

<hr/> <hr/> Plaintiff(s) v. <hr/> <hr/> Defendant(s) <hr/> <hr/> Garnishee	GWINNETT MAGISTRATE COURT STATE OF GEORGIA DEFAULT JUDGMENT AGAINST GARNISHEE GARNISHMENT FILE NO: <hr/> INFO & FORMS ON THE INTERNET www.gwinnettcourts.com E-mail: mag@co.gwinnett.ga.us
---	--

DEFAULT JUDGMENT AGAINST GARNISHEE

It appearing that the Garnishee was served with a Summons of Garnishment and Defendant was served with a copy of the Summons of Garnishment as provided by law, and no response or answer to the garnishment has been filed with the court on behalf of the Garnishee. The Garnishee is in default for failure to answer within the time period required by law, 45 days from the date the Garnishee was served plus 15 additional days to open default.

IT IS ORDERED AND ADJUDGED that Plaintiff(s) have judgment against the above listed

Garnishee for the sum of \$ _____ principal, \$ _____ interest,
\$ _____ attorney's fees, \$ _____ original court costs and \$ _____
garnishment costs.

This _____ day of _____, 200____. _____
Magistrate

O.C.G.A. 18-4-91. Relief of garnishee from default judgment & Plaintiff's duty to notify Garnishee: When a judgment is rendered against a garnishee under Code Section 18-4-90, on a motion filed not later than 60 days from the date the garnishee receives actual notice of the entry of the judgment against him, he may, upon payment of all accrued costs of court, have the judgment modified so that the amount of the judgment shall be reduced to an amount equal to the greater of \$50.00 or \$50.00 plus 100 percent of the amount by which the garnishee was indebted to the defendant from the time of service of the summons of garnishment through and including the last day on which a timely answer could have been made for all money, other property, or effects belonging to the defendant which came into the garnishee's hands from the time of service of the summons through and including the last day on which a timely answer could have been made and, in the case of garnishment of wages, less any exemption allowed the defendant by law. Notice to the garnishee by certified mail or statutory overnight delivery shall be sufficient notice as required in this Code section. On the trial of the motion, the burden of proof shall be upon any plaintiff who objects to the timeliness of the motion to establish that the motion was not filed within the time provided for by this Code section.