

IN THE MAGISTRATE COURT  
RICHMOND COUNTY, GEORGIA

YOUR NAME OR BUSINESS NAME

ADDRESS

CITY, STATE AND ZIP

Plaintiff(s)

vs Civil Action No. \_\_\_\_\_

DEFENDANT'S NAME

ADDRESS

CITY, STATE AND ZIP CODE

Defendant(s)

**AFFIDAVIT FOR FORECLOSURE OF PERSONAL PROPERTY**

Personally appeared YOUR NAME who, on oath, says that he/she is ( ) Agent ( ) Attorney-at-law for YOUR NAME OR BUSINESS NAME Plaintiff herein, and is authorized to make this Affidavit, and that DEFENDANT'S NAME Defendant herein, whose address is COMPLETE STREET ADDRESS CITY, STATE AND ZIP CODE is indebted to said Plaintiff in the principal amount of \$ \$\$ together with \$ \$\$ interest thereon, upon a ( ) Security Agreement ( ) Contract Retaining Title and who, on oath, says that the original thereof, or a true copy of same, is attached hereto and made a part hereof, and that said indebtedness is past due and that the Defendant is either now a resident of Richmond County, Georgia, or was a resident thereof at the date said writing was executed, and that this affidavit is made for the purpose of foreclosing said writing, obtaining a writ of possession for the property described therein and having judgment entered for the amount of the aforesaid indebtedness together with interest thereon and all costs of these proceedings. (If Affiant alleges that the security interest at issue arose out of a "commercial transaction" as defined by Code Section 44-14-260, as amended, and that the Defendant has waived some or all of the rights and provisions contained in Code Section 44-14-230, a copy of such waiver shall be attached hereto and such attachment shall be construed as an allegation, under oath, of such waiver.)

Sworn and subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Plaintiff / Agent

Notary Public/Deputy Clerk

**NOTICE AND SUMMONS**

To: DEFENDANT'S NAME  
DEFENDANT'S ADDRESS CITY, STATE AND ZIP CODE

The Defendant herein is hereby commanded and required personally or by attorney to file with the Clerk of the Magistrate Court of Richmond 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 an answer to 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, a Sunday or a legal holiday, the answer may be made on the next day which is not a Saturday, a Sunday, or legal holiday. The last possible date on which the Defendant may answer is the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. If answer is not so made, a writ of possession shall issue against you as by law provided, pursuant to the Plaintiff's affidavit.

WITNESS the Honorables William D Jennings III and H. Scott Allen, Judges of said Court

This \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Deputy Clerk, Magistrate Court

I have this day served the within Affidavit and Summons upon the Defendant

(A) By leaving true copies of the same with the Defendant personally at

Richmond County, Georgia

(B) By delivering true copies of the same to a person sui juris residing at

namely: (name, age, and relationship of person served to Defendant)

(C) After reasonable effort, no such person being found residing at the premises, and no person sui juris being found there, by tacking a copy of said summons and affidavit on the door of the premises, and on the same day of such tacking, enclosing, stamping, and mailing by first class mail a copy of said summons and affidavit to the Defendant at the last known address, namely:

(D) By leaving true copies of the same with an agent of the Defendant (corporation or partnership) at

(address)

namely: (name and office or position of the agent)

THIS DAY OF AT O' CLOCK M.

DEPUTY MARSHAL

ELECTION OF OPTION

(Option desired must be initialed in the space provided)

Pursuant to O.C.G.A. section 44-14-236, as amended, the undersigned [ ] agent [ ] attorney for the Plaintiff in the above action, hereby directs that the property described in the WRIT OF POSSESSION:

- surrendered to the Plaintiff for retention or disposition in accordance with O.C.G.A. Article 9 of Title 11 as amended, or
advertised and sold as in the case of levy and sale under execution as by law provided.

This day of ,20.

[ ] Agent [ ] Attorney for Plaintiff

NO.

MAGISTRATE COURT

OF RICHMOND COUNTY, GEORGIA

PETITION FOR WRIT OF POSSESSION

YOUR NAME OR BUSINESS NAME

COMPLETE ADDRESS

CITY, STATE, ZIP CODE TELEPHONE NUMBER

vs

DEFENDANT'S NAME

COMPLETE ADDRESS

CITY, STATE AND ZIP CODE

Filed in office this day of

Deputy Clerk, Magistrate Court
Richmond County, Georgia