

AFFIDAVIT OF CONTINUING GARNISHMENT

IN THE MAGISTRATE COURT OF EFFINGHAM COUNTY, STATE OF GEORGIA
700 N. Pine Street, Suite 250 – Springfield, GA 31329

Case No.: _____
(office use only)

Date Filed: _____
(office use only)

Plaintiff's Name

Defendant's Name

Mailing Address

Mailing Address

City, State and Zip Code

City, State and Zip Code

Phone Number

Bar Number

Phone Number

Plaintiff Attorney

Garnishee

Physical Address

Mailing Address (if different from physical address)

City, State and Zip Code

CONTINUING GARNISHMENT

Do not use this form for a continuing garnishment for child support or alimony.

See O.C.G.A. § 18-4-73

AFFIDAVIT

Personally appeared _____ who on oath says:

1. I am (plaintiff) (Attorney at Law for Plaintiff) (Agent for Plaintiff). **Circle One**
2. The Plaintiff obtained a Judgment against the Defendant in Case Number _____, in the _____, Court of _____, County, _____ State, and no agreement requires forbearance from the garnishment which is applied for currently.
3. \$ _____ is the balance due, which consists of \$ _____, Principal, \$ _____, Post Judgment interest, \$ _____, Attorney Fees, \$ _____ Other (e.g. prejudgment interest, costs (exclusive of the costs of this action)).
4. Upon the Affiant's personal knowledge or belief, the sum stated herein is unpaid.
5. The Affiant believes the Garnishee is an employer of the Defendant.

This _____ day of _____, 20_____

Sworn to and Subscribed Before Me:

This _____ day of _____, 20_____

(Deputy) Clerk of Court or Notary Public

Affiant

Notary Public's Expiration Date

Print Name of Affiant

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SUMMONS OF CONTINUING GARNISHMENT

TO THE ABOVE-NAMED GARNISHEE:

Total amount claimed due by the Plaintiff	\$ _____
Plus court costs due this summons	\$ _____
Total garnishment claim	\$ _____

COURT OF JUDGMENT _____

JUDGMENT CASE NO. _____

YOU ARE HEREBY COMMANDED to immediately hold all money, including wages, and other property except what is known to be exempt, belonging to the Defendant or obligations owed to the Defendant named above beginning on the day of service of this summons and including the next 179 days. You are **FURTHER COMMANDED** to file your answer, in writing, not later than 45 days from the date you were served with this summons, with the Clerk of this Court and serve a copy of your answer upon the Plaintiff or Plaintiff's Attorney named above and the Defendant named above, or the Defendant's Attorney, if known, at the time of making such answer. Your answer shall state what money, including wages, or other property, except what is known to be exempt, belonging to the Defendant or obligations owed to the Defendant you hold or owe beginning on the day of service of this summons and between the time of such service and the time of making your first answer. Thereafter, you are required to file further answers no later than 45 days after your last answer. Every further answer shall state what money, including wages, and other property, except what is known to be exempt, belonging to the Defendant or obligations owed to the Defendant you hold or owe at and from the time of the last answer to the time of the current answer. The last answer required by this summons shall be filed no later than the 195th day after you receive this summons. Money, including wages, or other property admitted in an answer to be subject to continuing garnishment must be paid or delivered to the Court concurrently with each answer.

Should you fail to file Garnishee Answers as required by this summons, a judgment by default will be rendered against you for the amount remaining due on a judgment as shown in the Plaintiff's Affidavit of Continuing Garnishment.

WITNESS, the Honorable Scott Lewis, Judge of said Court.

Jaime Colbert, Clerk of Court

This _____ day of _____, 20____

(Deputy) Clerk, Magistrate Court

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ATTACHMENT FOR SUMMONS OF GARNISHMENT

Other known names of the Defendant:

Current and past address of the Defendant:

Social security number or federal tax identification number of the Defendant:

THIS PLEADING SHALL NOT BE FILED WITH THE COURT

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DESIGNATION OF AGENT FOR BUSINESS ENTITY

Pursuant to O.C.G.A. § 15-10-43(i) and Uniform Magistrate Rule 31, this is to certify that _____ is a full time employee or officer of the above-named corporation, limited liability company, sole partnership, unincorporated association or other legal entity. I have been designated by said business to represent it in the above-styled civil action. I have authority to act of on its behalf and to bind it in the same manner as myself to any and all matters related to this case.

Under penalty of perjury, signed this _____ day of _____, 20_____.

Sworn to and subscribed before me

This _____ day of _____, 20_____

Deputy Clerk of Court/ Notary Public

Signature

Printed Name

Address

Phone Number

Email Address