

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Florence County  
The Honorable Roger E. Henderson, Circuit Court Judge  
Appellate Case No. 2021-000734

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RECEIVED

Aug 12 2024

SC Court of Appeals

IN THE MATTER OF THE CARE AND TREATMENT OF  
ANDY EUGENE HYMAN,

APPELLANT.

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**RESPONDENT'S PETITION FOR REHEARING**

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On July 24, 2024, this court reversed Appellant's civil commitment pursuant to the South Carolina Sexually Violent Predator Act (SVPA), finding error in the admission of evidence regarding the results of a penile plethysmograph (PPG) conducted in the course of Appellant's evaluation, and the error was not harmless. Matter of Hyman, Op. No. 2024-UP-271 (S.C. Ct. App. filed July 24, 2024). Pursuant to Rule 221(a), SCACR, Respondent respectfully requests that this court rehear the matter, and consider the significant points overlooked and/or misapprehended by this court as discussed below.

Rehearing is appropriate and necessary in this case because this court failed to apply the appropriate standard of review, overlooked evidence in the record, and misapprehended the law related to admissibility of expert opinions. In particular, this court's apparent *de novo* determination regarding reliability and admissibility of the PPG evidence failed to analyze the extensive pre-trial evidence regarding the reliability of PPG testing presented during a full pre-trial evidentiary hearing consistent with State v. Jones, 343 S.C. 562, 541 S.E.2d 813 (2001), and State v. Council, 335 S.C. 1,515 S.E.2d 508 (1999) (hereinafter Jones/Council). In reversing

Judge Henderson's ruling that the PPG was reliable, this court ignored significant evidence regarding the PPG's reliability and its admissibility as a factor considered by the State's expert in formulating her opinion that Appellant meets the criteria for commitment as a sexually violent predator under South Carolina law.<sup>1</sup> This court's error analysis was directly premised on this court's opinion in Matter of Daily, Op. No. 6061 (S.C. Court App., filed June 12, 2024) (2024 WL 2947801), which Respondent asserts was itself erroneous.<sup>2</sup>

In addition, even assuming error, which Respondent disputes, this court's harmless error analysis is fundamentally flawed. This court focused on limited testimony and argument regarding the PPG evidence without considering that evidence and argument in context and in relation to the entirety of the evidence and argument as required by well-established South Carolina case law.

## ARGUMENT

### **A. The court failed to apply the required and appropriate standard of review.**

The admission or exclusion of evidence is a matter within the trial court's sound discretion, and an appellate court may only disturb a ruling admitting or excluding evidence upon a showing the trial court's rulings were based on an error of law or were unsupported by evidence in the record. State v. Prather, 429 S.C. 583, 840 S.E.2d 551, 559 (2020); State v. Jackson, 384 S.C. 29, 681 S.E.2d 17, 19 (Ct. App. 2009); *see also* State v. Davis-Kocsis, Op. No. 28213, 2024 WL 3169855 at \*3, n.2 (S.C. Sup. Ct. filed June 26, 2024) (appellate court's standard of review regarding evidentiary rulings is "simply to determine whether the trial court

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<sup>1</sup>As in previous cases involving PPG evidence, this court summarily decided this case without oral argument, during which evidence regarding the PPG's general reliability and acceptance could have been discussed, and the State would have been afforded an opportunity to address this court's concerns.

<sup>2</sup>A Petition for Rehearing is pending in that case.

acted within its discretion,” and “[i]f so, we affirm”). The exercise of discretion means “the trial court—when ruling on the admission or exclusion of evidence—must think through the objection that has been made, the arguments of the attorneys, and the law—particularly the applicable evidentiary rules—and must thoughtfully apply the correct law to the information and evidence before it.” State v. Wallace, 440 S.C. 537, 892 S.E.2d 310, 312–13 (2023) (citing Morris v. BB&T Corp., 438 S.C. 582, 885 S.E.2d 394, 397 [2023]). Trial courts are tasked only with determining whether the basis for the expert’s opinion is sufficiently reliable such that it may be offered into evidence, and vigorous cross examination, presentation of contrary evidence and careful instructions on the burden of proof are the traditional appropriate means of attacking admissible evidence. In re Matter of Ridley, 433 S.C. 316, 858 S.E.2d 165, 168-169 (Ct. App. 2021).

