herein is/are commanded and required personally or by attorney to answer orally or in writing, to the Judge or Clerk of Magistrate Court, Burke County Judicial Center between the hours of 8 AM and 5 PM on or before the SEVENTH day from the date of service of the within affidavit and summons (or on the first business day thereafter IF the seventh day falls on Saturday, Sunday or legal Holiday). If the answer is NOT made, a Writ of Possession shall issue instantler and judgment shall be granted as demanded by the Plaintiff named herein.

Witness the Presiding Judge of said Court.

This _____ day of _____, 20 24.

Clerk/Magistrate

WRIT OF POSSESSION

GEORGIA

County

If appearing to the Court that the Defendant

was duly served Summons of Dispossession, said case

having been called for a hearing and the Defendant failing to appear and failing to answer after being summoned and directed

to do so.

IT IS HEREBY ORDERED AND ADJUDGED, that the Lawful Officer of said County remove said Defendant together

with his property found thereon from said house and premises and to deliver full and quiet possession of same to the Plaintiff

herein.

Dated at _____, Georgia, this _____ day of _____, 20

Magistrate

RETURN OF CONSTABLE OR DEPUTY SHERIFF

GEORGIA

County

I have this day served the Defendant

with a copy of the Affidavit and Summons.

This _____ day of _____, 20

Deputy Sheriff

Constable

Georgia

County

I have this day served the Defendant with a copy of the foregoing Affidavit and Summons by delivering a copy of same to a person sui juris residing on the premises designated in said Affidavit said copy containing notice to the defendant to answer on _____ at the hour and place stated in the Summons.

This _____ day of _____, 20

Deputy Sheriff

Constable

ANSWER OF DEFENDANT

This _____ day of _____, 20

Defendant

No. _____

MAGISTRATE COURT

SUMMONS OF DISPOSSESSORY WARRANT

Plaintiff

Address VS.

Defendant

Address

Filed in Office this _____

Pliffs. Atty.

Pliffs. Phone _____, 20

Tenant Vacated _____, 20

Tenant Ejected _____, 20

Tenant Settled with Pliff. _____, 20

Held up by Pliff until _____, 20

WAG-20

CLYDE CASTLEBERRY COMPANY