

1972 WL 25514 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 20, 1972

***1 Re: No. 33—Clerk of Court**

Honorable R. G. Horton
Clerk of Court
Horry County Courthouse
Conway, South Carolina 29526

Dear Mr. Horton:

In your letter of April 17, 1972, you requested that we advise you as to whether or not those cases which have been listed for trial for six terms should be stricken from the calendar where one of the litigants is represented by a member of the legislature.

Act No. 346 of 1971 expressly provides in part as follows:

[n]o case in which a member . . . of the General Assembly is listed as an attorney of record shall be stricken from the calendar because such member . . . of the General Assembly failed to appear for trial at the time designated by the court.

In our view, nothing else appearing, no case that has been on the calendar for more than six terms should be stricken where one of the litigants is represented by a member of the General Assembly.

Sincerely,

C. Tolbert Goolsby, Jr.
Deputy Attorney General

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