

Clerk, Pierce Magistrate Court, 3550 U S Hwy 84 Suite 2
Blackshear , GA 31516 (912-449-2027)

Civil Action No. _____

Plaintiff(s) Name, Address

Vs

www.piercecountyga.org/Magistrate

STATEMENT OF CLAIM

INFO & FORMS ON INTERNET,

E-Mail:gdowling@piercecountyga.org

Defendant(s) Name, Address & Daytime Telephone #, if known; Or evening #.

Suit on Note Suit on Account Other _____

1. The Court has jurisdiction over the defendant(s) the Defendant(s) is a resident of Pierce County ; Other (please specify)

2. Plaintiff(s) claims the Defendant(s) is indebted to the Plaintiff(s) as follows: _____

3. That said claim is in the amount of \$ _____, principal \$ _____ interest, plus _____
costs to date, and all future costs of this suit.
State of Georgia, Pierce County :

_____ being duly sworn on oath says the foregoing is a just and true statement the amount
owing by defendant(s) to plaintiff(s), exclusive of all set-offs and just grounds of defense.

Sworn and subscribed before me this

_____ day of _____, 20 _____

Plaintiff(s) or Agent

(If Agent-Title or Capacity)

Notary Public/Attesting Official

Day Time Phone Number

NOTICE AND SUMMONS

TO: All Defendant(s) You are hereby notified that the above named Plaintiff(s) has/have 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 (answer forms can be obtained for the above listed web-site or clerk's office) 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 MAY BE FILED IN WRITING OR MAY BE GIVEN ORALLY TO THE CLERK. If you choose to file your answer orally, THE CLERK WILL PUT IN WRITING YOUR ANSWER AND YOU WILL BE REQUIRED TO SIGN ANSWER UNDER OATH, within the 30 day period. NO TELEPHONE ANSWERS ARE PERMITTED. The court will hold a hearing on this claim at the Pierce County Magistrate Court, 3550 US Hwy. 84, Blackshear GA 31516, at a time to be scheduled after your answer is 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 want witnesses or documents subpoenaed, see a staff person in the Clerk's office for assistance. If you have a claim against the Plaintiff(s), you should notify the court by immediately filing a written answer and counterclaim. If you admit to the Plaintiff(s)' claim but need additional time to pay, you must come to the hearing in person and tell the court your financial circumstances. Your answer must be RECEIVED by the clerk within 30 days of the date of service. If you are uncertain whether your answer will timely arrive by mail, file your answer in person at the clerk's office during normal business hours.

This _____ day of _____, 20 _____

Magistrate or Deputy Clerk of Court

GENERAL INSTRUCTIONS --IF YOUR CASE GOES TO TRIAL

The instructional tape, "I PRESENT MY CASE" may be viewed at, www.piercecountyga.org/Magistrate Court
See the courts website, www.piercecountyga.org/Magistrate

Additionally, you must be prepared and **ON TIME**. Bring all of your witnesses, documents, photographs, etc. to court with you. If you are late, you may automatically lose your case and you may not have an opportunity to present your side of the issue. If you must be late, contact the court well in advance during normal business hours so that the calendar can be properly marked.

The following may help you in preparing your claim or defense:

| | |
|---------------------------|--|
| <input type="checkbox"/> | All parties shall notify the Clerk of Court in writing of any address change, or daytime telephone number change. |
| <input type="checkbox"/> | All court notices come by regular mail. If you fail to provide your new address, you may miss your trial & lose your case. |
| <input type="checkbox"/> | I will bring the following to court to prove my case: |
| <input type="checkbox"/> | Written contracts, leases, IOUs, notes, and all written documents applicable to the case. |
| <input type="checkbox"/> | Letters and/or papers relating to the case |
| <input type="checkbox"/> | Bills or estimates, invoices. (The person(s) who prepared the bills or estimates should accompany you to court) |
| <input type="checkbox"/> | Canceled checks |
| <input type="checkbox"/> | Photographs |
| <input type="checkbox"/> | Witnesses (Should accompany you. Notarized statements CANNOT be accepted as evidence at a trial.) |
| <input type="checkbox"/> | All other evidence you consider relevant. |
| <input type="checkbox"/> | I will bring to court all witnesses having firsthand knowledge of my case. They have not heard evidence from someone else. [NOTE: Impartial witnesses who have no stake in the outcome of the case are generally more believable] |
| <input type="checkbox"/> | I need to get a subpoena (order to appear) from the Clerk of Court for some witnesses to make certain that they appear. |
| <input type="checkbox"/> | I need to get subpoenas for the production of documents. |
| <input type="checkbox"/> | This case involves damage to property (for example, a car, the home, etc.) |
| <input type="checkbox"/> | I can describe the damage in detail and I have repair bills, written estimates of damage or repair, or other reliable evidence to help support my opinion of the value of the property before and/or after the damage. [NOTE: a case involving damages must always be proved by LIVE TESTIMONY]. Bring/subpoena the person to court who prepared any the estimates. |
| <input type="checkbox"/> | I can describe the condition of the property before the damage and I have determined what it was worth then. I have a Bluebook/Blackbook guide or newspaper ads to help prove my opinion. I can describe with reasonable certainty the cost of repairs. I have researched the law as to the correct measure of damages. |
| FOR PLAINTIFF: | |
| <input type="checkbox"/> | The party I have named is liable to me. (There is not a another person or corporation who really owes the money to me. (Just because a person is an officer/registered agent of a corporation does not make that person liable.) |
| <input type="checkbox"/> | I can prove the amount of the complaint. I have not asked for more money than is really owed me. |
| FOR THE DEFENDANT: | |
| <input type="checkbox"/> | I filed an answer/counterclaim to the Plaintiff's claim on time. |
| <input type="checkbox"/> | I do not owe the money because someone else is legally responsible, a third party or a corporation. |
| <input type="checkbox"/> | I do not owe the Plaintiff anything for some other reasons. |
| <input type="checkbox"/> | The Plaintiff is suing for more than the damage. |
| <input type="checkbox"/> | The Plaintiff owes me money and I have set forth the amount owed me in my counterclaim. (A counterclaim must be proven to a "preponderance of the evidence" in the same manner as Plaintiff's claim.) |
| <input type="checkbox"/> | I owe most or all of the money the Plaintiff claims but I need more time to pay it. I need to set up a payment plan. I will try to work this out with the plaintiff before court. Otherwise, I will tell the judge I need a payment plan at the court date. judge at |

NOTE: The Magistrate Court attempts to use simple procedures but is subject to the same rules of law and evidence as any other court. You may wish to seek legal advice from an attorney if the importance of your case warrants it. You have the responsibility for presenting your case and this form gives only general advice which may not be adequate in your case.

