

**IN THE MAGISTRATE COURT OF FAYETTE COUNTY  
STATE OF GEORGIA**

\_\_\_\_\_  
PLAINTIFF  
\_\_\_\_\_  
\_\_\_\_\_

VS.

CASE NO. \_\_\_\_ MV \_\_\_\_\_ G

\_\_\_\_\_  
DEFENDANT  
\_\_\_\_\_

\_\_\_\_\_  
GARNISHEE  
\_\_\_\_\_  
\_\_\_\_\_

Amount Claimed Due \$ \_\_\_\_\_

Court Cost Due \_\_\_\_\_

TOTAL DUE \$ \_\_\_\_\_

**SUMMONS OF GARNISHMENT**

To: \_\_\_\_\_ Garnishee

YOU ARE HEREBY COMMANDED to hold immediately all property, money, wages, except what is exempt, belonging to the defendant, or debts owed to the defendant named above at the time of service of this summons and between the time of service of this summons and the time of making your answer. Not sooner than 30 days but not later than 45 days after you are served with this summons, you are commanded to file your answer in writing with the clerk of this court and serve a copy upon the plaintiff or his attorney named below. Money or other property subject to this summons should be delivered to the court with your answer. Should you fail to answer this summons, a judgment will be rendered against you for the amount the plaintiff claims due by the defendant.

Witness the Honorable \_\_\_\_\_, Judge Magistrate of said Court.

This \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
Deputy Clerk  
MAGISTRATE COURT OF FAYETTE COUNTY

\_\_\_\_\_  
Plaintiff's Attorney  
\_\_\_\_\_  
\_\_\_\_\_

Service perfected on garnishee, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Deputy, Sheriff, or Constable

# ANSWER OF GARNISHEE

GEORGIA, FAYETTE COUNTY

CASE NO. MCC \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

v.

\_\_\_\_\_  
Defendant

MAGISTRATE COURT OF FAYETTE COUNTY

\_\_\_\_\_  
Garnishee

Comes now the Garnishee above named, and in Answer to Summons of Garnishment served on it, says that at the time of service of said Summons of Garnishment, the Garnishee owed the Defendant \_\_\_\_\_ Dollars; said sums admitted to be due were earned by the Defendant as Hourly, Daily, Weekly, Bimonthly or Monthly wages, at the rate of \$ \_\_\_\_\_ per hour, day, week, bimonthly, or monthly for \_\_\_\_\_ days, weeks, bimonthly, monthly, and of said sums \$ \_\_\_\_\_ is exempt from process of garnishment under the laws of Georgia, and \$ \_\_\_\_\_ is subject to process of garnishment, and is herewith paid into court.

Garnishee further states: at the time of service of summons, garnishee had in hand no property or effects of the defendant except \_\_\_\_\_.

\_\_\_\_\_  
Garnishee

GEORGIA, FAYETTE COUNTY

Personally appeared \_\_\_\_\_, who on oath says that he is \_\_\_\_\_  
(Title)

of the Garnishee above named, and as such, his authority to make this Answer, and knows the facts. And that the facts in the foregoing answer are true.

Sworn to and subscribed before me,  
this \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Agent)

\_\_\_\_\_  
Clerk, Magistrate Court of Fayette County.  
OR

\_\_\_\_\_  
Notary Public (Seal)  
CERTIFICATE OF SERVICE

This is to certify that I have this day served plaintiff or his attorney in the foregoing matter with a copy of this pleading by depositing in the United States Mail a copy of same in a properly address envelope with adequate postage thereon.

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Signed \_\_\_\_\_ Garnishee

## IMPORTANT INSTRUCTIONS

1. Answer cannot be filed sooner than Thirty (30) days after service of Summons of Garnishment on the Garnishee and no later than Forty-Five (45) days after date of service of Summons of Garnishment on the Garnishee.
2. File your answer at the Magistrate Court of Fayette County, **1 Center Drive, Room 135, Justice Center, Fayetteville, GA. 30214.**
3. If you are not familiar with the Georgia Law applying in garnishment cases consult your attorney or otherwise obtain correct information before paying the Defendant and sum after you have been served with this Summons of Garnishment (Code Title 18).
4. A letter is insufficient, even though the Defendant is not employed by you.
5. A SWORN Answer must be filed.
6. Plaintiff, or their counsel, is the only one who can authorize the Court to issue a release and relieve you of filing Answer to this Summons.
7. Failure of Garnishee to answer may result in default judgment against the garnishee.

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1. Defendant has Twenty (20) days from the date of service in which to file a petition or request for a hearing to dissolve the garnishment.
2. If you are unfamiliar with the Georgia Laws applying to garnishments consult an attorney or otherwise obtain correct information before proceeding in this matter. (Code Title 18).
3. File your petition at Magistrate Court of Fayette County, **1 Center Drive, Room 135, Justice Center, Fayetteville, GA 30214.**
4. Failure to file a petition within Twenty (20) days after service of Summons will result in a conclusive presumption that the garnishment was properly issued.
5. A garnishment against the property and credits of the defendant has been or will be served on the garnishee.