

STATE OF SOUTH CAROLINA }  
 }  
COUNTY OF PICKENS }  
 }  
\_\_\_\_\_  
 }  
\_\_\_\_\_  
 }  
Plaintiff(s), }  
vs. }  
\_\_\_\_\_  
 }  
\_\_\_\_\_  
 }  
Defendant(s). }  
..... }

IN THE MAGISTRATE'S COURT

**AFFIDAVIT**

(Claim and Delivery)

Plaintiff, \_\_\_\_\_, personally appears before me, who being duly sworn, stated the following:

1. The Plaintiff is the owner, or is entitled to possession of the property described below (give detailed description of each item):

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

2. The property described above is being wrongfully withheld by the Defendant, \_\_\_\_\_

3. To the best knowledge of the Plaintiff, the property is being withheld by the Defendant because:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. The property was not / was taken from the ownership or possession of the Plaintiff due to any tax, fine or assessment (and if so seized, it should not have been seized by virtue of its exempt status).

5. The actual values of the above described property is: (Itemized and give total if more than one item involved).

TOTAL \$ \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. That a Right To Cure as specified in §37-5-110 and §37-5-111 (has been given on \_\_\_\_\_) (is not required).

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Plaintiff (or attorney or agent)

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Magistrate or Notary Public for South Carolina

My Commission expires: \_\_\_\_\_.

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(FOR COURT USE ONLY)

**ENDORSEMENT OF DISPOSSESSION**

Based upon the showing of Plaintiff made by affidavit and:

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

the Court hereby directs the constable to immediately take possession of the above described personal property from the Defendant and to:

[ \_\_\_\_\_ ] retain protective possession of the personal property until otherwise instructed by the Court.

[ \_\_\_\_\_ ] deliver possession of the personal property to \_\_\_\_\_

**IT IS SO ORDERED.**

\_\_\_\_\_  
Magistrate

\_\_\_\_\_  
Date