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**MAGISTRATE COURT OF GWINNETT COUNTY
STATE OF GEORGIA**

Plaintiff(s)

DISPOSSESSORY JUDGMENT

vs.

CASE NO. _____

Defendant(s)

JUDGMENT CONSENT JUDGMENT DEFAULT JUDGMENT DISMISSAL

The above case having come on regularly to be heard, the Court makes the following findings: (check only if applicable)

- Defensive pleadings filed by Defendant(s)
- Counterclaim filed by Defendant(s)
- Plaintiff(s) appeared
- Defendant(s) appeared
- Plaintiff(s) failed to appear
- Defendant(s) failed to appear
- Voluntary dismissal w/out prejudice - Statement of Claim (*may be refiled*)
- Voluntary dismissal - Counterclaim
- Stipulated settlement and dismissal
- Court Dismissal
- Contested hearing held

WRIT OF POSSESSION: IT IS HEREBY **ORDERED** and **ADJUDGED** that a WRIT OF POSSESSION (**shall**) (**shall not**) be issued:

- a. Instanter
- b. on _____
- c. Upon written affidavit to this court of defendant's failure to pay plaintiff(s) \$ _____ principal, \$ _____ interest, \$ _____ attorney fees, and \$ _____ court costs:
(1) on or before _____,
(2) as follows: _____

MONEY JUDGMENT: Is not authorized, no personal service; tenant at sufferance; other _____. Or, is set forth below as the net judgment, for all claim(s) and counterclaim(s) filed with the court, without having been dismissed:

- d. Judgment be entered in favor of the defendant(s) against plaintiff(s).
- e. Plaintiff(s) recover judgment against defendant(s) _____ in the sum of \$ _____ principal, of which all; or \$ _____; is past due rent, \$ _____ interest, \$ _____ attorney fees, and \$ _____ court costs, and interest at _____ % per annum as shall accrue hereafter.
- f. Plaintiff(s) has/have Consent Judgment against defendant(s) _____ for the sum of \$ _____ principal, \$ _____ interest, \$ _____ attorney fees, and \$ _____ court costs as follows: _____

No FiFa will issue and no garnishment or other action will be taken on said consent judgment as long as payments are timely paid, as ordered. If the defendant(s) fail to make payment or should payment be made more than 5 days beyond the due date, the Clerk of Magistrate Court shall issue a FiFa in the amount then outstanding upon written notice from the plaintiff(s) that payments have not been made as agreed and upon payment of the applicable FiFa fee.

- g. Plaintiff(s) shall be paid \$ _____; or, defendant(s) shall be paid \$ _____; now being held in the court registry.
- h. Defendant(s) recover judgment against plaintiff(s) _____ in the amount of \$ _____ principal, \$ _____ interest, and \$ _____ attorney fees.
- i. Defendant(s) counterclaim is hereby denied (in its entirety) (as to the issue of _____)
- j. In the event of an appeal, pursuant to O.C.G.A. 44-7-56, in order for the defendant(s) to remain in possession of the premises, the defendant(s) shall immediately pay into the registry of the court the sum of \$ _____ as past due rent through today's date. The defendant(s) shall immediately pay future rent of \$ _____ for the balance of rent owed for this month, and then the amount of \$ _____ / month beginning on _____ and continuing on the same day of each month thereafter until the issue has been finally determined upon appeal. The failure to comply with this provision may cause an immediate writ of possession for possession of the premises to be issued instanter by a court of competent jurisdiction.

Duties of ALL judgment creditors: Upon payment of the entire debt upon which a judgment or FiFa has been issued, the judgment creditor shall, in writing, timely (within 60 days) direct the clerk(s) of the appropriate court(s) to: (1) cancel the writ of FiFa, if a writ was issued; (2) mark the judgment satisfied. Failure to timely comply may subject the judgment creditor to monetary damages, O.C.G.A. § 9-13-80.

This _____ day of _____, 20_____.

Magistrate

CONSENTED TO BY:

