

STATE OF SOUTH CAROLINA
FOURTEENTH JUDICIAL CIRCUIT

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ISAAC MCDUFFIE STONE, III
SOLICITOR

MEMORANDUM

TO: Clients of the Fourteenth Circuit Solicitor's Office Worthless Check Unit

FROM: Solicitor Duffie Stone

RE: Discontinuation of the Worthless Check Unit

DATE: May 11, 2021

For the past 15 years our office has maintained a Worthless Check Unit to assist businesses and individuals seeking to collect debts owed by those who wrote fraudulent checks. We were able to do this at no cost to the taxpayer. All costs were borne by the bad-check writers. Over the past few years, however, people have written fewer checks, making the Worthless Check Unit unsustainable and unnecessary. Accordingly, we will cease operating the Worthless Check Unit on June 1, 2021.

We will continue accepting new claims for worthless checks until June 1, 2021, and we will see the pending cases through to their conclusion. If you are the victim of a worthless check writer after June 1, 2021, you may consider proceeding under South Carolina's fraudulent check law (South Carolina Code Section 34-11-60). You must meet all requirements set out in the law. Below is an outline of the steps you must take to prosecute the worthless check:

1. Once the check has been returned, you must send a certified letter to either the address that is printed on the check, or any alternate address provided by the check writer at the time of receipt of the check. The certified letter must be sent no later than ten (10) days of receipt of the returned check.
2. If there is no response from the check writer within ten (10) days of the mailing of the certified letter, you may then file

charges for fraudulent check with your local Magistrate. You must provide a copy of the returned check and the receipt from the certified letter as well as the outcome of the certified letter.

3. You cannot prosecute the check writer under the fraudulent check statute if the check was accepted post dated or if it is over 120 days old.

You can find the entire code section 34-11-60 at South Carolina Courts website at this link: <http://bit.ly/Worthless-Check>.

Thank you for entrusting us to assist in collecting restitution for you over the years. We hope that we have helped businesses throughout the circuit collect and have held bad check writers accountable. Please contact my office at (843)779-8477 if we can be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "Duffie Stone". The signature is written in a cursive style with a large, looped initial "D".

Duffie Stone
Fourteenth Circuit Solicitor