

1972 S.C. Op. Atty. Gen. 84 (S.C.A.G.), 1972 S.C. Op. Atty. Gen. No. 3280, 1972 WL 20424

Office of the Attorney General

State of South Carolina

Opinion No. 3280

March 10, 1972

***1 In Re: Search Warrants, Service by Officers Without Bond**

Wylie H. Caldwell, Jr., Esq.
Attorney at Law
Post Office Box 1323
Florence, South Carolina 29501

Dear Mr. Caldwell:

You have inquired whether or not the following language, appearing in Section 17–259, 1962 Code, as-amended, applies to all search warrants or just those served on Sunday:

‘Provided, however, that only law enforcement officers under bond shall be permitted to execute a search warrant.’

It does not appear that there would have been any reason at all for the General Assembly to impose this safeguard with regard to Sunday warrants and not others, and the language of the Section does not so indicate.

It is the opinion of this Office that the quoted language of Section 17–259 requires that all search warrants be served by bonded officers.

Yours, very truly,

Joseph O. Coleman
Deputy Attorney General

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