

MAGISTRATE COURT OF GWINNETT COUNTY  
STATE OF GEORGIA

DISPOSSESSORY PROCEEDING

CASE NO. \_\_\_\_\_

INFO & FORMS ON THE INTERNET

E-mail: mag@gwinnettcountry.com

(Plaintiff(s) Name & Address)

Day Phone Number: \_\_\_\_\_

VS.

(Defendant(s) Name & Address)

Telephone numbers: \_\_\_\_\_

Personally appeared the undersigned affiant who on oath says that affiant is (owner), (attorney at law), (agent) for Plaintiff(s) herein, and that Defendant(s) is/are in possession as tenant of premises at the address as stated above, in Gwinnett County, the property of said Plaintiff(s). Plaintiff(s) attest(s) that there are no other person(s)/entity(ies) or known occupant(s) with whom Plaintiff(s) has/have a landlord tenant relationship. FURTHER THAT: (check applicable claim(s)):

- tenant fails to pay the rent which is now past due;
- tenant holds the premises over and beyond the term for which they were rented or leased to tenant;
- tenant is a tenant at sufferance;
- Other: \_\_\_\_\_

\_\_\_\_\_ ; and THAT Plaintiff(s) is/are entitled to recover any and all rent that may come due until this action is finally concluded. Plaintiff(s) desires and has demanded possession of the premises and Defendant(s) has/have failed and refused to deliver said possession. WHEREFORE, Plaintiff(s) demand(s) (a) possession of the premises; (b) past due rent of \$ \_\_\_\_\_; (c) rent accruing up to the date of judgment or vacancy at the rate of

\$ \_\_\_\_\_ per day. (Calculate daily rental rate, if seeking rent accruing to date of judgment or vacancy.)

(d) \_\_\_\_\_

Sworn to and subscribed before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Affiant  Owner  Attorney at Law  Agent

\_\_\_\_\_  
Magistrate or Deputy Clerk

**SUMMONS** -- To the Sheriff of Gwinnett County or lawful deputies of the Sheriff -- GREETINGS:

**The Defendant(s) is/are commanded and required to file an answer to said affidavit in writing or orally in person at the Magistrate Court of Gwinnett County, Lawrenceville, Georgia on or before the seventh (7th) day after the date of service of this affidavit and summons.** If such answer is not made, a Writ of Possession and/or Judgment shall issue as provided by law. Witness the Honorable George Hutchinson, Chief Magistrate of said Court.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Magistrate or Deputy Clerk

**WRIT OF POSSESSION**

To the Sheriff of Gwinnett County or lawful deputies of the Sheriff: You are hereby commanded to remove said Defendant(s), and any other person(s)/entities whose presence upon the premises is through the tenancy of Defendant(s) together with Defendant(s)/their property thereon from said premises and to deliver full and quiet possession of the same to the Plaintiff(s) herein effective: 1. (Instantly); or 2. (On \_\_\_\_\_, 20\_\_\_\_\_; or, 3. Pursuant to the terms of a consent judgment filed herewith dated \_\_\_\_\_, 20\_\_\_\_\_.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Magistrate