

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

CASE NO. _____

PLAINTIFF:

(Name)

(Address)

(Address)

(Phone)

DEFENDANT:

(Name)

(Address)

(Address)

(Phone)

STATEMENT OF CLAIM

Suite on: a Note [] Account [] Other [] explain: _____

Plaintiff says the defendant(s) is/are indebted to the plaintiff as follows:

Claim Amount is \$ _____ (Principle, interest, and attorney's fees), plus \$109.00 costs to date, and all future costs.

STATE OF GEORGIA, COUNTY OF TOOMBS

(Name of Plaintiff), being duly sworn, says that the foregoing is a just and true statement of the plaintiff against defendant(s), exclusive of all set-offs and just grounds of defense.

Sworn and subscribed to me

This ____ day of _____, 20____.

Plaintiff, Agent or Attorney for Plaintiff

Notary Public or Attesting Official

NOTICE AND SUMMONS

TO: _____ (Name of Defendant)

You are hereby notified that _____ (Name of Plaintiff) has made and filed a claim and is asking for judgment against you in the sum of \$ _____ (Total Claim), plus interest, attorney fees, and court costs as shown by the foregoing statement.

YOU ARE REQUIRED TO FILE OR PRESENT AN ANSWER TO THIS CLAIM WITHIN 30 DAYS AFTER SERVICE OR CLAIM AGAINST YOU. IF YOU DO NOT FILE AN ANSWER, JUDGMENT BY DEFAULT WILL BE ENTERED AGAINST YOU. YOUR ANSWER MAY BE FILED IN WRITING TO A CLERK OF THIS COURT DURING REGULAR BUSINESS HOURS.

The court will hold a hearing upon this claim at a time after your answer is filed. If you have witnesses, books, receipts, or other writings bearing on this claim, you should bring them with you at the time of the hearing. If you wish to have witnesses summoned see the court at once for assistance.

If you have a claim against the plaintiff, you should notify the court at once. If you admit the claim, but desire additional time to pay, you must come to the hearing in person and state the circumstances to the court. You may come with or without an attorney.

Clerk/Deputy Clerk

MAGISTRATE COURT OF TOOMBS COUNTY, GEORGIA

Date Filed: _____

Case No: _____

Plaintiff(s) Name, Address

vs

Defendant's Name & Address

Defendant's Name & Address (If two Defendants)

AFFIDAVIT OF MILITARY SERVICE

Personally appeared before me, the undersigned notary public or clerk, _____
(Name of Affiant), who after being duly sworn, deposes and states as follows:

I am the ☐ Plaintiff, ☐ Attorney of Record for the Plaintiff, or ☐ the duly authorized agent for the Plaintiff, and I am executing this affidavit as required by Uniform Magistrate Court Rule 43.1 and the Servicemembers Civil Relief Act, 50 U.S.C. § 3931. To the best of my knowledge and belief:

☐ I have searched the website for the Department of Defense Manpower Data Center and have been able to ascertain that the Defendant in the above-styled action **is** in military service as defined by 50 U.S.C. § 3911. The status report from the Department of Defense is attached.

☐ I have searched the website for the Department of Defense Manpower Data Center and have found no indication that the Defendant in the above-styled action is in military service. Therefore, to the best of my knowledge and belief, the Defendant **is not** in military service as defined by 50 U.S.C. § 3911. The status report from the Department of Defense is attached.

☐ I have not been able to ascertain whether or not the Defendant in the above-styled action is in military service as defined by 50 U.S.C. § 3911 after making a good faith effort.

Sworn to and Subscribed before me

This ____ day of _____ 20____

Notary Public or Clerk

My Commission Expires: _____

Authorized Signature of Affiant