

1977 S.C. Op. Atty. Gen. 183 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-248, 1977 WL 24590

Office of the Attorney General

State of South Carolina

Opinion No. 77-248

August 10, 1977

*1 The Honorable James R. Metts
Sheriff
Lexington County
Lexington, South Carolina 29072

Dear Sheriff Metts:

Thank you for your letter of August 2, 1977, concerning the following problem:

'A citizen of Lexington County found approximately \$100.00 in currency on top of her parked car on June 13, 1977. She subsequently turned the money over to our department to be held for the true owner. On July 25, 1977, a request was made on behalf of the finder for the return of the money, since the true owner had not been found. We are unclear as to the proper disposition of this sum.'

In my opinion, the proper course of action by you is to hold the funds in your possession and petition the Court of Common Pleas in Lexington County for an order declaring the proper disposition of the funds to be made by you. An identical problem arose in Richland County during the administration of former Strover S. Sligh and similar advice was given to him at that time. The Court in that instance awarded the funds to the finders.

Alternatively, you may hold the funds, notify the finder of the money, retaining it, and await an action by that person in the courts to direct the proper disposition to be made by you.

With best wishes,
Cordially,

Daniel R. McLeod
Attorney General

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