

Affidavit of Foreclosure Personal Property (MAG 15-02)

The purpose of this form:

To allow any person holding a security interest on personal property and wishing to foreclose on the security interest to make a statement under oath by affidavit, either in person or by that person's agent, attorney-in-fact or attorney at law, for a writ of possession before any judge of the magistrate or a clerk of the Magistrate Court, within the county where the debtor may reside or where the secured property is located.

The Affidavit contains a summons as prescribed in code section 44-14-232. The summons shall be served upon defendant(s) by county sheriff, deputy or marshal, or any lawful constable of the county where the debtor resides or the secured property is located.

The summons will command and require that the defendant answer either orally or in writing within seven (7) days from the start of the actual service unless the seventh day is a Saturday, a Sunday, or a legal holiday, in which case the answer may be made on the next day which is not Saturday, a Sunday, or a legal holiday