

1978 WL 34904 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 9, 1978

\*1 Honorable Jack Allison  
Cherokee County Magistrate's Court  
Cherokee County Courthouse  
Gaffney, SC 29340

Dear Magistrate Allison:

Mr. McLeod has referred your recent letter to me for reply. You have informed me that you are one of three candidates for two magistrate seats in Cherokee County. You have stated that the instructions on the ballot will state that one name should be scratched and two left. You have inquired if a voter scratches two of the three names, if that ballot would be counted.

There is no prohibition to a person voting for fewer candidates than he has an opportunity to vote for; therefore, the ballot would be counted. [Section 7-13-1120 of the South Carolina Code](#) of Laws, 1976.

Very truly yours,

Treva G. Ashworth  
Assistant Attorney General

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