

Affidavit for Judgment and Writ of FIFA on Consent Judgment (MAG 13-02)

Purpose of form:

To provide for the issuance of a judgment when the defendant has failed to make payments in accordance with the terms of the consent judgment.

Example: The parties enter into a consent judgment, MAG 11-01, providing for the payment of court costs + \$1200.00 principal in equally monthly installments of \$100.00/month. The defendant makes 2 payments and then defaults in making any additional payments. The plaintiff would use form to apply for a judgment in the amount of \$1000.00 ( $\$1200.00 - 2 \text{ payments of } \$100.00 = \$1000.00$ ) + the issuance of a writ of fi.fa..

The sum of \$9.00 needs to be paid to the Magistrate Court so that a Writ of Fi.Fa can be issued and recorded.

MAGISTRATE COURT OF \_\_\_\_\_ COUNTY, GEORGIA

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

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

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

Plaintiff(s) Name, Address

vs

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

**AFFIDAVIT FOR JUDGMENT & WRIT OF FIERI FACIAS ON CONSENT JUDGMENT**

Defendant(s) Name, Address

\_\_\_\_\_

Personally appeared \_\_\_\_\_, who being duly sworn, states that he/ she is the (Plaintiff) (Attorney for Plaintiff) (Agent for Plaintiff) in the above-styled case and that a Consent Judgment was entered in this case on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, requiring the Defendant(s) to pay the Plaintiff the sum(s) of \$\_\_\_\_\_ principal, \$\_\_\_\_\_ interest, \$\_\_\_\_\_ attorney fees and \$\_\_\_\_\_ court costs. The Defendant has defaulted in making these payments. The remaining outstanding balance, after payment(s) if any, have been deducted, for which a Writ of Fi.Fa. should be issued is \$\_\_\_\_\_ principal, \$\_\_\_\_\_ interest, \$\_\_\_\_\_ attorney fees and \$\_\_\_\_\_ court costs.

Wherefore the Clerk is requested and authorized to issue a Writ of Fieri Facias in favor of the amounts set forth herein above together with the costs of issuance of the Writ of Fieri Facias in this action. [ ] Affiant will submit the fee for the Writ of Fi.Fa. together with this affidavit.

\_\_\_\_\_  
Affiant

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

\_\_\_\_\_  
(Notary Public) (Clerk) (Judge)