

WRIT OF POSSESSION

GEORGIA _____ COUNTY

It 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 _____, 20_____ 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 _____

Pltffs. Atty.

Pltffs. Phone _____

Tenant Vacated _____, 20_____

Tenant Ejected _____, 20_____

Tenant Settled with Pltff. _____, 20_____

Held up by Pltff. until _____, 20_____

AFFIDAVIT FOR SUMMONS OF DISPOSSESSORY

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

22 NORTH COURT AVENUE
CAMILLA, GEORGIA 31730

Telephone 229-336-2077 • Office Hours: 9:00 a.m. until 5:00 p.m.

Plaintiff

v.

Case No. _____

Defendant

Address

AFFIDAVIT FOR SUMMONS OF DISPOSSESSORY

Personally appeared _____, who upon oath says the he is the 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 failed 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 of 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, 22 North Court Avenue, Camilla, Georgia 31730, between the hours of **9:00 a.m.** and **5:00 p.m.** 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 instanter and judgment shall be granted as demanded by the Plaintiff named herein.

Witness of Presiding Judge of said Court.

This _____ day of _____, 20_____
_____ Clerk/Magistrate

IN THE MAGISTRATE COURT OF MITCHELL COUNTY
STATE OF GEORGIA

Plaintiff

Case No. _____

Vs

Defendant

PETITION FOR WRIT OF POSSESSION

Plaintiff respectfully represents:

1.

Defendant is a natural person who resides and may be served at _____

_____ County of Mitchell, and is therefore subject to the jurisdiction of this court.

2.

Defendant is justly and truly indebted to the Plaintiff as evidenced by that certain document, a copy of which is attached hereto and make a part hereof as *Exhibit (s)* " _____ "

3.

Defendant granted to Plaintiff a security interest in that certain property as set out in *Exhibit (s)* " _____ " attached hereto.

4.

Defendant is in default under the terms of said agreement by reason of failure and refusal to pay the installment as set out in said agreement.

5.

WHEREFORE, Plaintiff respectfully demands that process issue as provided by law; that this court issue a writ of possession in favor of the Plaintiff with respect to the collateral; and that all cost of this action be cast upon the Defendant.

Sworn and subscribed before me

This _____ day of _____, 20 _____

Plaintiff

Notary Public, My Commission Expires: _____

The above and foregoing was sworn to and subscribed before me,

This _____ day of _____, 20 _____

Randall E. Chew, Judge
Magistrate Court, Mitchell County

SUMMONS

TO:

The Defendant herein is hereby commanded and required personally or by attorney to file with the clerk of the Magistrate Court of Mitchell County, within seven (7) days from the date of service of the within affidavit and summons, or on the first business day thereafter if the seventh day falls on a Saturday, a Sunday or a legal holiday, then and there to answer said affidavit in writing or orally. If the Defendant fails to answer on or before the seventh day from the date of service, the Defendant may reopen the default as a matter of right by making an answer within seven (7) days after the date of the default notwithstanding the provisions of Code Section 9-11-55 of the Official Code of Georgia, Annotated. If the seventh day is a Saturday, Sunday or legal holiday, the answer may be made on the next day which is not a Saturday, Sunday or legal holiday. If answer is not so made, a writ of possession shall issue against you as by law provided, pursuant to Plaintiff's affidavit.

WITNESS the Honorable Randall E. Chew, Magistrate of said Court.

This _____ day of _____, 20____.