IN THE MAGISTRATE COURT OF SPALDING COUNTY
STATE OF GEORGIA

WRIT OF POSSESSION - APPLICATION

CASE NO:_____

_____ _____
_____ _____
_____ _____
Contact # VS:
Contact Email:

PLAINTIFF *DEFENDANT*

GEORGIA, SPALDING COUNTY

THE FOREGOING CASE CAME ON FOR HEARING ON _____ (HEARING/ANSWER DATE) AND THE DEFENDANT HAVING FAILED TO ANSWER, APPLICATION IS HEREBY MADE TO THE COURT FOR THE ISSUANCE TO THE PLAINTIFF OF A WRIT OF POSSESSION AS PROVIDED FOR BY TITLE 44-7-53 OF THE CODE OF GEORGIA AS AMENDED.

☐ **I HAVE READ THE "ATTENTION LANDLORDS" FORM INCLUDED WITH THIS DOCUMENT, THAT OUTLINES THE POLICIES & PROCEDURES FOR EXECUTING A WRIT**

THIS _____ DAY OF _____, 2_____

_____
PLAINTIFF OR PLAINTIFF'S AGENT

SWORN TO AND SUBSCRIBED BEFORE ME
THIS ____ DAY OF _____ , 20___ .

_____
NOTARY PUBLIC

IT IS ORDERED THAT A WRIT OF POSSESSION BE ISSUED.

THIS _____ DAY OF _____, 2_____

_____, JUDGE
MAGISTRATE COURT OF SPALDING COUNTY

ATTENTION LANDLORDS

POLICY AND PROCEDURES OF THE SPALDING COUNTY MAGISTRATE COURT.

EVICTIONS-REQUIREMENTS FOR EXECUTION OF WRIT OF POSSESSION.

WHEN FILING FOR A WRIT OF POSSESSION, PLEASE PROVIDE A PHONE NUMBER THAT SOMEONE WILL ANSWER WHEN THE COURT CALLS TO SCHEDULE AN EVICTION. ALL APPOINTMENTS ARE MADE ON A FIRST COME FIRST SERVE BASIS. THE CONSTABLE MUST BE ADVISED ON ANY NON-RESIDENTIAL EVICTIONS FOR SPECIAL INSTRUCTIONS THAT MAY BE REQUIRED.

PLEASE DO NOT CALL THE MAGISTRATE OFFICE OR THE CONSTABLES TO HAVE AN EVICTION SCHEDULED. THE OFFICE WILL CALL YOU. IT MAY BE SEVERAL DAYS BEFORE THE OFFICE CALLS YOU, DUE TO OTHER EVICTIONS ALREADY SCHEDULED OR GENERAL DAILY DUTIES. IF THE PLAINTIFF OR AGENT, WANTS TO CANCEL THE EVICTION FOR ANY REASON, THEN THE OFFICE MUST BE CONTACTED IMMEDIATELY! THIS INCLUDES IF THE TENANT HAS MOVED. OR PAID. THIS CONTACT MUST BE MADE BY CALLING THE OFFICE AT (770-467-4321)

THE PLAINTIFF OR AGENT MUST MEET THE CONSTABLE AT THE SCHEDULED TIME! IF YOU CANNOT MAKE THE SCHEDULED TIME, CONTACT THE OFFICE IMMEDIATELY; OTHERWISE YOU WILL BE REQUIRED TO PAY ADDITIONAL FEES & RE-SCHEDULE. **DO NOT ENTER THE PREMISES PRIOR TO THE WRIT OF POSSESSION BY THE CONSTABLE.**

IT IS THE RESPONSIBILITY OF THE PLAINTIFF OR AGENT TO SCHEDULE A LARGE ENOUGH CREW TO COMPLETE THE EVICTION AS SOON AS POSSIBLE. **WE REQUIRE AT LEAST TWO PEOPLE PER ROOM, INCLUDING GARAGE, BASEMENT AND ATTIC, ETC.. (PROPERTY OWNER OR MANAGER, FAMILY MEMBERS OF OWNER OR MANAGER, AND OR NEIGHBORING TENANTS, SHALL NOT BE INCLUDED IN CREWS FOR EVICTION.)** COMMERCIAL / INDUSTRIAL EVICTIONS WILL REQUIRE AT LEAST TWO PERSONS PER 100 SQUARE FEET, OR AS PREDETERMINED BY THE CONSTABLE. THE ENTIRE CREW MUST STAY ON PROPERTY UNTIL THE EVICTION IS COMPLETED. A CONSTABLE MAY HOLD THE EXECUTION OF AN EVICTION IF SUFFICIENT LABOR IS NOT PROVIDED. ADDITIONAL FEES WILL BE REQUIRED TO RESCHEDULE AN EVICTION HELD FOR INSUFFICIENT LABOR.

THE PLAINTIFF/AGENT, MUST BE PREPARED TO GAIN ENTRY TO THE LOCATION. IF A LOCKSMITH IS USED, THEY MUST BE PRESENT AT THE SCHEDULED EVICTION TIME. YOU ARE REQUIRED TO BRING TOOLS AND OTHER MATERIALS THAT COULD BE NEEDED AND HEAVY GARBAGE BAGS TO ASSIST IN PACKING CLOTHES, TOYS, AND BEDDING, ECT. DURING THE EVICTION.

EVICTIONS ARE NOT AND WILL NOT BE EXECUTED DURING INCLEMENT WEATHER. (IF RAIN OR MIST APPEARS ON THE CONSTABLE'S CAR THIS MAY BE CONSIDERED INCLEMENT WEATHER.) IF THE EVICTION IS POSTPONED DUE TO THE WEATHER, THE CONSTABLE WILL RE-SCHEDULE WITH YOU AT NO ADDITIONAL COST, PROVIDING THE WRIT DOES NOT EXPIRE UNDER THE THIRTY DAY RULE.

THE PLAINTIFF/AGENT, **MUST** BE PRESENT AT ALL TIMES DURING THE EVICTION PROCEEDINGS UNLESS OTHERWISE INSTRUCTED BY THE CONSTABLE PRESENT AT THE LOCATION. ALL PERSONAL PROPERTY AND VEHICLES MUST BE ACCESSIBLE FOR THE REMOVAL BY THE DEFENDANTS. ALL PERSONAL PROPERTY MUST BE REMOVED FROM THE DWELLING AND REASONABLE TIME MUST BE ALLOWED FOR THE DEFENDANT TO REMOVE THEIR EVICTED PERSONAL PROPERTY.

PLEASE MAKE SURE THAT THE HOUSE NUMBERS AND/OR MAILBOX NUMBERS ARE CLEARLY VISIBLE FROM THE ROADWAY, IN ORDER TO CLEARLY IDENTIFY THE LOCATION TO BE SERVED OR EVICTED. THIS WILL HELP US TO BETTER SERVE YOU. WE WILL WORK WITH YOU THE BEST THAT WE CAN TO GET TO YOUR EVICTION AS SOON AS POSSIBLE. THANK YOU FOR YOUR UNDERSTANDING AND YOUR ASSISTANCE.

***ANYONE PROCEEDING WITH AN UNLAWFUL EVICTION WITHOUT THE EXECUTION OF A WRIT, SUPERVISED BY A CONSTABLE, CAN BE HELD LIABLE & CHARGED WITH A CRIMINAL OFFENSE.**

REVISED 5/13/22