

Magistrate Court of Cobb County
STATE OF GEORGIA
32 WADDELL STREET
MARIETTA, GA 30090-9656

INSTRUCTIONS TO THE PLAINTIFF

You have filed a garnishment case in the Magistrate Court of Cobb County. As the plaintiff, you must complete the following instructions in order for the Court to pay out funds.

1. **Continuing Garnishment (Wage):** The enclosed “Summons of Continuing Garnishment” form must be sent to the defendant upon receipt. You must send this by certified mail, return receipt requested to the last known place of residence that you have for the defendant.

Bank Garnishment: The enclosed “Summons of Garnishment” form must be sent to the defendant upon receipt. You must send this by certified mail, return receipt requested to the last known place of residence that you have for the defendant.

By law, this notice to the defendant must be sent no later than 3 business days after service of the summons of the garnishment on the garnishee by the Sheriff's Department; however, to insure the defendant is properly served, you should mail the “Summons” immediately upon receipt from the Court.

The Court will have the Sheriff’s Department serve the garnishee or the bank, depending on what type of garnishment you may have filed. The plaintiff will receive a copy of this "Sheriff Service of Entry" upon service or attempted service by the Sheriff's Department.

Note: If you do not follow the procedure, as stated above, your case may be set on a calendar for a hearing and could possibly be dismissed by the Judge.

2. Once you have received the green card or the unclaimed envelope back from the post office, you should deliver it to the Magistrate Court.
3. You will also send the enclosed condemning letter to the Court which simply states that you, the plaintiff, **“request all present and future funds to be paid out to you.”** Simply sign and date the condemning letter and return to the Court along with the unclaimed envelope or green card.

Please note that funds cannot be paid out until the steps above are completed.

If you have any questions, please contact the Clerk’s Office at 770-528-6989.