At the time this case was tried, there was no authority in South Carolina holding the PPG is unreliable as a matter of law. Matter of Daily, filed three years after this case was tried, was the first case in South Carolina holding that PPG evidence was unreliable. Indeed, in the only previously published case regarding PPG evidence, Matter of Bilton, 432 S.C. 157, 851 S.E.2d 442 (Ct. App. 2020), this court expressly declined to rule on the issue of PPG reliability. *Id.* at 446 (“We wish to emphasize that we are not called on to review whether some hypothetical procedure would qualify as a baseline demonstration that Bilton's PPG test results were reliable. We simply hold, as noted above, that due process does not allow a testifying expert to be a pipeline for someone else's scientific work to be admitted into evidence without a baseline

demonstration of reliability.” (emphasis added).<sup>3</sup> Thus, there was no basis for finding Judge Henderson committed an error of law.

Instead of appropriately analyzing the evidence presented to Judge Henderson, this court summarily reversed Judge Henderson’s ruling based on case law that did not exist at the time Judge Henderson had the issue before him. The opinions issued by this court in PPG cases, both published and unpublished, reveal a consistent negative view of the PPG test regardless of the evidence presented. An appellate court’s negative view of a particular scientific test or evidence is not a basis for overruling a trial court’s ruling regarding the evidence’s admissibility if there is evidence in the record to support that ruling. *See Morris*, 885 S.E.S.2d at 397 (appellate court defers to the trial court’s exercise of discretion even when appellate judges might have decided the issue differently); *Wallace*, 892 S.E.2d at 312-313 (appellate court will not reverse trial court’s ruling on evidentiary issue unless the trial court did not act with the discretion given to trial courts, which generally means the ruling is not supported by the evidence or is controlled by an error of law). If this court found the record indicated Judge Henderson did not meaningfully exercise the discretion given to him, it failed to acknowledge the evidence presented or conduct any analysis of it. *See State v. Phillips*, 430 S.C. 319, 844 S.E.2d 651, 662 (2020) (appellate courts analyze the admissibility of scientific evidence for the first time when the trial court fails to meaningfully exercise its discretion).

Dr. Emily Gottfried, who is the Director of the Sexual Behavior Clinic and Lab (SBCL) at the Medical University of South Carolina (MUSC), was qualified as an expert and has extensive experience administering and interpreting PPG test results. She testified during the

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<sup>3</sup>Significantly, Judge Henderson actually reviewed the Bilton opinion at the beginning of the pre-trial hearing. (R., p. 7). Therefore, he was well aware of the holding in that case, which again, did not hold the PPG is unreliable.

pre-trial hearing that she had twenty-six peer reviewed published articles, including an article comparing the PPG test's use in Canada, the United Kingdom and the United States, she had written book chapters about best practices in sexual behavior evaluations that included information about the PPG test, and she had given research presentations regarding the PPG test at national and international conferences. She also testified that research literature indicates the PPG test provides a physiological measure of male sexual arousal, it has been peer reviewed in both the sex offender and general sexual behavior literature, and the Association for the Treatment of Sex Offenders (ATSA) practice guidelines support responsible use of the PPG test as a data point in sexual behavior evaluations and treatment, which means following the protocol, interpreting the results in a standardized manner, and not using the PPG test results as the "sole data point to look at risk, release recommendations, diagnosis." (R., pp. 31-46). Dr. Gottfried further testified that research conducted since 2009, including a 2019 meta-analysis of data from multiple studies with PPG test results of over 10,000 men, addressed many issues identified in earlier PPG test research, and the Diagnostic and Statistical Manual, 5<sup>th</sup> Ed., (DSM-5) recognizes use of the PPG test. (R., pp. 46-47).

Dr. Gottfried then described the PPG process, interpretation of the test results and the different stimulus sets used in the SCBL. She stated she orders a PPG on every adult male referred to the SCBL for evaluation, and she uses it as a single data point in reaching her conclusions and opinions. She testified that research indicates the PPG reliably identifies men, like Appellant, who are sexually attracted to children, and the PPG research is on-going and increasing, such as the 2019 meta-analysis study and published article. (R., pp. 47-56).<sup>4</sup>

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<sup>4</sup>On cross-examination, Dr. Gottfried testified she could complete evaluations without using the PPG, but she preferred not to do evaluations without the PPG because it provided another data point for consideration. (R., pp. 58-59).

