IN THE MAGISTRATE COURT OF WHITE COUNTY
STATE OF GEORGIA

_____ Plaintiff

_____ Address

_____ E-Mail Address

_____ _____ Phone Number Bar #

Vs Civil Action No. _____

_____ Defendant

_____ Address

_____ Garnishee

_____ Address

Garnishment Court Information:
59 SOUTH MAIN ST, STE B

CLEVELAND, GA 30528
706-865-2613

SUMMONS OF GARNISHMENT ON A FINANCIAL INSTITUTION

DO NOT USE THIS FORM IF THIS IS A CONTINUING GARNISHMENT
(SEE O.C.G.A. §§ 18-4-72 and 18-4-78) **OR CONTINUING GARNISHMENT FOR CHILD SUPPORT OR ALIMONY** (SEE O.C.G.A. §§ 18-4-73 and 18-4-80)

☐ **Check this box if other allegations are made against a nonjudgment Defendant pursuant to O.C.G.A. § 18-4-23.**

☐ **Check this box if this is a garnishment for child support or alimony.**

TO THE ABOVE-NAMED GARNISHEE:

Total amount claimed due by the Plaintiff $0.00
Plus court cost due on this summons $107.00
Total garnishment claim..... $107.00

Court of Judgment WHITE COUNTY MAGISTRATE COURT
Judgment Case No.

YOU ARE HEREBY COMMANDED to immediately hold all money, including wages, and other property, except what is known to be exempt, including property in safe-deposit boxes or similar property that you hold, belonging to the Defendant named above beginning on the day of service of this summons and including the next five days. You are **FURTHER COMMANDED** to file your answer, in writing, not sooner than five days and not later than 15 days after 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 you hold beginning on the day of service of this summons and including the next five days. Money, including wages, or other property admitted in an answer to be subject to garnishment must be paid or delivered to the Court concurrently with your answer.

If, in answering this summons, you state that the property of the Defendant includes property in a safe-deposit box or similar property, you shall answer to the Court issuing this summons as to the existence of such safe-deposit box or similar property and shall restrict access to any contents of such safe-deposit box or similar property until further order of such Court regarding the disposition of such contents or 120 days from the date of filing your answer to this summons unless such time has been extended by the Court, whichever is sooner.

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

WITNESS the HONORABLE COREY HYDE Judge of said Court, This _____ day of _____, 20_____.

Dena M. Adams, Clerk of Court

By:_____Deputy Clerk
Magistrate Court of White County

IN THE MAGISTRATE COURT OF WHITE COUNTY
STATE OF GEORGIA

Plaintiff

VS Civil Action No.

Defendant

Garnishee

ATTACHMENT FOR SUMMONS OF GARNISHMENT ON A FINANCIAL INSTITUTION

Other known names of the Defendant:

_____

Current and past addresses of the Defendant:

_____

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

_____

Account or identification numbers of accounts of the Defendant used by the Garnishee:

_____

Other allegations pursuant to § O.C.G.A. 18-4-23:

_____

THIS PLEADING SHALL NOT BE FILED WITH THE COURT

IN THE MAGISTRATE COURT OF WHITE COUNTY
STATE OF GEORGIA

Plaintiff

Address

E-Mail Address

Phone Number Bar #

Vs Civil Action No.

Defendant Garnishment Court Information:

Address 59 SOUTH MAIN ST, STE B

CLEVELAND, GA 30528

Garnishee 706-865-2613

Address

AFFIDAVIT OF GARNISHMENT

☒ **Check if the Garnishee is a financial institution.**

☐ **Check if garnishment is for the collection of child support or alimony. See OCGA. § 18-4-50. et seq.**

Personally appeared (Print Name) _____ who on oath says:

1. I am the ☒ Plaintiff ☐ Attorney for Plaintiff ☐ Agent for Plaintiff.
2. The Plaintiff obtained a judgment against the Defendant in Case Number _____, in the MAGISTRATE, Court of WHITE, County, Georgia State, and no agreement requires forbearance from garnishment which is applied for currently.
3. $0.00 is the balance due, which consists of the sum of $_____ Principal, $_____ Post Judgment interest, and $_____ Other (e.g., prejudgment interest, attorney's fees, costs[exclusive of the cost of this action]).
4. Upon the Affiant's personal knowledge or belief, the sum stated herein is unpaid.

This November 30, 2018.

_____
Affiant

Sworn to and Subscribed Before Me,

This November 30, 2018.

_____
Notary Public or Deputy Clerk

IN THE MAGISTRATE COURT OF WHITE COUNTY
STATE OF GEORGIA

Plaintiff

VS Civil Action No.

Defendant

Garnishee

CERTIFICATE OF SERVICE OF NOTICE TO DEFENDANT OF RIGHT AGAINST GARNISHMENT OF MONEY, INCLUDING WAGES, AND OTHER PROPERTY

This is to certify that I have this day served the Defendant in the foregoing matter with a copy of the garnishment summons and affidavit, together with Notice to Defendant of Right Against Garnishment of Money, Including Wages and Other Property, and a copy of the Defendant's Claim Form as required in Georgia Code Annotated, Section 18-4-8(a), by:

☐ depositing in the United States Mail pursuant to OCGA 18-4-8(b)(1)(A) or (C)

or

☐ personal service pursuant to OCGA 18-4-8(b)(1)(B).

This _____ day of _____, 20____.

_____
(Agent for) Plaintiff

Sworn to and Subscribed Before Me,

This _____ day of _____, 20_____.

_____
Notary Public or Deputy Clerk

IN THE MAGISTRATE COURT OF WHITE COUNTY
STATE OF GEORGIA

Plaintiff

Address

E-Mail Address

Phone Number Bar #

Vs Civil Action No.

