

1977 S.C. Op. Atty. Gen. 287 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-362, 1977 WL 24700

Office of the Attorney General

State of South Carolina

Opinion No. 77-362

November 10, 1977

***1 RE: Claim and Delivery Jurisdiction**

Honorable James T. Love
Cherokee County Magistrate
Post Office Box 368
Blacksburg, South Carolina 29702

Dear Judge Love:

Your letter to the Attorney General dated October 26, 1977, has been referred to me for reply.

You have asked whether your court could lawfully handle a claim and delivery case involving a Four Hundred Fifty (\$450.00) Dollar debt by levy against a Fifteen Hundred (\$1,500.00) Dollar motor vehicle. The jurisdiction of the magistrates' courts in civil proceedings was recently expanded, as you note, to Five Hundred (\$500.00) Dollars. Act No. 690 of 1976, Article IV, Section 1. Inasmuch as the amount due is within the jurisdictional limit of the magistrates' courts, the matter may properly be instituted therein as provided by Section 22-3-10 of the 1976 Code of Laws of South Carolina.

I trust this information will sufficiently answer your question, however, if any further explanation is necessary, please feel free to contact me.

With best regards, I am
Very truly yours,

Richard P. Wilson
Assistant Attorney General

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