

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

Plaintiff: Person or Business (& agent) filing this action:

Name _____ Phone# _____
Address _____ Work# _____
City _____ State _____ Zip Code _____ Agent _____

Defendant: Person whom action is being taken on (Physical address is required):

Name _____ Phone# _____
Address _____ Work# _____
Mailing if different from physical address: _____
City _____ State _____ Zip Code _____ Agent _____

Defendant's Place of employment:

Employer _____ Phone# _____
Address _____ Work# _____
City _____ State _____ Zip Code _____

PLEASE CHECK ACTION YOU WISH TO FILE:

- STATEMENT OF CLAIM (someone owes me money, breach of contract of civil wrong)
- TROVER (civil action)
- DISPOSSESSORY (landlord/Tenant action, (writ to obtain legal possession of rented property))
- FORECLOSURE (Written Security interest required) (Writ to pick up personal property)
- FORECLOSURE OF ABANDONED VEHICLE

JUDGMENT COLLECTION REMEDIES:

- INTERROGATORIES (after judgment-discovery procedures)
- GARNISHMENT (continuing or one time (bank))
- FI-FA (judgment lien, recorded in superior in county where property is located)

MOTION REMEDIES:

- MOTION FOR CONTEMPT FOR NOT ANSWERING INTERROGATORIES
- MOTION TO SET ASIDE JUDGMENT (certain requirements have to be met)
- TRAVERSE OF GARNISHMENT, BY DEFENDANT (affidavit is untrue)
- TRAVERSE OF GARNISHEE'S ANSWER, BY PLAINTIFF (plaintiff believe garnishee's answer is untrue)

REASON FOR FILLING SAID CLAIM: _____

Amount you are filing for: _____

MAGISTRATE COURT OF GILMER COUNTY

1 BROAD STREET, SUITE 203

Case No. _____

ELLIJAY, GA 30540

Date Filed: _____

(Court Address)

PLAINTIFF: _____

DEFENDANT: _____

Vs.

(Name and Address)

(Name and Address)

STATEMENT OF CLAIM

Suit on a Note

Suit on Account

Other (Explain) _____

Plaintiff says the defendant is indebted to the plaintiff as follows:

That said claim is in the amount of \$ _____ plus \$ _____ costs to date; and all future costs of this suit.

State of Georgia, GILMER County:

_____ being duly sworn on oath, says the foregoing is a just and true statement of the plaintiff and claim made by plaintiff against defendant, exclusive of all set-offs and just grounds of defense.

Sworn and subscribed before me

This _____ day of _____, _____

(Agent for) Plaintiff

Notary Public or Attesting Official

(If agent, title/capacity)

NOTICE AND SUMMONS

To _____

You are hereby notified that _____ has made and filed a claim and is asking for judgment against you in the sum of \$ _____ dollars (\$ _____), as shown by the foregoing statement. YOU ARE REQUIRED TO FILE OR PRESENT AN ANSWER TO THIS CLAIM WITHIN 30 DAYS AFTER SERVICE OF THIS CLAIM UPON YOU. IF YOU DO NOT ANSWER, JUDGMENT BY DEFAULT WILL BE ENTERED AGAINST YOU. YOUR ANSWER MAY BE FILED IN WRITING OR MAY BE GIVEN ORALLY TO A CLERK IN PERSON DURING REGULAR COURT HOURS. NO TELEPHONE ANSWERS ARE PERMITTED.

The court will hold a hearing upon this claim at a time to be set after your answer is filed. If you have witnesses, books, receipts, or other writings bearing on this claim, you should bring them with you at the time of the hearing. If you wish to have witnesses summoned, see the court at once for assistance.

If you have any claim against the plaintiff, you should notify the court at once. If you admit the claim, but desire additional time to pay, you must come to the hearing in person and state the circumstances to the court.

You may come with or without an attorney.

Magistrate/Clerk/Deputy Clerk GILMER County

Georgia _____ County

Above NOTICE and STATEMENT OF CLAIM served on defendant(s) _____

named above at _____ M., _____ day of _____, _____, at (or in) _____

_____ in _____ County, Georgia.

Deputy, Sheriff or Constable