

1974 S.C. Op. Atty. Gen. 355 (S.C.A.G.), 1974 S.C. Op. Atty. Gen. No. 3915, 1974 WL 21411

Office of the Attorney General

State of South Carolina

Opinion No. 3915

December 18, 1974

***1 The creditor's attorney should prepare executions against property within a magistrate's jurisdiction once judgment has been entered against the debtor.**

Magistrate

Florence, S. C.

You have requested an opinion from this office as to whether or not you, as a magistrate, can prepare an execution against property that is within your \$200 limit once judgment has been entered against the debtor.

As I understand it, the County Attorney has advised you that the creditor's attorney should prepare the execution. We agree with that conclusion since the pertinent statute, as construed, clearly envisions such a procedure. *See*, Section 10-1709 of the South Carolina Code of Laws, 1962, as amended; [Amick v. Amick](#), 59 S.C. 70, 37 S.E. 39 (1900); [Rhoad v. Patrick](#), 37 S.C. 517, 16 S.E. 536 (1892).

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