

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Plaintiff (Name, Address and Phone Number)*

VS

CASE NO. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Defendant(s) (Name, Address and Phone Number)*

**AFFIDAVIT FOR SUMMONS OF DISPOSSESSORY**

Personally appeared \_\_\_\_\_, who upon oath says that he/she is the 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 GILMER 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) \_\_\_\_\_

**SWORN AND SUBSCRIBED BEFORE ME**

This \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Plaintiff, Agent or Attorney

\_\_\_\_\_  
Notary Public or Attesting Official

\_\_\_\_\_  
(if agent, Title/Capacity)

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**SUMMONS**

**GREETINGS:**

The defendant(s) herein is/are commanded and required personally or by attorney to answer in writing, to the Clerk of Magistrate Court, 1 Broad Street, Suite 203, Ellijay, GA, 30540 between the hours of 8:30a.m - 4:30p.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 day falls on Saturday, Sunday or legal Holiday). If the answer is NOT made, a Writ of Possession shall issue instanter and judgment shall be granted as demanded by the Plaintiff named herein.

This \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Deputy Clerk/ Clerk of Magistrate Court

**LAST POSSIBLE DATE TO ANSWER :** \_\_\_\_\_