

1975 WL 29451 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 31, 1975

*1 Harold E. McCarty
Sheriff
Saluda County
205 East Church Street
Saluda, South Carolina 29138

Dear Sheriff McCarty:

Pursuant to your request, this letter is simply to confirm my recent telephone conversation with you, to the effect that it is felt that you acted properly in not taking the mobile home of an individual who, notwithstanding the fact that he failed to demand a preseizure hearing within five days as required by Section 10-2507 of the South Carolina Code of Laws, as amended, gave a redelivery bond as provided in Section 10-2510 of the Code (1962), within three days of the judge's endorsement directing you to take said property. While unnecessary to your inquiry, in an attempt to prevent a misconception allow me to add that it is arguable that such a bond given any time before delivery of the property to the plaintiff is sufficient.

In the event that you desire an opinion of this office on this matter, pursuant to the policy of this office relative to the rendering of opinions may I suggest that your inquiry be directed to your county attorney, who may enlist the aid of this office in the event that such is warranted?

With kindest regards, I am
Very truly yours,

Sidney S. Riggs, III
Staff Attorney

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