

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

Case No. _____

Address & Phone No. (Plaintiff)

VS

Address & Phone No. (Defendant)

Directions to Property: _____

AFFIDAVIT

Personally appeared _____, hereinafter referred to as affiant, who on oath says that he/she is owner/agent for owner. Plaintiff herein, and that the defendant(s) herein referred to as Tenant(s) is/are in possession, as tenant(s) of a dwelling/building/land/mobile home rental space identified or known as _____ in Carroll County, Georgia which is the property of the Plaintiff, and that said tenant: (Please check all boxes that apply)

- ☐ is holding this property beyond the term for which it is leased or rented to the tenant;
- ☐ that tenant fails or refuses to pay the rent now due in the amount of \$_____, together with court cost of \$_____ and late fees in the amount of \$_____ for a total of \$_____;
- ☐ tenant hold the property at sufferance and the owner desires possession of the premises;
- ☐ Plaintiff is entitled to recover any and all rent that may come due until this action is finally concluded.
- ☐ tenant has violated the terms or conditions of the lease as set out below;

Comments: _____

Affiant makes the affidavit that a WRIT may issue for the removal of said defendant together with his property from the said house and premises described herein and that a judgment be granted for past due rent, costs and damages as described herein. Affiant further shows that he has demanded possession of the premises and that the same has been refused by the Tenant.

Sworn to and subscribed before me this

_____ day of _____, 20_____

Clerk/Deputy Clerk or Notary Public

Affiant/Plaintiff

SUMMONS

TO THE DEFENDANT IN THE ABOVE-STYLED ACTION, GREETINGS:

You are herein commended and required to make an answer to this action within 7 straight days, to include weekends & holidays, after service of this affidavit. If the 7th day falls on a weekend or holiday, you have the next business day to answer. If you fail to answer, a writ of possession will be issued to the plaintiff. Your answer must be filed in person, in writing during regular court hours, 8am-5 pm Monday-Friday, at the Carroll County Magistrate Court, 166-A Independence Dr., Carrollton, Georgia, located behind the jail.

Witness the Honorable _____, Judge of said Court.

This _____ day of _____, 20_____

Clerk/Deputy Clerk

- ☐ I have served this day the defendant _____ personally with a copy of the within action and summons
- ☐ I have served this day the defendant by leaving a copy of the foregoing with a person of suitable age and discretion at his/her most notorious place of abode in this county, to wit: _____ a person described as _____ age _____ weight _____ height domiciled in the residence of the aforesaid.
- ☐ I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of the same in the U.S. mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

This _____ day of _____, 20_____

Constable