
COURT OF DEKALB COUNTY
STATE OF GEORGIA

**FORECLOSURE OF
PERSONAL PROPERTY**

Plaintiff's Name and Address

VS.

Defendant's Name and Address

AFFIDAVIT

Personally appeared _____ whose address is _____, who on oath says he/she is the Agent/Attorney-at-law (circle the applicable title) for _____, Plaintiff herein, and is authorized to make this affidavit, and states that the Defendant, whose address is _____

is indebted to said Plaintiff in the principal amount of \$_____ together with interest in the amount of \$_____ thereon, upon a security agreement/contract retaining title, and who on oath says the original thereof, or a true copy of the same is attached hereto and made a part hereof, and said indebtedness is past due, and the Defendant is either now a resident of DeKalb County, Georgia, or the property at issue is located in DeKalb County, Georgia, and this affidavit is made for the purpose of foreclosing said writing, obtaining a writ of possession for the property described therein.

This _____ day of _____, 20____.

AFFIANT/AGENT NAME AND ADDRESS

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

The defendant (s) is are hereby commanded and required personally or by attorney to file with the Clerk of the _____ Court of DeKalb County, Suite 230, Administrative Tower, DeKalb County Courthouse, 556 N. McDonough St., Decatur, Georgia within seven 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. "Orally" means in person before a deputy clerk. If the defendant fails to answer on or before the seventh day from the date of service, the defendant may reopen the default as a matter of right by making an answer within seven days after the date of the default notwithstanding the provision of Code Section 9-11-55 of the Official Code of Georgia Annotated. If the seventh days 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. The last possible date on which the defendant may answer is the ____ day of _____, 20 _____. If answer is not so made, a writ of possession shall issue against you as by law provided, pursuant to plaintiff's affidavit.

WITNESS THE HONORABLE JUDGES OF SAID COURT

The above Affidavit was sworn and subscribed to before the undersigned Deputy Clerk by the Affiant as provided by O.C.G.A. section 44-14-231, and summons issued pursuant thereto.

This ___ day of _____, 20____.

_____, Deputy Clerk

_____ Court of DeKalb County

Service was perfected on defendant, on this ___ day of _____, 20 ____.

Deputy Marshal

This form should not be used in cases where an immediate writ possession is sought. P/pty foreclosure 12