

COURT OF DEKALB COUNTY

GEORGIA, DEKALB COUNTY

\_\_\_\_\_

Case Number \_\_\_\_\_

\_\_\_\_\_

Plaintiff (Name & Address)

Plaintiff's Attorney (Name, Address, Phone & Email)

VS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Defendant (Name & Address)

Bar Number \_\_\_\_\_

\_\_\_\_\_

See Page 2 for important instructions.

\_\_\_\_\_

Garnishee (Name & Address)

SUMMONS OF CONTINUING GARNISHMENT

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 to and including the one hundred seventy-ninth day thereafter. 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 above. This answer shall state what property, money, and wages, except what is exempt, belonging to the defendant or debts owed to the defendant, you hold or owe at the time of service of this summons and between the time of such service and the time of making your first answer. Thereafter, you are required to file further answers no later than 45 days after your last answer. Every further answer shall state what property, money, and wages except what is exempt, belonging to the defendant or debts owed to the defendant, you hold or owe at and from the time of the last answer to the time of the current answer. The last answer required by this summons should be filed no later than the one hundred ninety-fifth day after you receive this summons. Money or other property admitted in an answer to be subject to continuing garnishment must be delivered to the court with your answers. Should you fail to file answers as required by this summons, a judgment will be rendered against you for the amount the plaintiff claims due by the defendant.

WITNESS THE HONORABLE JUDGES OF THIS COURT.

This \_\_\_\_\_, Clerk

NOTICE
1. \$ \_\_\_\_\_ is the amount claimed in the affidavit of garnishment.
2. \$ \_\_\_\_\_ cost of this action.
3. A garnishment against the property and credit of the defendant has been or will be served on the above named garnishee.
4. Court of Judgment:: \_\_\_\_\_
5. Court of Judgment case number: \_\_\_\_\_
6. Total Garnishment Claim \$ \_\_\_\_\_

# PURSUANT TO GA. CODE ANN. 18-4-20

## IMPORTANT INSTRUCTIONS

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### GARNISHEE

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 the date of service of Summons of Garnishment on the Garnishee.
2. You are required to file subsequent answers no later than Forty-Five (45) days after your last answer.
3. File your Answer with the Magistrate Court Clerk's Office, Administrative Tower, 2<sup>nd</sup> Floor, 556 North McDonough St, Decatur, GA, 30030, if the case is filed in Magistrate Court
4. A letter is insufficient, even though the Defendant is not employed by you.
5. If you are not familiar with Georgia Law regarding garnishment proceedings, consult your attorney before paying Defendant any sum after you have been served with this Summons of Garnishment.
6. Only the plaintiff, their counsel or order of the court can authorize the issuance of a release to relieve you of filing Answer(s) to the Summons.
7. Failure of Garnishee to answer may result in default judgment against the Garnishee.

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### DEFENDANT

1. Defendant has Ten (10) 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 Georgia Law regarding garnishment proceedings, consult an attorney before proceeding in this matter.
3. File your petition with the Magistrate Court Clerk's Office, Administrative Tower, 2<sup>nd</sup> Floor ,556 North McDonough St, Decatur, GA 30030, if the case is filed in Magistrate Court
4. Failure to file a petition within Ten (10) 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.