

1976 WL 30740 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 24, 1976

*1 The Honorable R. Archie Ellis
Commissioner
S. C. Department of Social Services
Post Office Box 1520
Columbia, South Carolina 29202

Dear Dr. Ellis:

Your recent letter concerning the method of filling the vacancy created by the resignation of Dr. R. Wright Spears has been considered by me.

I understand that the Governor made an appointment on yesterday and, in my opinion, this is the proper method of filling the vacancy which I think was created by the letter of resignation submitted to your Commission and to the Governor. In my opinion, the vacancy can under the statute be filled by the Governor and the manner in which the resignation was stated became final upon its acceptance by the Governor.

I have discussed this with Senator Gressette on yesterday, March 23, and informed him of my views. A memorandum concerning the legal issues to be considered is in the files of this Office and will be available to you should you desire it.

With best wishes,
Very truly yours,

Daniel R. McLeod
Attorney General

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