

IN THE MAGISTRATE COURT OF HENRY COUNTY

STATE OF GEORGIA

ONE JUDICIAL CENTER STE. 260

44 JOHN FRAN WARD BLVD.

MCDONOUGH, GA. 30253

Date: _____

CASE #: _____

PLAINTIFF(S) NAMES, ADDRESS

DEFENDANT(S) NAME, ADDRESS

NOTICE OF APPEAL

(CHECK APPLICABLE SECTIONS) Notice is hereby given that the PLAINTIFF(S) DEFENDANT(S), hereby appeal(s) a judgment entered in the Magistrate Court of Henry County to the STATE COURT SUPERIOR COURT, of _____ County.

|| CIVIL CASES

The judgment of the civil case appealed herein was entered on the _____ day of _____, 20____. (This appeal MUST BE filed within thirty (30) days of the foregoing date of judgment.

|| DISPOSSESSORY CASES

The judgment of the dispossession case appealed herein was entered on the _____ day of _____, 20____. (This appeal MUST BE filed within seven (7) days of the date of the judgment set forth above)

APPEALS BY TENANT(S) PAST DUE AND FUTURE RENT IS REQUIRED TO BE PAID INTO THE REGISTRY OF THE COURT IN ORDER TO REMAIN IN POSSESSION OF THE PREMISES:

I/We have; have not; paid into the registry of the Magistrate Court the sum(s) found by the Magistrate Court to be due as past due rent, to-wit, the sum of \$ _____. This sum of past due rent MUST be paid into the registry of the court in order for a tenant who is appealing a dispossession judgment to remain in possession of the property. Furthermore, after the case is appealed, the tenant is required to pay all future rent as it becomes due into the registry of the court. Failure to abide by these provisions shall cause a writ of possession to be issued instanter by a court of competent jurisdiction. (OCGA §44-7-56.)

GENERAL INFORMATION

Computing times for appeal: OCGA §1-3-1(D)(3): The day the judgment was entered shall not be counted, but the last day shall be counted. If the last day falls on a Saturday, Sunday or public and legal holiday, the appeal shall be considered timely filed if filed on the next business day.

It is hereby certified that the above judgment is not a default judgment for which no appeal can be made. Appellate review of a default judgment shall be by certiorari to the Superior Court of Henry County. (See OCGA §15-10-41.)

This _____ day of _____, 20____

PLAINTIFF(S)

DEFENDANT(S)

A copy of this Notice of Appeal shall be served on all parties. If an opposing party is represented by an attorney, the service shall be made upon the attorney. I hereby certify that I have served the opposing party with a copy of this appeal by mailing a copy of this document to the opposing party at the address set forth above.

This _____ day of _____, 20____

PLAINTIFF(S)

DEFENDANT(S)