In reversing Judge Henderson, this court did not even summarize or address Dr. Gottfried's extensive pre-trial testimony, which was virtually undisputed. The only even arguable pre-trial evidence to the contrary was testimony from Dr. Marie Gehle, who had no training or firsthand experience with the PPG, and merely based her opinions regarding the PPG on outdated articles and a 2009 practice manual. Significantly, the 2009 manual she referenced had not been updated since 2009, she was not aware that the author of an article she cited as authority for the proposition that the PPG is unreliable had published a subsequent article supporting use of the PPG, and she did not know about the published article regarding the 2019 meta-analysis study. (R., pp. 22-29). In short, the only thing remarkable about Dr. Gehle's pre-trial testimony regarding the PPG was her incredible lack of knowledge.

This court failed to apply the required abuse of discretion standard of review, ignored substantial evidence in the record, and substituted its judgment for Judge Henderson's ruling that was based on extensive pre-trial testimony. Accordingly, this court should rehear this matter and affirm Judge Henderson's ruling.

**B. This court's harmless error analysis mischaracterized testimony and statements before the jury and overlooked other overwhelming evidence that supported the jury's verdict.**

Error is harmless where it could not reasonably have affected the result of the trial. In re Harvey, 355 S.C. 53, 584 S.E.2d 893, 897 (2003). "A harmless error analysis is contextual and specific to the circumstances of the case," and "the materiality and prejudicial character of the error must be determined from its relationship to the entire case." State v. Heller, 399 S.C. 157, 731 S.E.2d 312, 320 (Ct. App. 2012) (emphasis added). "It is well settled that the admission of improper evidence is harmless where it is merely cumulative to other evidence." State v. McFarlane, 279 S.C. 327, 306 S.E.2d 611, 613 (1983).

As with its PPG analysis, this court set forth the correct harmless error standard, then failed to apply it. Rather than considering the PPG trial testimony in context and reviewing the case before the jury as a whole, this court simply concluded the PPG evidence may have contributed to the jury's verdict, and therefore, error in admitting the PPG evidence was not harmless.<sup>5</sup>

### **1. Scientific Evidence, Cross-Examination & Closing Argument**

As a threshold matter, this court found prejudice in part based on its finding that Dr. Gottfried's testimony regarding the PPG "had the appearance of scientific evidence." 2024-UP-271 at 2-3. The Bilton court, however, specifically held that the State's expert testimony regarding the PPG was a pipeline for scientific work performed by someone else, which expressly recognized that the PPG is a **scientific** test. Thus, this court's finding that Dr. Gottfried's testimony merely "had the appearance of scientific work" is contrary to the Bilton court's recognition that PPG evidence is in fact scientific evidence.

Further, this court's reference to the State's reliance on the PPG test during cross-examination of Appellant overlooks the fact that Appellant opened the door to that issue by testifying he had a past attraction to prepubescent girls, but "now, I do not even think about it." (R., p. 244).<sup>6</sup> After the State asked Appellant about his arousal to the scenario regarding the rape of a female child, Appellant was able to give his explanation for what caused the arousal to that and other scenarios, which the jury was free to evaluate and believe or not. (R., pp. 247-248).

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<sup>5</sup>The State does not concede error in the admission of the PPG evidence, but as set forth above, contends there was no error. Because there was no error in admitting the PPG evidence, a harmless error analysis is not warranted. This harmless error analysis is only in response to this court's harmless error conclusion.

<sup>6</sup> The State further submits the PPG cross-examination was appropriate because Judge Henderson properly ruled the PPG evidence was admissible and its probative value exceeded its prejudicial effect.

As to the State's reference during closing argument that the PPG was "in and of itself" enough to commit Appellant, this court completely overlooks the State's argument immediately prior to the quoted statement, as well as the entirety of the State's initial closing and reply arguments. The vast majority of the State's closing arguments focused on Appellant's extensive sex offense history as established by his charges, convictions and admissions. Prior to discussing the PPG test results during the initial closing argument, the State argued that Appellant's offending history "alone without the PPG evidence," and "with or without the PPG indicates [Appellant] is likely to re-offend." In its reply closing argument, the State again focused on Appellant's offense history and briefly referred to the PPG once as taking place on Appellant's second day at MUSC. Again, the majority of the State's closing argument focused on Appellant's offense history as leading to the conclusion he was a risk to reoffend sexually if not confined. (R., pp. 261-264, 274-278).

