

IN THE MAGISTRATE COURT OF WHITE COUNTY
STATE OF GEORGIA

Plaintiff

Address: _____

Phone #: _____

VS

Civil Action No. _____

Defendant

Address: _____

AFFIDAVIT FOR SUMMONS OF DISPOSSESSORY

Personally appeared _____, who upon oath says that he 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 White 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) plus court costs of \$ _____;
- (e) other: _____.

☒ The undersigned swears or affirms that the Defendant **IS NOT** 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 § 520 et seq as required before any judgment in default may be entered by the court.

Sworn to and subscribed before me,

This _____

Affiant

Clerk/Magistrate/Notary Public

SUMMONS

TO: Defendant(s)

GREETINGS:

You are commanded and required personally or by attorney to answer orally or in writing, to the Clerk of Magistrate Court, 59 S. Main St, Suite B, Cleveland, GA between the hours of 8:30 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 days falls on Saturday, Sunday or legal Holiday). If the answer is NOT made, a Writ of Possession shall issue instant and judgment shall be granted as demanded by the Plaintiff named herein.

Witness the Presiding Judge of said Court.

This _____

Clerk/Deputy Clerk

IN THE MAGISTRATE COURT OF WHITE COUNTY, GEORGIA

AFFIDAVIT OF DESIGNATION PURSUANT TO UNIF. R. MAG. CT. 31

PLAINTIFF(S)

VS

Civil Action No. _____

DEFENDANT(S)

COMES NOW _____, who does testify and make his or her affidavit as follows:

1. I am ☒ an officer or ☐ a full-time employee of _____ (name of business

entity). I am not a lawyer. My contact address and telephone number are:

AS REFLECTED ON PLEADINGS FILED WITH THIS AFFIDAVIT

2. I have been appointed by the management of my company to represent the company in court as its agent in this case.

3. ***I understand that if my employer did not appoint me as its agent for litigating this case, or if it later denies having appointed me and I do not have written evidence of my appointment, I will be prosecuted for the crime of practicing law without a license. Practicing law without a license is a misdemeanor crime punishable by up to one year in jail and/or a fine of up to \$1,000.00 plus applicable statutory surcharges.***

4. I understand that I am responsible for presenting this case according to applicable statutory law, case law, and the Uniform Rules for the Magistrate Courts. It is my responsibility to understand court procedures and rules for presenting evidence. The Court cannot, and will not, give me any legal advice or assist me in presenting my case.

5. I understand that all notices from the Court will be sent directly to me at the address I have given until another representative is appointed. If my address or other contact information changes, I must notify the Court and all parties to the case, in writing, or risk missing important deadlines and information.

I do solemnly swear under the pain and penalties of perjury that the foregoing affidavit is true and correct to the best of my knowledge, information, and belief.

WITNESS my hand and seal this _____.

(Signature of Affiant)

STATE _____ OF
GEORGIA) COUNTY _____ ss.
OF _____)

Having first been duly sworn, the foregoing Affiant, before me, a notary public in and for the State of Georgia or a Judge or Deputy Clerk of the White County Magistrate Court, did, on the date above written, testify and make his or her affidavit that the foregoing information is true and correct to the best of his or her knowledge, information, and belief.

Notary Public/Judge/Deputy Clerk
My Commission Expires: ____/____/____

Certificate of Service

I hereby certify that I have served true copies of the foregoing Affidavit upon all opposing parties via first-class United States mail, postage prepaid, on the ____ day of _____, 20____ or by Sheriff's Entry of Service as attachment to legal pleadings.

Signature of Affiant

Rule 31. Designated Agent for Civil Actions

Any officer or full-time employee of a corporation, sole proprietorship, partnership or unincorporated association may be designated by such entity as agent for purposes of representing it in civil actions to which it is a party in magistrate court. An action on behalf of a corporation, sole proprietorship, partnership, or unincorporated association, except affidavits in attachment, may be filed and presented by such designated agent.

Said individual claiming to represent one of the aforementioned entities as its agent shall file with the court a sworn affidavit or otherwise provide supporting documents sufficient to establish to the court that said individual is in fact a bona fide officer or full-time employee of the entity that is a party to the action.

Unif. R. Mag. Ct. Effective Date: June 26, 2015



OFFICE OF SHERIFF WHITE COUNTY, GEORGIA

Sheriff Rick Kelley
1210 Hulsey Road
Cleveland, Georgia 30528

ADMINISTRATION
706-865-6370
706-865-6977 (FAX)

DETENTION CENTER
706-865-5177
706-865-3037 (FAX)

EVICTIION INFORMATION

- We can not provide any assistance to you as to whether or not you should have us do and eviction at your property since this is legal advice
- Please do not question our employees regarding this subject.

It will be your responsibility to come by our office to schedule the eviction. If you have any questions you may call our office between the hours 8:00 am- 5:00pm Monday thru Friday at 706-865-6360. If you do not schedule your eviction within 30 days from the date that Writ is received in our office, we will return the Writ to the Clerk of the Magistrate Court.

The following information is required to assist us in scheduling you eviction.

YOUR NAME: _____ TODAY'S DATE: _____ CASE # _____

HOME # _____ WORK # _____ CELL # _____

LABOR:(PLEASE CHECK ONE)

☐

I WILL BE PROVIDING THE LABOR TO DO THE EVICTION

☐

AN EVICTION COMPANY WILL BE PROVIDING LABOR ON MY BEHALF

Name of the Eviction Company (if known) _____

A labor force ("crew") of a least two people per bedroom for residential evictions is required. The size of the crew required for business evictions will be determined on a case by case basis. Sufficient labor should be provided in all cases to allow for the completion of the eviction within two (2) hours. If you do not provide sufficient labor, the Deputy will cancel the eviction.

THE EVICTION LOCATION/ADDRESS IS: _____

☐ HOUSE ☐ APARTMENT ☐ DUPLEX ☐ MOBILE HOME ☐ BUSINESS

☐ ROOM WITHIN RESIDENCE ☐ OTHER —EXPLAIN: _____