

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

PLAINTIFF	:	
	:	PROCEEDING AGAINST TENANT HOLDING OVER
	:	
VERSUS	:	
	:	CIVIL ACTION FILE NO. _____
	:	
DEFENDANT	:	

MOTION TO COMPEL

Now comes the Plaintiff in the above-styled action, and moves the Court to compel payment of rent into the registry of the Court, or in the alternative for a Writ to issue instanter on the following grounds:

1.

That the Defendant has filed an answer but has failed to pay rent into Court as provided for by O.C.G.A. 44-7-54.

2.

That the Court will be unable to try the dispossessory action within two weeks of the service date as provided for by O.C.G.A. 44-7-54.

3.

That to allow the Defendant to remain in possession of the premises without depositing due rent into Court would be contrary to the laws and principles of Justice and Equity.

WHEREFORE, the Plaintiff prays that the above motion be granted.

RULE NISI

Let the Defendant show cause before the Presiding Judge on the _____ day of _____, 20_____, at _____ A.M./P.M. in courtroom _____ why the motion should not be granted.

This _____ day of _____, 20_____.

JUDGE, MAGISTRATE COURT OF FULTON COUNTY