

MAGISTRATE COURT OF CHEROKEE COUNTY
The Honorable James E. Drane, III, Chief Magistrate
90 North Street, Suite 150
Canton, GA 30114
678-493-6431

DO NOT WRITE IN THIS SPACE

CASE NO. _____

Plaintiff: Name/Street address/City/State/Zip Code

Phone: _____

Email: _____

vs.

Defendant: Name/Street address/City/State/Zip Code

PETITION FOR WRIT OF POSSESSION

Personally appeared the undersigned affiant who on oath says that he is the:

____ owner ____ attorney at law, ____ agent for the Plaintiff herein, and that Defendant is in possession as tenant of the premises as the address as stated above, in Cherokee County, the property of said Plaintiff. FURTHER: (Mark all that apply with an "X"):

- ____ that tenant fails to pay the rent which is now past due;
- ____ that tenant holds the premises over and beyond the term for which they were rented or leased to him;
- ____ that tenant is a tenant at sufferance;
- ____ that Plaintiff is entitled to recover any and all rent that may come due until this action is finally concluded.

Plaintiff desires and has demanded possession of the premises and Defendant has failed and refused to deliver said possession. WHEREFORE, Plaintiff demands: (Mark all that apply with an "X"):

- ____ possession of premises;
- ____ past due rent of \$ _____;
- ____ rent accruing up to the date of judgment or vacancy at the rate of \$ _____ per day.

Sworn and subscribed before me,

This ____ day of _____, 20____.

(Plaintiff or Agent for Plaintiff)

Notary Public or Attesting Official

(If agent, title/capacity)

NOTICE AND SUMMONS

To the Defendant:

You are commanded and required to file and answer to said affidavit in writing at the Magistrate Court of Cherokee County (at the address shown above) on or before the 7th day after the date of service of this affidavit and summons. If such answer is not made, a writ of possession and/or a judgment shall issue as provided by law. Witness the Honorable James E. Drane, III of said court.

Deputy Clerk, Magistrate Court of Cherokee County