

#17

IN THE MAGISTRATE COURT OF FULTON COUNTY
STATE OF GEORGIA

William C. Leong,
Plaintiff/Landlord,
v.

PROCEEDING AGAINST TENANT HOLDING OVER
File No. 20ED154704

Terry Leon Neal,
Defendant/Tenant(s).

- Motion to Strike/Default Judgment
- Judgment on the Pleadings
- Trial Judgment
- Dismissal by Court

ORDER AND JUDGMENT

This matter came before the Court for hearing without a jury. Having considered the pleadings, evidence, argument, and law, the Court finds as follows: Tenant did not appear Landlord did not appear

LANDLORD'S CLAIM FOR POSSESSION:

- Landlord IS NOT entitled to a writ of possession.
- Landlord IS entitled to a WRIT OF POSSESSION *instanter* or upon application after seven (7) days from the date of entry of this judgment.

LANDLORD'S CLAIM FOR MONEY DAMAGES:

- FOR THE LANDLORD and against the Tenant in the amount of \$ 1920.00 principal (which sum includes rent through 2/25/2020) plus court costs and statutory interest.
- FOR THE TENANT and against the Landlord. Landlord failed to prove claim.
- Landlord's claim for money damages is DENIED / DISMISSED WITHOUT PREJUDICE.

TENANT'S COUNTERCLAIM:

- FOR THE LANDLORD and against the Tenant. Tenant failed to prove counterclaim.
- FOR THE TENANT and against the Landlord on the counterclaim in the amount of \$ _____ principal plus court costs and statutory interest.
- Tenant's counterclaim is DISMISSED WITHOUT PREJUDICE.

OTHER:

APPEAL:

If Tenant appeals this Judgment and wishes to remain in possession of the premises, Tenant, MUST make the following payments into the court registry by the time specified: (1) \$ 2600.00 (which constitutes the full amount of the MONEY JUDGMENT plus the balance of Feb's RENT), no later than SEVEN (7) DAYS from the date of entry of this Order AND (2) MONTHLY RENT of \$ 1300.00 by the 5th of each month beginning Mar. 2020. Failure to comply may result in an immediate writ of possession. See O.C.G.A. § 44-7-56. There is no direct appeal from a Default Judgment.

IT IS SO ORDERED, this 18 day of Feb 2020

H. Chang
FULTON COUNTY MAGISTRATE JUDGE

CONSENTED TO BY:

Eviction cost paid/date: _____
Receipt No./Cash/Check: _____
Presented by: _____