

IN THE _____ COURT OF _____ COUNTY
STATE OF GEORGIA

Plaintiff

v.

Civil Action No. _____

Defendant

Address _____

AFFIDAVIT

Personally appeared _____, Plaintiff herein, or on oath says that (he)(she) is Agent or Attorney in fact or at law for Plaintiff herein and authorized to make this affidavit, and that

Defendant, whose address is _____

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 _____

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

(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 _____ day of _____, 20 _____

Clerk

Affiant

IN THE _____ COURT OF _____ COUNTY
STATE OF GEORGIA

Civil Action No. _____

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

The defendant _____ herein _____ hereby commanded and required personally or by attorney to file with the Clerk of the _____ Court of _____ County

within seven days from the date of service of the within affidavit and summons, or on the first business day thereafter if the seventh day falls on a Saturday, a Sunday, or a legal holiday, then, and there to answer said affidavit in writing or orally. If the defendant fails to answer on or before the seventh day from the date of service, the defendant may reopen the default as a matter of right by making an answer within seven days after the date of the default notwithstanding the provision of Code Section 9-11-55 of the Official Code of Georgia Annotated. If the seventh day is a Saturday, a Sunday, or a legal holiday, the answer may be made on the next day which is not a Saturday, a Sunday, or a legal holiday. The last possible date on which the defendant may answer is the _____ day of _____, 20 _____. If answer is not so made, a writ of possession shall issue against you as by law provided, pursuant to plaintiff's affidavit.

Witness the Honorable _____

of said Court.

, Judge

This _____ day of _____, 20 _____

Clerk,

Court of _____

County

Service perfected on defendant, this _____ day of _____, 20 _____

Sheriff, deputy, marshal or constable

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