

November 21, 1966

OPINION NO. 511
Answered by Letter-Mansur

Honorable Harry L. Porter
Prosecuting Attorney
Linn County
Linneus, Missouri



Dear Mr. Porter:

Recently you requested an opinion from this office as to the disposition of a fee amounting to ten dollars which you received from Chariton County for prosecuting a criminal case in that county on a change of venue from Linn County.

We are enclosing herewith an opinion issued by this office on January 4, 1951, to R. G. Kirkland, Prosecuting Attorney, Clay County, Missouri, which held that the prosecuting attorney of Clay County is entitled to the fee for prosecuting a criminal case on a change of venue to another county.

It is our opinion that under Section 56.340, RSMo, the prosecuting attorney's fee received in a change of venue case must be remitted to the county from which the change of venue was taken, in this case Linn County, the same as all other prosecuting attorney's fees are remitted.

If you have any further questions, please advise.

Very truly yours,

NORMAN H. ANDERSON
Attorney General

MM:cw

Enclosure (opinion): Issued 1/4/51, to Kirkland