Defendant **Garnishment Court Information:**

Address **59 SOUTH MAIN ST, STE B**

CLEVELAND, GA 30528

Garnishee **706-865-2613**

Address

NOTICE TO DEFENDANT OF RIGHT AGAINST GARNISHMENT OF MONEY, INCLUDING WAGES, AND OTHER PROPERTY

You received this notice because money, including wages, and other property belonging to you have been garnished to pay a court judgment against you. HOWEVER, YOU MAY BE ABLE TO KEEP YOUR MONEY, INCLUDING WAGES, OR OTHER PROPERTY. **READ THIS NOTICE CAREFULLY.**

State and federal law protects some money, including wages, from garnishment even if it is in a bank. Some common exemptions are benefits from social security, supplemental security income, unemployment, workers' compensation, the Veterans' Administration, state pension, retirement funds, and disability income. This list of exemptions does not include all possible exemptions. A more detailed list of exemptions is available at the Clerk of Court's office located at the above address, and on the website for the Attorney General (www.law.ga.gov).

Garnishment of your earnings from your employment is limited to the lesser of 25 percent of your disposable earnings for a week or the amount by which your disposable earnings for a week exceed $217.50. More than 25 percent of your disposable earnings may be taken from your earnings for the payment of child support or alimony or if a Chapter 13 bankruptcy allows a higher amount.

TO PROTECT YOUR MONEY, INCLUDING WAGES, AND OTHER PROPERTY FROM BEING GARNISHED, YOU MUST:

1. Complete the Defendant's Claim Form as set forth below; and
2. File this completed claim form with the Clerk of Court's office located at the above address.

FILE YOUR COMPLETED CLAIM FORM AS SOON AS POSSIBLE. You may lose your right to claim an exemption if you do not file your claim form within 20 days after the Garnishee's Answer is filed or if you do not mail or deliver a copy of your completed claim form to the Plaintiff and the Garnishee at the addresses listed on this notice.

The Court will schedule a hearing within ten days from when it receives your claim form. The Court will mail you the time and date of the hearing at the address that you provide on your claim form. You may go to the hearing with or without an attorney. You will need to give the Court documents or other proof that your money is exempt.

The Clerk of Court cannot give you legal advice. IF YOU NEED LEGAL ASSISTANCE, YOU SHOULD SEE AN ATTORNEY. If you cannot afford a private attorney, legal services may be available.

DEFENDANT'S CLAIM FORM
Case No.

I CLAIM EXEMPTION from garnishment. Some of my money or property held by the garnishee is exempt because it is: (check all that apply)

☐ 1. Social security benefits.
☐ 2. Supplemental security income benefits.
☐ 3. Unemployment benefits.
☐ 4. Workers' compensation.
☐ 5. Veterans' benefits.
☐ 6. State pension benefits.
☐ 7. Disability income benefits.
☐ 8. Money that belongs to a joint account holder.
☐ 9. Child support or alimony.
☐ 10. Exempt wages, retirement, or pension benefits.
☐ 11. Other exemptions as provided by law.

Explain: _____.
_____.

I further state: (check all that apply)

☐ 1. The Plaintiff does not have a judgment against me.
☐ 2. The amount shown due on the Plaintiff's Affidavit of Garnishment is incorrect.
☐ 3. The Plaintiff's Affidavit of Garnishment is untrue or legally insufficient.

Send the notice of the hearing on my claim to me at:
Address: _____.
Phone Number: _____.
E-mail Address:_____.

The statements made in this claim form are true to the best of my knowledge and belief.

_____ _____,20____
Defendant's signature Date

_____.
Print name of Defendant

CERTIFICATE OF SERVICE

This is to certify that I have this day served the Plaintiff or Plaintiff's Attorney and the Garnishee in the foregoing matter with a copy of this pleading by depositing it in the United States Mail in a properly addressed envelope with adequate postage thereon.

This _____ day of _____, 20___.

_____
Defendant or Defendant's Attorney

IN THE MAGISTRATE COURT OF WHITE COUNTY
STATE OF GEORGIA

Plaintiff

Vs Civil Action No.

Defendant

Garnishee

FINANCIAL INSTITUTION GARNISHEE ANSWER

1. At the time of service of the Summons of Garnishment on a Financial Institution and including the next five days, the Garnishee had in its possession the following described money and property of the Defendant:

_____

_____

_____.

2. $_____ is the amount herewith paid into court.

3. ☐ Check if the Defendant is not presently an account holder of the Garnishee.

4. The Garnishee further states: _____.

Signed _____
Garnishee,
Garnishee's Attorney, or
Officer or Employee of Garnishee

CERTIFICATE OF SERVICE

This is to certify that I have this day served the Plaintiff or Plaintiff's Attorney and the Defendant or Defendant's Attorney in the foregoing matter with a copy of this pleading by depositing it in the United States Mail in a properly addressed envelope with adequate postage thereon.
This _____ day of _____, _____.

Signed _____
Garnishee,
Garnishee's Attorney, or
Officer or Employee of Garnishee

IN THE MAGISTRATE COURT OF WHITE COUNTY
STATE OF GEORGIA

PLANTIFF

Vs CIVIL ACTION FILE NO.

DEFENDANT

GARNISHEE

REQUEST FOR PAYMENT OF FUNDS

Now comes the Plaintiff in the above and foregoing case and states that no claim has been filed and no traverse has been filed within 20 days of the funds being delivered by the above Garnishee and request that the funds in the amount of ($_____) paid into the court on _____ and now held by the Court, be paid to (name check to be payable to) in accordance with O.C.G.A. §18-4-20(1).

x_____
Title Plaintiff/Plaintiff's Attorney
Address: _____
_____
_____
_____