STATE OF SOUTH CAROLINA)
)
COUNTY OF _____)
)
_____)
PLAINTIFF(S))
)
VS.)
)
_____)
DEFENDANT(S))

_____
CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

AFFIDAVIT AND COMPLAINT
(Claim & Delivery)

Plaintiff, _____ personally appearing before me, who being duly sworn, states 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/was not (circle one) 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 by virtue of its exempt status).
5. The actual value of the above described property is: (Itemize and give total if more than one item involved.)

   *****TOTAL $_____**.**

   That this amount has been determined in the following manner, to wit:

   _____

   _____

6. That the Notice of Right to Cure as required by Section 37-5-110 and Section 37-5-111, Code of laws of South Carolina, 1976, as amended, has been given on _____ (is not required).

DATED: _____

Sworn to before me,)
this _____ day of _____ , 2 .)
)
_____) _____
Magistrate or Notary Public for South Carolina) Plaintiff (or his attorney or agent)
)
My Commission expires _____)

FOR COURT USE ONLY

ENDORSEMENT OF DISPOSSESSION

Based upon the showing of plaintiff made by affidavit and:

(☐"hearing held and date" or ☐"no other")

_____

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

Dated: _____

SCCA/726 (Amended 05/2008)