## **2. Other Evidence Supporting the Jury's Verdict**

In finding admission of the PPG evidence was not harmless, this court overlooked other, and indeed overwhelming, evidence in the record that more than supported the jury's verdict, even without any of the PPG evidence. Before the jury, Dr. Gottfried was qualified as an expert in clinical psychology and forensic psychology, and specifically sex offender evaluations, and she testified MUSC was retained to perform a pre-commitment evaluation of Appellant pursuant to the SVPA. As part of her evaluation protocol, she reviews criminal history records, incident/police reports relating to the person's offenses, prison records, medical records and mental health records. Appellant was transported to MUSC on several occasions for psychological and physiological testing, and a clinical interview, which included reviewing the tests' results with him. (R., pp. 94-107).

Dr. Gottfried testified Appellant pled guilty in 1997 to one count of criminal sexual conduct second degree and one count of lewd act on a minor, involving three female victims (two six years old and one eight years old). During the interview, Appellant told Dr. Gottfried he fondled two of the girls, got them to grab his penis, and he may have rubbed his penis in their genital areas and played with their butts. The third victim was Appellant's neighbor, and he said he got her to take her clothes off because he wanted to see her. Appellant said he talked the victims into engaging in the behaviors with him, and told them not to tell anybody because he would get in trouble. After that conviction, Appellant received sex offender treatment while incarcerated and then after his release. (R., pp. 114-117, 389-391).

In 2016, Appellant pled guilty to one count of criminal sexual conduct with a minor third degree - commit/attempt lewd act on minor under sixteen years of age, again involving three prepubescent females (four, five and seven years old). Appellant told Dr. Gottfried he did not offend against the five and seven year old victims, but admitted offending against his eight year old niece by fondling her, feeling her chest, her genitals and her butt, and rubbing his penis on her, which he did four or five times. Appellant then admitted he performed oral sex on his niece and got her to put her mouth on his penis. In addition to the 1997 and 2016 convicted offenses, Appellant told Dr. Gottfried he exposed himself to a female cousin when he was fifteen or sixteen years old, and sexually touched both of his sisters when he was eighteen or nineteen years old, and they were approximately eleven and fifteen years old. (R., pp. 117-118, 392).

Dr. Gottfried testified an offender's offending history is relevant to assessing future risk because prior behavior is the best predictor of future behavior, and the offending history may show patterns of behavior. Appellant's criminal history and admissions to her demonstrated Appellant had a pattern of inappropriate sexual behaviors with prepubescent female children

beginning when he was fifteen to sixteen years old, which included multiple offenses against prepubescent children under ten years old, fantasizing about prepubescent children and looking at sexualized images of children. Based on all the information she gathered during the evaluation, Dr. Gottfried diagnosed Appellant with pedophilic disorder, which is an intense and persistent sexual arousal to prepubescent children. (R., pp. 119-123).

Dr. Gottfried then testified about the standard battery of tests the SBCL uses in evaluating all adult men, which were administered to Appellant as part of the psychosexual evaluation, and some of the test results indicated Appellant tried to present himself in an overly positive light, he did not want to admit some minor faults that most people will admit, he was reluctant to admit having undesirable negative reactions, and he had some feelings of sexual inadequacy with adults. Dr. Gottfried also used a tool to scientifically structure professional judgment when looking for known dynamic risk factors relevant to the person being evaluated, and she noted Appellant had a history of problems with sexual deviance, consistent sexual arousal to prepubescent children, sexual preoccupation during his offending, a reported history of being the victim of child abuse, offending against his victims multiple times across many years, some psychological coercion in sexual offending, and a possible negative attitude about supervision. (R., pp. 123-130).

As part of her assessment of Appellant's risk to reoffend sexually, Dr. Gottfried also used two actuarial risk assessment tools, Appellant's scores on both assessments were in the average category for reoffending when compared to other routine offenders. Dr. Gottfried testified these assessments only include offenders who have committed new detected offenses, and only approximately thirty percent of sex offenses are reported, so the scores may potentially underestimate the person's actual recidivism risk. (R., pp. 130-133).

Dr. Gottfried testified about the PPG test in general, explaining what it measures and how it is administered, and describing the two stimulus sets used during the test. She then testified Appellant showed clinically significant arousal on both stimulus sets to scenarios featuring sexual violence against a prepubescent female child, coercion against a prepubescent female child, sexual violence against a pubescent or adolescent child, persuasion against a prepubescent female child, and sexual activity with a male infant, as well as consensual sexual activity with an adult woman. Appellant's maximum arousal on both sets was to scenarios featuring sexual violence or coercion against a prepubescent female child. Dr. Gottfried stated the PPG test arousal pattern was consistent with Appellant's history of sexually offending against prepubescent female children. (R., pp. 134-139).

