

1974 S.C. Op. Atty. Gen. 262 (S.C.A.G.), 1974 S.C. Op. Atty. Gen. No. 3850, 1974 WL 21353

Office of the Attorney General

State of South Carolina

Opinion No. 3850

September 3, 1974

**\*1 In Re: (1) Recognizances (2) Arrest Warrants, Issuance on Sunday**

Honorable David H. Maring  
Municipal Judge  
Post Office Box 806  
Georgetown, South Carolina 29440

Dear Judge Maring:

You have inquired whether or not the surety on a recognizance for appearance in municipal court should be required to demonstrate the ability to respond for the amount of all recognizances into which he has entered.

It is the opinion of this Office that any surety on a recognizance may be required by the official who approves such recognizance to show that such surety has the means by which to respond to the total amount of all recognizance into which he has entered.

You inquire whether or not arrest warrants may be issued on Sunday. With certain exceptions, [Sec. 17-259, 1962 Code, S.C., as amended], no criminal process may be served on Sunday. There is no constitutional, statutory, or common law prohibition against the issuance of criminal process on Sunday.

Yours very truly,

Joseph C. Coleman  
Deputy Attorney General

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