

# The Supreme Court of South Carolina

RE: Amendment to Rule 3(a) of the South Carolina  
Rules of Criminal Procedure

Appellate Case No. 2021-000086

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## ORDER

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Pursuant to Article V, § 4 of the South Carolina Constitution, Rule 3(a) of the South Carolina Rules of Criminal Procedure is amended as indicated in the attachment to this order. This amendment shall be submitted to the General Assembly as provided in Article V, § 4A of the South Carolina Constitution.

s/ Donald W. Beatty C.J.  
s/ John W. Kittredge J.  
s/ Kaye G. Hearn J.  
s/ John Cannon Few J.  
s/ George C. James, Jr. J.

Columbia, South Carolina  
January 29, 2021

Rule 3(a) of the South Carolina Rules of Criminal Procedure is amended to read as follows:

**(a) Transmittal to Clerk.** Magistrates, municipal judges, and other officials authorized to issue warrants shall, in all cases within the jurisdiction of the Court of General Sessions, forward to the Clerk of the Court of General Sessions all documents pertaining to the case including, but not limited to, the arrest warrant and bond, within fifteen (15) days from the date of arrest in the case of an arrest warrant and date of issuance in the case of other documents. If it is determined that the defendant is already in the custody of the South Carolina Department of Corrections or a detention center or jail in South Carolina, the judge shall annotate the warrant to reflect that a copy has been mailed to the defendant, mail a copy of the annotated warrant to the defendant, and immediately forward the annotated warrant and any allied documents to the clerk of the court of general sessions. Transmittal shall be pursuant to procedures now or hereafter promulgated by the Office of South Carolina Court Administration.