

**IN THE MAGISTRATE COURT OF COBB COUNTY  
STATE OF GEORGIA**

**Plaintiff:**

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Street Address  
\_\_\_\_\_  
City State Zip Code

Plaintiff's E-mail address: \_\_\_\_\_

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

**Vs.**

**Defendant:**

**SSN: xxx-xx-**\_\_\_\_\_

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Street Address  
\_\_\_\_\_  
City State Zip Code

**Garnishee:**

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Street Address  
\_\_\_\_\_  
City State Zip Code

**Garnishment Case No.** \_\_\_\_\_

**Plaintiff's Attorney:** Bar No. \_\_\_\_\_

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Street Address  
\_\_\_\_\_  
City State Zip Code

E-mail address: \_\_\_\_\_

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

**AFFIDAVIT FOR GARNISHMENT**

Personally appeared \_\_\_\_\_, who on oath says that he is (Agent for Plaintiff) (Attorney at Law for Plaintiff) (Plaintiff) herein, and that \_\_\_\_\_, Defendant is indebted to said Plaintiff in the sum of \$\_\_\_\_\_ Principal, \$\_\_\_\_\_ Interest, \$\_\_\_\_\_ Attorney's Fees and \$\_\_\_\_\_ Cost (exclusive of the cost of this action) and that said Plaintiff has obtained judgment in Case No. \_\_\_\_\_ at the \_\_\_\_\_ Term, 20\_\_\_\_, of the \_\_\_\_\_ Court of \_\_\_\_\_ County, that no agreement has been made with the Defendant for payment of the judgment, or if an agreement was made, the Defendant is in default and that Affiant has reason to apprehend the loss of said sum or some part thereof unless process of garnishment issues. Affiant has personal knowledge that debt is unpaid.

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

Sworn to and subscribed before me this \_\_\_\_\_ day

of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public or Deputy Clerk

\_\_\_\_\_  
Affiant

**IN THE MAGISTRATE COURT OF COBB COUNTY  
STATE OF GEORGIA**

|   |  |
|---|--|
| Plaintiff   | Garnishment Case No. _____                       |
| vs. <span style="margin-left: 100px;">XX - XXX -</span> | Plaintiff or Plaintiff's Attorney: Bar No. _____ |
| Defendant   | Name _____                                       |
| TO: _____, Garnishee                                    | Address _____                                    |
| Address _____   | City                  State                  Zip |
| City                  State                  Zip        | Phone Number _____                               |

**SUMMONS OF GARNISHMENT**

**TO GARNISHEE: YOU ARE HEREBY COMMANDED** to hold immediately all property, money, wages, except what is exempt, belonging to the defendant, or debts owed to the defendant named above at the time of service of this summons and between the time of service of this summons and the time of making your garnishee answer. Not sooner than 30 days but not later than 45 days after you are served with this summons, you are commanded to file your garnishee answer in writing with the Clerk of this Court and serve a copy upon the plaintiff or the plaintiff attorney named above. Money or other property subject to this Summons should be delivered to the Court with your garnishee answer. Should you fail to file a garnishee answer to this summons, a judgment will be rendered against you for the amount the plaintiff claims due by the defendant.

WITNESS the HONORABLE JUDGES of this Court.

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

|          |                  |
|----------|------------------|
| \$ _____ | Principal        |
| \$ _____ | Interest         |
| \$ _____ | Attorney Fees    |
| \$ _____ | Cost             |
| \$ _____ | Garnishment Cost |
| \$ _____ | Total            |

\_\_\_\_\_  
Deputy Clerk,  
Magistrate Court of Cobb County

**ANSWER OF GARNISHMENT**

- At the time of service or from the time of service to the time of this garnishee answer, garnishee has in its possession the following described property of defendant: \_\_\_\_\_.
- At the time of service or from the time of service to the time of this garnishee answer, add debt accruing from garnishee to defendant is in the amount of \$ \_\_\_\_\_.
- \$ \_\_\_\_\_ of the amount named in paragraph 2, was wages earned at the rate of \$ \_\_\_\_\_ per \_\_\_\_\_ for the period beginning \_\_\_\_\_, 20\_\_\_\_\_, through the time of making this answer. The amount of wages which is subject to the garnishment is computed as follows:

|          |   |
|----------|---|
| \$ _____ | Gross Earnings                            |
| \$ _____ | Total Social Security and withholding tax |
| \$ _____ | Total disposable earnings                 |
| \$ _____ | Amount of Wages subject to garnishment    |
| \$ _____ | Amount herewith paid into court           |

- Garnishee further states: \_\_\_\_\_

\_\_\_\_\_  
Garnishee

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served plaintiff or plaintiff attorney in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly addressed envelope with adequate postage thereon.

