

1979 WL 43210 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 18, 1979

*1 Honorable C. R. Banks
Clerk of Court
County Courthouse
St. Matthews, South Carolina 29135

Dear Mr. Banks:

This is to advise that in our opinion a Clerk of Court does not possess the authority to dismiss an action pursuant to [Section 15-35-30 of the South Carolina Code](#) of Laws (1976) without the consent of each party thereto irrespective of whether an answer has been filed by each such party or not. Cf., CIRCUIT COURT RULE 45.

Best wishes,

C. Tolbert Goolsby, Jr.
Deputy Attorney General

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