

MAGISTRATE COURT of WHITFIELD COUNTY
P.O. BOX 386
DALTON, GA 30722-0386

AFFIDAVIT FOR FORECLOSURE OF PERSONAL PROPERTY

Civil Action File

No. _____

Plaintiff(s) Name, Address

Telephone: _____

vs.

VIEW STATUS OF CASE

www.whitfieldcountyga.com

Defendant(s) Name, Address

Telephone: _____

Personally appeared _____ who, on oath, says that he/she is Plaintiff(s)

Agent ; Attorney-at-Law; for Plaintiff(s); and is authorized to make this Affidavit, and that Defendant(s) herein, whose address is set forth above herein is indebted to said Plaintiff(s) in the amount(s) of Principal (\$_____), upon a Security Agreement ;

Defendant has defaulted in the payments required by the Security Agreement; Defendant is either now a resident of this County or the secured property is located in this County; Plaintiff is entitled under O.C.G.A. Section 44-14-230 et. Seq. to a Writ of Possession to the following secured property:

Sworn and subscribed before me this

_____ day of _____, 20__.

Plaintiff(s) or - Agent - Attorney

(If Agent /Attorney – Title or Capacity)

Notary Public /Clerk/Deputy Clerk

Email

My Commission Expires: _____

NOTICE AND SUMMONS

TO: Defendant(s)

You are hereby commanded and required personally or by attorney to file with the Clerk of the Magistrate Court of Whitfield County, **within (7) 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.** (See mailing address above, or file in person at 205 N Selvidge Street Ste E, Dalton, GA.) If the Defendant(s) fails to answer on or before the seventh day from the date of service, the Defendant(s) may reopen the default as a matter of right by making an answer within seven (7) days after the date of the default notwithstanding the provisions of O.C.G.A. 9-11-55. If the seventh (7) 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. If the answer is not so made, a writ of possession shall issue against Defendant(s) as by law provided, pursuant to Plaintiff(s)' affidavit.

Filed this _____ day of _____ 20__ WITNESS the Honorable Haynes Townsend, Chief Magistrate

Clerk/Deputy Clerk