

MAGISTRATE COURT OF Mitchell COUNTY, GEORGIA

Date Filed _____

Case No. _____

Plaintiff:

Name _____

Street _____

City _____ State _____ Zip Code _____

E-Mail Address _____

Phone Number _____ Bar Number _____
vs. _____

GARNISHMENT

Defendant(s) Name, Address _____

Garnishee Name, Address _____

AFFIDAVIT OF GARNISHMENT

() Check if the Garnishee is a financial institution.

() Check if garnishment is for the collection of child support or alimony. See OCGA. § 18-4-50. et seq.

Personally appeared (Print Name) _____ who on oath says:

1. I am the (Plaintiff) (Attorney for Plaintiff) (Agent for Plaintiff). [Circle one]
2. The Plaintiff obtained a judgment against the Defendant in Case Number _____, in the _____, Court of _____, County, _____ State, and no agreement requires forbearance from garnishment which is applied for currently.
3. \$ _____ is the balance due, which consists of the sum of \$ _____ Principal, \$ _____ Post Judgment interest, and \$ _____ Other (e.g., prejudgment interest, attorney's fees, costs exclusive of the cost of this action)
4. Upon the Affiant's personal knowledge or belief, the sum stated herein is unpaid.
This ____ day of _____, 20__.

Affiant

Print name of Affiant

Sworn to and subscribed before me

this _____ day of _____, 20__.

Notary Public/Deputy Clerk of Court

MAGISTRATE COURT OF MITCHELL COUNTY, GEORGIA

Date Filed _____

Case No: _____

Plaintiff:

Name

GARNISHMENT

Street

City State Zip Code

E-Mail Address

Phone Number Bar Number

Garnishment Court information:

vs.

Street Address

_____, Georgia _____

City, Zip Code

Defendant(s) Name, Address

Phone Number

Garnishee Name, Address

SUMMONS OF GARNISHMENT ON A FINANCIAL INSTITUTION

DO NOT USE THIS FORM IF THIS IS A CONTINUING GARNISHMENT (SEE O.C.G.A. §§ 18-4-72 and 18-4-78) OR CONTINUING GARNISHMENT FOR CHILD SUPPORT OR ALIMONY (SEE O.C.G.A. §§ 18-4-73 and 18-4-80).

- Check this box if other allegations are made against a nonjudgment Defendant pursuant to O.C.G.A. 18-4-23.
- Check this box if this is a garnishment for child support or alimony.

TO THE ABOVE-NAMED GARNISHEE:

Total amount claimed due by the Plaintiff \$ _____

Plus court costs due on this summons \$ _____

Total garnishment claim \$ _____

COURT OF JUDGMENT _____

JUDGMENT CASE NO. _____

YOU ARE HEREBY COMMANDED to immediately hold all money, including wages, and other property, except what is known to be exempt, including property in safe-deposit boxes or similar property that you hold, belonging to the Defendant named above beginning on the day of service of this summons and including the next five days. You are **FURTHER COMMANDED** to file your answer, in writing, not sooner than five days and not later than 15 days after the date you were served with this summons, with the Clerk of this Court and serve a copy of your answer upon the Plaintiff or Plaintiff's Attorney named above and the Defendant named above, or the Defendant's Attorney, if known, at the time of making such answer. Your answer shall state what money, including wages, or other property, except what is known to be exempt, belonging to the Defendant you hold beginning on the day of service of this summons and including the next five days. Money, including wages, or other property admitted in an answer to be subject to garnishment must be paid or delivered to the Court concurrently with your answer.

If, in answering this summons, you state that the property of the Defendant includes property in a safe-deposit box or similar property, you shall answer to the Court issuing this summons as to the existence of such safe-deposit box or similar property and shall restrict access to any contents of such safe-deposit box or similar property until further order of such Court regarding the disposition of such contents or 120 days from the date of filing your answer to this summons unless such time has been extended by the Court, whichever is sooner.

Should you fail to file a Garnishee Answer as required by this summons, a judgment by default will be rendered against you for the amount remaining due on the judgment as shown in the Plaintiff's Affidavit of Garnishment.

WITNESS, the Honorable _____, Judge of said Court.

This ____ day of _____, 20_____.

_____, Clerk of Court

By: _____

Deputy Clerk, _____ Court

MAGISTRATE COURT OF MITCHELL COUNTY, GEORGIA

Date Filed _____

Case No: _____

GARNISHMENT

Plaintiff(s) Name, Address vs.

Defendant(s) Name, Address

Garnishee Name, Address

ATTACHMENT FOR SUMMONS OF GARNISHMENT ON A FINANCIAL INSTITUTION

Other known names of the Defendant:

Current and past addresses of the Defendant:

Social security number or federal tax identification number of the Defendant:

Account or identification numbers of accounts of the Defendant used by the Garnishee:

Other allegations pursuant to O.C.G.A. 18-4-23

THIS PLEADING SHALL NOT BE FILED WITH THE COURT

**IN THE MAGISTRATE COURT OF MITCHELL COUNTY
STATE OF GEORGIA**

)	
)	
Plaintiff,)	
)	
vs)	Civil Action No.: _____
)	
)	
)	
Defendant,)	
)	
)	
)	
)	
Garnishee.)	

PLAINTIFF'S APPLICATION FOR DISBURSEMENT OF FUNDS

Now comes the Plaintiff in the above-styled case and files this Application for payment of all funds due plaintiff paid by Garnishee and states no claim has been filed and no traverse has been filed within twenty (20) after Garnishee's Answer was filed.

Moreover, Plaintiff states Garnishee and Defendant have been properly served with the Garnishment pursuant to O.C.G.A. §18-4-8 and that proof of such service has been filed with this Court.

This _____ day of _____, 20____.

Plaintiff or Plaintiff's Attorney

CERTIFICATE OF SERVICE

This is to certify I have this day served the Defendant and the Garnishee in the foregoing matter with a copy of this pleading by depositing it in the United States Mail in a properly addressed envelope with adequate postage thereon.

This _____ day of _____, 20____.

Plaintiff or Plaintiff's Attorney