

IN THE MAGISTRATE COURT OF Haralson COUNTY
STATE OF GEORGIA

Plaintiff,)	
)	CASE # : _____
VS)	
)	
Defendant,)	

AFFIDAVIT/REQUEST FOR DEFAULT JUDGMENT

Personally appeared before me, the undersigned attesting officer, the Plaintiff _____, who is requesting a Default Judgment in the above styled case and certifies after being sworn, deposes and states, under penalty of perjury, as follows:

That I am the Plaintiff or Attorney of Record for the Plaintiff, or I am the duly authorized agent for the Plaintiff herein and am requesting a Default Judgment in my case and state as follows:

- 1) The Claim and Summons were properly served on the Defendant on the ___ day of _____, 20___, by (check one): ___ personal service, ___ notorious service, ___ tack and mail, ___ corporate service;
- 2) Proof of the Service of the Claim and Summons was filed with the Magistrate Court on the ___ day of _____, 20___;
- 3) No Defensive Pleadings have been filed by the Defendant;
- 4) I have attached the Military Affidavit required by the Service Members Civil Relief Act; or
- 5) I am unable to determine whether or not the Defendant is in military service based upon the following facts: (provide specific details) _____

- 6) From the filing date of this action through the undersigned date I have not accepted any payment from the Defendant(s) or on behalf of the Defendant(s).

By signing this Affidavit I am aware that should the Judge determine my case involves unliquidated damages that a hearing will be scheduled for the sole purpose of determining damages, if any. I understand I will be required to present proof of all damages in any Default Hearing I am required to attend.

Signed this ___ day of _____, 20___

Signature of Affiant

Printed (typed) name of Affiant

Subscribed and sworn to before me this ___ day of _____, 20___.

Clerk of Court /Deputy Clerk of Court/Notary Public

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

PROCEDURES FOR DEFAULT JUDGMENT REQUESTS

Pursuant to Uniform Magistrate Court Rule 43.1 (adopted March 13, 2014) a Plaintiff must comply with the following provisions before seeking entry of a Default Judgment in any Civil Action.

You (the Plaintiff) must certify to the following:

- 1) The date, time, and type of service perfected on your Claim to the Defendant;
- 2) That proof of service on the Defendant was filed with the Court;
- 3) The date of proof of service on the Defendant was filed with the Court; and
- 4) That no defensive pleadings (example – answer) have been filed by the Defendant as shown by Court records.

To comply with this requirement you may use the *Affidavit/Request for Default Judgment* form created by the Court but you are required to fill out the form completely as Court staff cannot complete this form for you.

Additionally, you must provide a *Military Service Search Affidavit* to be attached with your paperwork. The information for the Military Service Search Affidavit may be obtained in the following ways:

Website: <https://scra.dmdc.osd.mil>

Mail: Defense Manpower Data Center
Attn: Military Verification
1600 Wilson Blvd., Suite 400,
Arlington, VA 22209-2593

Telephone: 1 (800) 538-9552

To comply with this requirement you may use the Military Service Search Affidavit form created by the Court but you are required to fill out this form completely as Court staff cannot complete this form for you. If you are unable to determine the Defendant's Military Status, then you must provide specific facts as to why you are unable to make this determination in the space provided in the Affidavit/Request for Default Judgment.

If you have any questions of procedure you may contact Court staff. If you have legal questions these will need to be addressed to an attorney.