

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Civil Action No: \_\_\_\_\_

Plaintiff(s) Name, Mailing Address, Email Address

**AFFIDAVIT OF FORECLOSURE  
UPON PERSONAL PROPERTY**

vs.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant(s) Name, Mailing Address, Daytime Phone

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Plaintiff says the defendant is in default under a lease agreement or security agreement for the following property:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The said claim is in the amount of \$\_\_\_\_\_ plus \$\_\_\_\_\_ costs to date; and all future cost of this suit.

**State of Georgia, Fulton County:**

\_\_\_\_\_ being duly sworn on oath, says that foregoing is a just and true statement of the plaintiff and claim made by plaintiff against defendant, exclusive of all set-offs and just grounds of defense, further declare under the penalty of perjury that the defendant ( ) is, ( ) is not, or ( ) is unable to determine whether defendant is a member of the Armed Forces of the United States on active duty. This affidavit is executed pursuant to the Soldiers and Sailors Civil Relief Act, 50 USC App a520 as required before any judgment in default may be entered by the court. Any person who shall make an affidavit required under this section, or statement, declaration, verification or certificate certified or declared to be true under penalty of perjury, knowing it to be false, shall be guilty of a misdemeanor and shall be punished by imprisonment not to exceed one year or by fine not to exceed \$1,000 or both.

Sworn and subscribed before me

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

\_\_\_\_\_  
(Agency for) Plaintiff

\_\_\_\_\_  
Notary Public or Attesting Official

\_\_\_\_\_  
(If agent, Title/ capacity)

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**NOTICE AND SUMMONS**

TO: ALL DEFENDANTS

You are hereby commanded and required personally or by attorney to file with the Clerk of the Magistrate Court of Fulton County within seven (7) days from the date of service of the within affidavit and summons, or on the first business day thereafter if the seventh day falls on a Saturday, a Sunday, or a legal holiday, then and there to answer said affidavit in writing or orally.

If the defendant(s) fails to answer on or before the seventh day from the date of service, the defendant(s) may reopen the default as a matter of right by making an answer within seven (7) days after the date of default notwithstanding the provision of O.C.G.A. § 9-11-55. If the seventh day is a Saturday, a Sunday, or a legal holiday, the answer may be made on the next day which is not a Saturday, a Sunday, or a legal holiday.

\_\_\_\_\_  
Magistrate, Fulton County