

IN THE MAGISTRATE COURT OF EFFINGHAM COUNTY
STATE OF GEORGIA

CASE NO. \_\_\_\_\_

DATE FILED: \_\_\_\_\_

PLAINTIFF

DEFENDANT

MAILING ADDRESS

PHYSICAL ADDRESS

CITY, STATE AND ZIP CODE

MAILING ADDRESS (IF DIFFERENT FROM PHYSICAL)

DAYTIME CONTACT NUMBER

CITY, STATE AND ZIP CODE

EMAIL ADDRESS

DAYTIME CONTACT NUMBER

AFFIDAVIT FOR SUMMONS OF DISPOSSESSORY

Personally appeared \_\_\_\_\_ who upon oath says that he/she 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 EFFINGHAM County.

Plaintiff desires and has demanded possession of the premises and Defendant has failed and refused to deliver said possession.

Furthermore Tenant:

Rent accruing up to the date of judgment of vacancy at the rate of \$ \_\_\_\_\_ per MONTH;

Fails to pay the rent which is now past due rent of \$ \_\_\_\_\_; late fees of \$ \_\_\_\_\_; misc fees of \$ \_\_\_\_\_

TOTAL AMOUNT OF DISPOSSESSORY \$ \_\_\_\_\_ PLUS COURT COST \$ \_\_\_\_\_

TOTAL AMOUNT OF CLAIM \$ \_\_\_\_\_.

Holds the premises over and beyond the term for which they were rented or lease to him/her: (TENANT AT WILL – No Lease/ Rental agreement between landlord and tenant (60 day notice given))

Violation of Lease, Plaintiff is entitled to recover any and all rent that may come due until this action is concluded.

Tenant at Sufferance

Personal Service – Unless this box is checked, defendant will be served by Tack & Mail. If personal service is requested, 3 attempts will be made. If after the 3rd attempt service is unsuccessful, defendant will be established as "Not Found". At that time, if you request "Tack & Mail" a \$50 Re-Service fee will be required.

Plaintiff further declares under the penalty of perjury that the defendant is, is not, or is unable to determine a member of the Armed forces of the United States on active duty. This affidavit is executed pursuant to the Soldiers and Sailors Civil Relief Act, 50 USC App a520 as required before any judgment in default may be entered by the court. Any person who shall make an affidavit required under this section, or statement, declaration, verification or certificate certified or declared to be true under penalty of perjury, knowing it to be false, shall be guilty of a misdemeanor and shall be punished by imprisonment not to exceed one year or by fine not to exceed \$1,000 or both.

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

Affiant

(Deputy) Clerk/ Notary

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, 700 NORTH PINE STREET, SPRINGFIELD, GA 31329 between the hours of 8:00 AM and 5:00 PM on or before the seventh (7th) 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 a Legal Holiday). If the answer is NOT made a Writ of Possession shall issue instanter and judgment shall be granted as demanded by Plaintiff named herein.

Witness the Presiding Judge in Magistrate Court of Effingham County, Georgia.

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

(Deputy) Clerk/ Magistrate