

PROCEEDING AGAINST TENANT HOLDING OVER

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

Plaintiff's Name, Address, Phone Number

v.

Defendant's Name and Address

- 1. Defendant is in possession as tenant of premises at the address in Cobb County as stated above.
2. Affiant is the [ ] Owner; [ ] Attorney; [ ] Agent; [ ] Lessee of said premises.
3. Tenant [ ] fails to pay the rent which is now due; [ ] holds the premises over and beyond the term for which they were rented or leased to him; or [ ]
4. Plaintiff is entitled to recover any and all rent that may come due until this action is finally concluded.
5. Plaintiff desires and has demanded possession of premises.
6. Defendant has failed and refused to deliver possession of premises.

WHEREFORE, Plaintiff demands: (a) possession of premises; (b) past due rent of \$ \_\_\_\_\_; (c) rent accruing up to date of judgment or vacancy at the rate of \$ \_\_\_\_\_ per \_\_\_\_\_; (d) \_\_\_\_\_.

SWORN TO AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_.

Affiant's Address and Phone Number

NOTARY PUBLIC OR ATTESTING OFFICER

SUMMONS

TO: THE MARSHAL of the Magistrate Court of Cobb County or his lawful deputies and to the Sheriff of Cobb County or his lawful deputies:

GREETINGS: The defendant(s) herein is/are commanded and required personally (or by attorney) to appear at the Magistrate Court of Cobb County, 32 Waddell Street, Marietta, Georgia between the hours of 8:00 a.m. and 5:00 p.m. on or before the SEVENTH day (or on the first business day thereafter if the seventh day falls on Saturday, Sunday, or legal holiday) from the date of service of the within affidavit and summons to answer the affidavit in writing or orally. If answer is NOT made, a Writ of Possession and/or judgment shall issue instantaner. WITNESS the Honorable Judges of this Court.

The affidavit was sworn to and subscribed before the undersigned Deputy Clerk by the Affiant as provided by O.C.G.A. §44-7-50 and summons issued pursuant thereto.

Deputy Clerk, Magistrate Court of Cobb County

Defendant to answer on or before \_\_\_\_\_ 20\_\_\_\_\_.

Deputy Marshal

WRIT OF POSSESSION

TO THE MARSHAL OF THE MAGISTRATE COURT OF COBB COUNTY OR HIS LAWFUL DEPUTIES AND TO THE SHERIFF OF SAID COUNTY OR HIS LAWFUL DEPUTIES:

You are hereby commanded to remove said defendant, together with his property thereon, from said house or premises and to deliver full and quiet possession of same to Plaintiff herein.

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

Judge, Magistrate Court of Cobb County

Tenant ejected \_\_\_\_\_, 20\_\_\_\_\_. D.M.

Date of Service