

1980 WL 120854 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 3, 1980

*1 Honorable R. Carey Werner
Greenville County Magistrate
303 Randall Street
Greer, SC 29651

Dear Judge Werner:

In a letter to this Office, you indicated that there is pending before your Court, a landlord-tenant action in which a landlord has requested that a tenant be evicted due to non-payment of rent. However, you indicated that you have determined that the tenant has been committed to the State Hospital for an indefinite period of time. In your letter, you questioned how service could be made upon the tenant in light of such commitment to the State Hospital.

As you are aware, pursuant to [§ 27-37-20, Code of Laws of South Carolina, 1976](#), ejectment proceedings in this State are instituted by service of a rule to show cause. Pursuant to [§ 27-37-30, Code of Laws of South Carolina, 1976](#), such rule ‘. . . may be served in the same manner as is provided by law for the service of the summons in actions pending in the court of common pleas of this State’

[Section 15-9-500, Code of Laws of South Carolina, 1976](#), specifically provides the manner in which service may be made on a person who is a patient in a State Hospital. Therefore, I suggest that you make reference to this Section in attempting to serve the rule as to the ejectment action presently before you.

If there are any questions, please do not hesitate to contact me.

Sincerely,

Charles H. Richardson
Assistant Attorney General

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