Based on all the information she obtained and considered during the evaluation, Dr. Gottfried testified Appellant's dynamic risk factors include sexual arousal to children, sexual preoccupation, chronic sex offending, grooming behaviors, negative attitudes toward supervision, and poor insight into his need for management and treatment of his sexual arousal to children. She further testified Appellant told her he had not really told anyone who might be a support for him in the community about his offending behavior, he had no plans to attend sex offender treatment in the community, and his only plan to prevent himself from reoffending was to just not think about it, which she stated was not a realistic plan. (R., pp. 139-143).

Dr. Gottfried testified to a reasonable degree of psychological certainty that Appellant has pedophilic disorder, he fantasizes about prepubescent children, and he acted on his pedophilic disorder despite intervention and prior treatment, which makes him likely to reoffend sexually against children. She opined Appellant has serious difficulty controlling his pedophilic

impulses, and his risk to reoffend poses a danger to public safety. (R., pp. 143-145). She did not tie her opinion regarding Appellant's risk to reoffend to the PPG test results.

Significantly, Dr. Gehle also diagnosed Appellant with pedophilic disorder, sexually attracted to females, non-exclusive type, stating Appellant's criminal history provided sufficient information to make that diagnosis. Dr. Gehle testified she heard Dr. Gottfried's testimony regarding the PPG test results, and she was not surprised by any of the results. She opined Appellant did not meet the criteria for SVPA commitment because he was not a risk to reoffend sexually. (R., pp. 180-206). In other words, the PPG results were consistent with factors she considered in reaching her diagnosis, and her opinion only differed from Dr. Gottfried's on the issue of Appellant's risk to reoffend sexually.

Dr. Gehle's scores on the actuarial risk assessments were the same as Dr. Gottfried's scores, which placed Appellant in the average risk to reoffend category, but the only dynamic risk factor she found was Appellant's sexual preference for prepubescent children. In spite of his sexual preference for prepubescent children, Dr. Gehle concluded Appellant did not have a sexual preoccupation because "he did not seem to be dominated by his sexuality," and "it wasn't on his mind all the time," and she opined Appellant was not likely to reoffend sexually because his risk was "the same as the average sex offender." (R., pp. 195-206).

On cross-examination, however, Dr. Gehle acknowledged Appellant did not tell her he had exposed himself to his twelve year old female cousin when he was fifteen years old, or that he touched his two minor sisters inappropriately when he was approximately eighteen years old, even though she specifically asked him during the interview if he had any sexual contact with family members and he told her no, which she admitted was a lie. He also told her he did not need any sex offender treatment, even though he reoffended after having sex offender treatment

while incarcerated on the 1997 conviction and in the community after he was released, and he was at any risk to reoffend. (R., pp. 214-220).

Thus, in terms of the SVPA statutory elements, both experts found Appellant has a mental abnormality that is causally connected to his sexual offending, but they disagreed on whether Appellant was a risk to reoffend against children in the future. Dr. Gottfried's opinion regarding Appellant's risk to reoffend was based on a comprehensive, multi-faceted psychosexual evaluation, while Dr. Gehle's opinion on that issue was essentially based on Appellant's statements during the interview, even though he lied to her about some critical aspects of his history.

The fact Appellant was convicted in 1997 of sexually offending against prepubescent children, received sex offender treatment while incarcerated for that conviction and in the community after his release, and then reoffended against prepubescent children in 2015, clearly indicated a sustained deviant interest in prepubescent children. During his evaluations with both Dr. Gehle and Dr. Gottfried, however, Appellant claimed he was no longer sexually aroused by prepubescent children, even stating there was no risk he would reoffend. Dr. Gehle accepted his claim at face value, but Dr. Gottfried did not. When Dr. Gottfried confronted Appellant with his test results, he admitted sexually molesting three family members (a cousin and his two sisters), which had never been reported.<sup>7</sup>

This court cites limited quotes from Dr. Gottfried's PPG trial testimony in support of its harmless error conclusion, including her description of the PPG as "an objective physiological measure of male sexual arousal," "the gol[d] standard of looking at adult males sexual arousal,"

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<sup>7</sup>Appellant lied to Dr. Gehle about offending against family members, and Dr. Gehle did not challenge him at all, even in light of his documented offenses against family members. The jury was free to consider that fact in determining the credibility of Dr. Gehle's opinions.

and “a strong predictor or risk factor for future sexual offending.” When those quotes are considered in context, however, Dr. Gottfried’s statements were based on the research she testified about in the pre-trial hearing.<sup>8</sup> Further, her statement regarding the PPG as “a strong predictor or risk factor for future sexual offending” was immediately preceded by “the research suggests that having sexual interest in children as measured by [the PPG],” which tied the statement directly to research in the field, which this court overlooked.

