

1982 WL 189509 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 15, 1982

*1 William H. Seals, Esquire
County Attorney
Post Office Box 183
Marion, South Carolina 29571

Dear Mr. Seals:

Mr. Sloan has referred your letter to me for reply. You have stated that the Justice Department objected to the plan for Marion County and has not yet ruled on your request for reconsideration of that plan. You have further informed us that the elected members of council will go out of office on December 31, 1982. You have inquired what will happen to the elected government if Justice approval is not obtained before December 31st.

As you have requested reconsideration and have indicated that you believe that Justice was favorably impressed with your presentation, not reinstating their objection immediately, your present council will continue to hold over until you hear from the Justice Department on whether or not they will continue their objection to your county council plan or approve it. See in general, [Bradford v. Byrnes](#), 221 S.C. 255 (1952); [Langford v. Board of Fisheries](#), 217 S.C. 118 (1950); [Smith v. City Council of Charleston](#), 198 S.C. 313 (1941); [Heyward v. Long](#), 178 S.C. 351 (1935); 63 AM. JUR. 2d [Public Officers](#) §§ 158, 160; 67 C.J.S. [officers](#) § 71.

Sincerely,

Treva G. Ashworth
Senior Assistant Attorney General

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