

IN THE MAGISTRATE COURT OF JACKSON COUNTY STATE OF GEORGIA

PLAINTIFF
v.
Defendant
Address

Case No.

AFFIDAVIT

Personally appeared who, on oath, says that he (she) is Agent Attorney-at-Law for Plaintiff herein, and is authorized to make this affidavit, and that whose address is Defendant herein, is indebted to said Plaintiff in the principal amount of dollars together with dollars interest thereon, upon a (Security Agreement - Contract Retaining Title) in and who, on oath, says that the original thereof, or a true copy of same, is attached hereto and made a part hereof, and that said indebtedness is past due, and that the Defendant is either now a resident of JACKSON County, Georgia, or was a resident thereof at the date said writing was executed, and that this affidavit is made for the purpose of foreclosing said writing, obtaining a writ of possession for the property described therein and having judgment entered for the amount of the aforesaid indebtedness together with interest thereon and all costs of these proceedings.

(If Affiant alleges that the security interest at issue arose out of a "commercial claim" as defined by Code, 44-14-237 as amended, and that the Defendant has waived same or all of the rights and provisions contained in Code, 44-14-230 a copy of such waiver shall be attached hereto and such attachment shall be construed as an allegation, under oath, of such waiver.)

Sworn to and subscribed before me this 20 day of

Clerk / Magistrate Affiant

SUMMONS

TO: The Sheriff or his lawful deputies, or lawful Constables of said County.

GREETINGS:

The Defendant herein (is)(are) hereby commanded and required either personally or by attorney to be and appear at a hearing before the MAGISTRATE COURT at JEFFERSON, GA 30549 at o'clock on the day of 20, then and there to answer said affidavit in writing or orally. If answer is not so made, a writ of possession shall issue and judgment shall be issued against you for the amount due together with interest thereon and all costs of these proceedings, all as by law provided.

Witness the Honorable Magistrate of said Court.

This day of 20 CLERK / MAGISTRATE

I have this day served the Defendant _____ with a copy of the affidavit and summons by tacking a copy thereof to the door of the premises designated in said affidavit, said summons directing the Defendant to answer on _____ 20 _____ at the hour and place as stated therein.

Deputy Sheriff

Constable

CERTIFICATE OF SERVICE BY MAIL

This is to certify that I have this day served the Defendant _____ with a copy of the affidavit and summons by depositing a true copy thereof in the United States mail, first class, in an envelope properly addressed to the Defendant at (his)(her) address as shown in said affidavit with adequate postage affixed thereon.

This _____ day of _____, 20 _____.

Deputy Sheriff

Constable

GEORGIA, _____ COUNTY.

I have this day served the Defendant _____ personally with a copy of the within Affidavit and summons.

This _____ day of _____, 20 _____.

Deputy Sheriff

Constable

GEORGIA, _____ COUNTY.

I have this day served the Defendant _____ a Corporation, by leaving a copy of the within affidavit and summons with _____ in charge of the office and place of doing business of said Corporation, in _____ County, Georgia.

This _____ day of _____, 20 _____.

Deputy Sheriff

Constable

GEORGIA, _____ COUNTY.

I have this day served the Defendant _____ by leaving a copy of the affidavit and summons at his most notorious place of abode in this county and delivered same into hands of _____ a _____ (white or colored) person described as follows: Age, about _____ years, weight, about _____ pounds, height, about _____ feet and _____ inches, domiciled at this residence of defendant.

This _____ day of _____, 20 _____.

Deputy Sheriff

Constable

GEORGIA, _____ COUNTY.

Diligent search made and Defendant _____ not to be found in the jurisdiction of this Court.

This _____ day of _____, 20 _____.

Deputy Sheriff

Constable