

1973 WL 27690 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

April 20, 1973

\*1 Mr. S. A. Harris  
Administrative Assistant  
Lancaster County Sheriff's Department  
Post Office Box 908  
Lancaster, South Carolina 29720

Dear Mr. Harris:

Thank you for your letter of April 16, to the Attorney General which has been referred to me for reply.

Although the claim and delivery statutes of this State were amended last year subsequent to the United States Supreme Court decision of Fuentes v. Shevin to provide among other things for notice and a hearing prior to seizure of property, and a three judge Federal panel has recently declared our Distress Statutes unconstitutional insofar as they don't provide for notice and a prior hearing, I am presently unaware of any court action seeking to declare or which has declared the South Carolina Attachment Statutes unconstitutional.

Very truly yours,

James C. Harrison, Jr.  
Assistant Attorney General

1973 WL 27690 (S.C.A.G.)

---

End of Document

© 2020 Thomson Reuters. No claim to original U.S. Government Works.