

The State of South Carolina



Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3680
FACSIMILE: 803-253-6283

July 29, 1993

The Honorable Joe Wilson
State Senator
Post Office Box 142
Columbia, South Carolina 29202

Dear Senator Wilson:

Attorney General Medlock has referred your recent letter to me for reply. You have inquired if the county legislative delegations can continue to make appointments in light of the present status of the reapportionment lawsuit.

As you are aware the U.S. Supreme Court vacated and remanded the case to the three-judge court "... for further consideration in light of the position presented by the Acting Solicitor General in his brief ...". On July 13, 1993, the three-judge court convened in Columbia and issued an oral order from the bench which deferred the responsibility for drawing new plans to the General Assembly and stated that the districts drawn by the court were vacated. The Court, however, did not state that new elections should be held; nor did the court question the legality of the elections that had been held under the plan. The present office holders, therefore, continue to hold office and exercise all the powers and duties of that office. Those duties would include the duties assigned to the members as exercised through the county legislative delegations. Therefore, there would not appear to be any reason that the recent decision of the court would affect the delegations authority to act.

The Honorable Joe Wilson
July 29, 1993
Page 2

If I can be of any further assistance, please inform me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Treva G. Ashworth". The signature is fluid and cursive, with a large initial "T" and "A".

Treva G. Ashworth
Senior Assistant Attorney General

TGA:bvc