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

\_\_\_\_\_  
Garnishee

## IMPORTANT INSTRUCTIONS

### **GARNISHEE**

1. Garnishee's answer cannot be filed sooner than thirty (30) days after the date of service of Summons of Garnishment on the garnishee and no later than forty-five (45) days after the date of service of Summons of Garnishment on the Garnishee.
2. File your answer at the Cobb County Magistrate Court, 32 Waddell Street, 3<sup>rd</sup> floor, Public Safety Building, Marietta, Georgia 30090-9656.
3. If you are not familiar with the Georgia Law applying in garnishment cases, consult your attorney, or otherwise obtain correct information before paying the defendant any sum after you have been served with this Summons of Garnishment.
4. An answer must be filed.
5. A letter is insufficient, even though the defendant is not employed by you.
6. Plaintiff, or their counsel, is the only one who can authorize the court to issue a release and relieve you of filing an answer to this summons.
7. Failure of garnishee to answer may result in a judgment against the garnishee.

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### **DEFENDANT**

1. Defendant has twenty (20) days from the date of service in which to file a petition or request for a hearing to dissolve the garnishment.
2. If you are unfamiliar with the Georgia Law applying to garnishments, consult an attorney, or otherwise obtain correct information before proceeding in this matter.
3. File your petition at the Cobb County Magistrate Court, 32 Waddell Street, 3<sup>rd</sup> floor, Public Safety Building, Marietta, Georgia 30090-9656.
4. Failure to file a petition within twenty (20) days after service of Summons will result in a conclusive presumption that the garnishment was properly issued.
5. A garnishment against the property and credits of the defendant has been or will be served on the garnishee.

#### **Mail Completed Form To:**

**Cobb County Magistrate Court  
32 Waddell Street, 3<sup>rd</sup> floor, Public Safety Building  
Marietta, Georgia 30090-9656  
(770) 528-6989**

**IN THE MAGISTRATE COURT OF COBB COUNTY  
STATE OF GEORGIA**

**DEFENDANT'S COPY**

\_\_\_\_\_ Plaintiff

Garnishment Case No. \_\_\_\_\_

vs. XX - XXX -  
Defendant's Soc-Sec #

Plaintiff or Plaintiff's Attorney: Bar No. \_\_\_\_\_

\_\_\_\_\_ Defendant

\_\_\_\_\_ Name

\_\_\_\_\_ Address

**TO:** \_\_\_\_\_, Garnishee

\_\_\_\_\_ City State Zip Phone Number

\_\_\_\_\_ Address

\_\_\_\_\_ City State Zip

**SUMMONS OF GARNISHMENT**

**TO GARNISHEE: YOU ARE HEREBY COMMANDED to hold immediately all property, money, wages, except what is exempt, belonging to the defendant, or debts owed to the defendant named above at the time of service of this summons and between the time of service of this summons and the time of making your garnishee answer. Not sooner than 30 days but not later than 45 days after you are served with this summons, you are commanded to file your garnishee answer in writing with the Clerk of this Court and serve a copy upon the plaintiff or the plaintiff attorney named above. Money or other property subject to this Summons should be delivered to the Court with your garnishee answer. Should you fail to file a garnishee answer to this summons, a judgment will be rendered against you for the amount the plaintiff claims due by the defendant.**

**WITNESS the HONORABLE JUDGES of this Court.**

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

\_\_\_\_\_  
Deputy Clerk,  
Magistrate Court of Cobb County

|          |                  |
|----------|------------------|
| \$ _____ | Principal        |
| \$ _____ | Interest         |
| \$ _____ | Attorney Fees    |
| \$ _____ | Cost             |
| \$ _____ | Garnishment Cost |
| \$ _____ | Total            |

**IN THE MAGISTRATE COURT OF COBB COUNTY**

**STATE OF GEORGIA**

\_\_\_\_\_

**Plaintiff**

**Vs**

**Civil Action File** \_\_\_\_\_

\_\_\_\_\_

**Defendant**

\_\_\_\_\_

\_\_\_\_\_  
**Social Security number or federal  
identification number of defendant**

\_\_\_\_\_

\_\_\_\_\_  
**Other known names of Defendant**

\_\_\_\_\_

\_\_\_\_\_  
**Current address of Defendant**

\_\_\_\_\_  
**Including, but not limited to this  
Account or identification number  
of Defendant used by Garnishee.**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
**Past addresses of Defendant**

\_\_\_\_\_  
**Other information**

\_\_\_\_\_  
**Garnishee**

**Pursuant to 18-4-20**

**This must be attached to summons of garnishment.**