

1973 WL 26800 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 3, 1973

**\*1 In Re: Housebreaking by Breaking Inner Door**

Lt. R. A. Hinson  
Post Office Box 1008  
Lancaster, South Carolina

Dear Mr. Hinson:

You have inquired whether or not the breaking and entering of an inner room of a house or other building with intent to commit a crime therein can constitute housebreaking under Section 16-332, 1962 Code of Laws of South Carolina.

It is recognized generally that in both burglary and housebreaking, the breaking and entering of an inner room can constitute the crime even though the accused is lawfully within the building. Wharton's Criminal Law. Anderson, Burglary, Sec. 416.

Yours very truly,

Joseph C. Coleman  
Deputy Attorney General

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