

**MAGISTRATE COURT OF FULTON COUNTY
PROCEEDING AGAINST TENANT HOLDING OVER**

DO NOT WRITE IN THIS SPACE

PLAINTIFF(S) : NAME, ADDRESS & PHONE NUMBER

VS

DEFENDANT(S) : NAME , ADDRESS & SOCIAL SEC. NUMBER

PLAINTIFF'S ATTY: NAME, ADDRESS & PHONE NUMBER

1. Defendant is in possession as tenant of premises at the address in Fulton County as stated.
2. Affiant is the ☐ Owner, ☐ Attorney, ☐ Agent, ☐ Lessee of the owner of said premises.
3. Tenant: ☐ fails to pay the rent which is now past due.
☐ holds the premises over and beyond the term for which they were rented or leased to him/her.
☐ other grounds: _____.
4. Plaintiff desires and has demanded possession of the premises.
5. Defendant has failed and refused to deliver possession of the premises.

WHEREFORE, Plaintiff DEMANDS:

- (a) possession of the premises.
- (b) past due rent of \$ _____ for the month(s) of _____.
- (c) rent accruing up to the date of judgment or vacancy at the rate of \$ _____ per _____.
- (d) other: _____.

AFFIANT

FILED IN OFFICE, THIS

AREA CODE-PHONE NO.

CLERK

SUMMONS

TO: THE CONSTABLE, MARSHAL of the State Court of Fulton County or his/her lawful deputies and to the Sheriff of Fulton County or his/her lawful deputies:

GREETINGS: The defendant(s) herein is/are commanded and required personally or by attorney to appear in Room TG-400, Justice Center Tower, 185 Central Avenue, S.W., Atlanta, GA, between 8:30 AM and 5:00 PM 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 day falls on Saturday or Sunday or legal holiday) to answer the affidavit in writing or orally, in person. If the answer is NOT made, a Writ of Possession shall issue instanter as by law provided, and a judgment by default may be taken against you for all rents demanded in the complaint.

WITNESS the Honorable Chief Judge of said Court.

The above affidavit was sworn to and subscribed before the undersigned Deputy Clerk by affiant as provided by O.C.G.A. § 44-7-50 and summons issues pursuant thereto.

This _____ DEPUTY CLERK

CONSTABLE, MARSHAL ENTRY OF SERVICE

I have served the foregoing affidavit & summons on the Defendant(s) by delivering a copy of same:

- ☐ Personally ☐ Notoriously (name): _____
- ☐ By posting a copy to the door of the premises & depositing a copy in the U. S. Mail, First Class in an envelope properly addressed, said copy containing notice to the Defendant(s) to answer at the hour & place in said summons.

DATE OF SERVICE: _____ DEPUTY MARSHAL

DEFENDANT TO ANSWER ON OR BEFORE: _____.

WRIT OF POSSESSION

You are hereby commanded to remove said Defendant(s) together with his/her property therein from said house and premises and to deliver full and quiet possession of same to Plaintiff herein. This _____ PER ORDER DATED _____

TENANT: ☐ VACATED ☐ EJECTED ☐ SETTLED WITH PLAINTIFF ☐ HELD UP ☐ LABOR

DATE: _____ DEPUTY MARSHAL