

Court Costs: \$55.00 if value of property is less than \$100.00; \$109.00 if value of property is more than \$100.00. O.C.G.A. §11-12-158.

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

Civil Action No. \_\_\_\_\_

\_\_\_\_\_  
Plaintiff

vs.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
(Area Code) Phone Number

\_\_\_\_\_  
(Area Code) Phone Number

**COMPLAINT IN TROVER**

1. The Defendant(s) is/are a resident of \_\_\_\_\_ County, Georgia and is/are subject to the jurisdiction of this court.
2. Said Defendant(s) is/are in possession of certain property which belongs to the Plaintiff, to wit:

\_\_\_\_\_  
(property description – attach additional sheets if necessary) which has a total value of \$\_\_\_\_\_.

3. The Defendant(s) refuse(s) to deliver the above listed property to Plaintiff(s) or pay Plaintiff(s) the value of the property.
4. The loss of the use of the property has a value of \$\_\_\_\_\_ per (day/week/month/year).

Wherefore, Plaintiff prays for the return of the property described above or for Judgment against Defendant in the sum of \$\_\_\_\_\_, the total value of the property and such amount as may be awarded at trial for the loss of use of the property if such property is returned to Plaintiff, plus costs of this action.

The undersigned, being first duly sworn on oath, says the foregoing is a just and true statement of the amount owing by Defendant(s) to Plaintiff(s) exclusive of all set offs and just grounds of defense.

\_\_\_\_\_  
Plaintiff

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public / Deputy Clerk

Sworn and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**IN THE MAGISTRATE COURT OF TOOMBS  
STATE OF GEORGIA**

Civil Action No. \_\_\_\_\_

**NOTICE AND SUMMONS OF COMPLAINT IN TROVER**

You are hereby notified that the above-named Plaintiff has made a claim and is requesting judgment against you in the sum shown by the foregoing statement. YOU ARE REQUIRED TO FILE OR PRESENT AN ANSWER TO THIS CLAIM WITHIN 30 DAYS AFTER SERVICE OF THIS CLAIM UPON YOU. IF YOU DO NOT ANSWER, JUDGMENT BY DEFAULT WILL BE ENTERED AGAINST YOU. YOUR ANSWER MUST BE FILED IN WRITING AND GIVEN TO A DEPUTY CLERK AT THE MAGISTRATE COURT. NO ORAL OR ANSWERS BY TELEPHONE ARE PERMITTED. The court will hold a hearing on this claim at the Toombs County Magistrate Court at a time and location to be scheduled after your Answer has been filed. You may come to court with or without an attorney. If you have witnesses, books, receipts, or other writings bearing on this claim, you should bring them to court at the time of your hearing. If you would like witnesses or documents subpoenaed, please see the Deputy Clerk in the office for assistance. If you have a claim against the Plaintiff, you should notify the court and immediately file a written Answer and Counterclaim. If you admit to the Plaintiff's claim but need additional time to pay or return the property in the claim, you must come to the hearing in person and tell the court your circumstances.

\_\_\_\_\_  
Magistrate/Deputy Clerk of Court

**MAGISTRATE COURT OF TOOMBS COUNTY, GEORGIA**

Date Filed: \_\_\_\_\_

Case No: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Plaintiff(s) Name, Address & Phone/Email** vs

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Defendant's Name & Address**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Defendant's Name & Address (If two Defendants)**

**AFFIDAVIT OF MILITARY SERVICE**

I am the  Plaintiff,  Attorney of Record for the Plaintiff, or  the duly authorized agent for the Plaintiff, and I am executing this affidavit as required by Uniform Magistrate Court Rule 43.1 and the Service members Civil Relief Act, 50 U.S.C. § 3931. To the best of my knowledge and belief:

I have searched the website for the Department of Defense Manpower Data Center and have been able to ascertain that the Defendant in the above-styled action **is** in military service as defined by 50 U.S.C. § 3911. The status report from the Department of Defense is attached.

I have searched the website for the Department of Defense Manpower Data Center and have found no indication that the Defendant in the above-styled action is in military service. Therefore, to the best of my knowledge and belief, the Defendant **is not** in military service as defined by 50 U.S.C. § 3911.

I have not been able to ascertain whether or not the Defendant in the above-styled action is in military service as defined by 50 U.S.C. § 3911 after making a good faith effort.

Sworn to and Subscribed before me

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

\_\_\_\_\_  
Notary Public or Clerk  
My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature of Affiant