Dr. Gottfried’s entire PPG trial testimony was at most 5.5 pages (pp. 135-139), or 7% of her direct testimony, with the remaining 93% of her direct testimony relating to Appellant’s sex offense history, test results other than the PPG, Appellant’s admissions to her, and her ultimate opinions. (R., pp. 95-145). The State’s reference to the strength of the PPG test evidence during closing argument did not ask the jury to ignore all other evidence in the case, but specifically argued that the jury could commit Appellant “with or without” the PPG evidence.

The jury heard from two experts who agreed on Appellant’s mental abnormality of pedophilia and his sexual preference for prepubescent children, and then testified about the basis for the differences in their opinions regarding his risk to reoffend. The jury was free to accept or reject either expert’s opinion on the issue of Appellant’s risk to reoffend sexually. Even without the PPG evidence, there was more than sufficient, indeed overwhelming, evidence to support the jury’s determination that Appellant has a mental abnormality (undisputed), his sexual offending was caused by his mental abnormality (undisputed), he has a sexual preference for prepubescent children (undisputed), and that Dr. Gehle’s assessment of Appellant’s risk to reoffend was

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<sup>8</sup>Judge Henderson ruled that testimony regarding the PPG’s reliability would not be allowed before the jury, which precluded Dr. Gottfried’s testimony about the extensive research, peer review, publications and conference presentations finding that the PPG is reliable. Her statements that the PPG is “objective” and the “gold standard” for measuring male sexual arousal were based on the evidence that was presented during the pre-trial hearing regarding the PPG reliability.

extremely lacking. Significantly, the jury also heard Appellant's own testimony, and was able to judge his credibility, which was a primary factor in Dr. Gehle's risk analysis. In light of that evidence, any error in admitting the PPG evidence was harmless beyond any reasonable doubt.


### CONCLUSION

Based on the foregoing, the Record on Appeal and the matter set forth in the Brief of Respondent, the State respectfully requests that this court reconsider and rehear this case, reverse its opinion, and affirm Appellant's commitment under the SVPA.

Respectfully submitted,

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ATTORNEYS FOR RESPONDENT

August 12, 2024

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

\_\_\_\_\_  
Appeal from Florence County  
The Honorable Roger E. Henderson, Circuit Court Judge  
Appellate Case No. 2021-000734  
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IN THE MATTER OF THE CARE AND TREATMENT OF  
ANDY EUGENE HYMAN,

**RECEIVED**

**Aug 12 2024**

**SC Court of Appeals**

APPELLANT.

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**PROOF OF SERVICE**  
\_\_\_\_\_

I, Abigail Hawley-Browder, certify I served the Respondent's Petition for Rehearing by email to Appellant's counsel's address reflected in the AIS system:

Lara M. Caudy  
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The Petition has also been filed with the Court of Appeals via [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org).

I further certify that all parties required by Rule to be served have been served.

This 12<sup>th</sup> day of August, 2024.



\_\_\_\_\_  
ABIGAIL HAWLEY-BROWDER  
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## Abigail Hawley-Browder

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**From:** Abigail Hawley-Browder  
**Sent:** Monday, August 12, 2024 4:26 PM  
**To:** lcaudy@sccid.sc.gov  
**Cc:** Deborah Shupe; smcinnis@sccid.sc.gov  
**Subject:** In the Matter of the Care and Treatment of Andy Eugene Hyman (2021-000734)  
**Attachments:** HYMAN Andy - Petition for Rehearing (03662138xD2C78).PDF

Good afternoon Ms. Caudy,

Attached please find a Petition for Rehearing for In the Matter of the Care and Treatment of Andy Eugene Hyman (2021-000734). This petition will be filed today with the Court of Appeals via e-mail filing. If you will please confirm receipt of e-mail.

Thank you!

*Abigail Hawley-Browder*, Legal Assistant  
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**Aug 12 2024**

**SC Court of Appeals**

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