

1978 WL 34833 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 5, 1978

*1 Mr. Neal Forney
Assistant Director
South Carolina Court Administration
Post Office Box 11788
Columbia, SC 29211

Dear Mr. Forney:

You have asked whether a coroner has the authority to order an autopsy or post-mortem examination of an alien found dead in the county without the consent of the embassy or the U. S. State Department.

[Section 17-7-10 of the 1976 Code of Laws of South Carolina](#) states that the ‘coroner of the county in which a body is found dead . . . may order an autopsy or post-mortem examination to be conducted to ascertain the cause of death.’ There is no apparent limitation on the coroner's authority to order an autopsy on the dead body of a person found in his county based on that person's citizenship. We are further advised and our research confirms that there is no federal requirement that the consent of the embassy or the U. S. State Department be obtained before the coroner may conduct an autopsy or post-mortem examination on the dead body of an alien. See generally Title 8, U.S.C.

Therefore, it is the opinion of this Office that a coroner has authority to order an autopsy or post-mortem examination of an alien found dead in the county without the consent of the embassy or the U. S. State Department.

Very truly yours,

Richard P. Wilson
Assistant Attorney General

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