

1975 WL 28917 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 13, 1975

***1 In Re: Bond Forfeitures—Appeal**

Honorable Ted B. Wyndham
City Traffic Judge
Second Floor
Greenwood Savings & Loan Building
Greenwood, South Carolina 29646

Dear Judge Wyndham:

You have inquired whether or not appeal from a bond forfeiture must be taken within the Statutory five-day period noted in Section 15-915, 1962 Code of Laws of South Carolina, as amended.

Although a bond forfeiture is the same as a conviction or plea of guilty for the purposes of the point system and other offenses requiring driver license suspension, this Office has expressed the opinion several times in the past that a bond forfeiture is not tantamount to conviction for other purposes. Unless and until we can get the matter to the Supreme Court, and the Court holds otherwise, it is the position of this Office that a bond forfeiture for non-appearance in a traffic case has the same effect that it would in any other criminal action, that is, it is simply a civil penalty for failure to appear, and does not constitute the final disposition of the charge.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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