

**THE STATE OF SOUTH CAROLINA  
In The Supreme Court**

In the Matter of the Care and Treatment of Shawn Torlif  
Daily, Respondent.

Appellate Case No. 2024-001707

---

**ON WRIT OF CERTIORARI TO THE COURT OF APPEALS**

---

Appeal from Spartanburg County  
R. Keith Kelly, Circuit Court Judge

---

Opinion No. 28340  
Submitted December 15, 2025 – Filed June 17, 2026

---

**AFFIRMED**

---

Attorney General Alan McCrory Wilson and Senior  
Assistant Deputy Attorney General Christopher Runyan,  
both of Columbia, for Petitioner.

Senior Appellate Defender Lara Mary Caudy, of  
Columbia, for Respondent.

David Allen Chaney, Jr. and Meredith Dyer McPhail, both  
of Columbia, for Amicus Curiae The American Civil  
Liberties Union of South Carolina.

---

**PER CURIAM:** Following a trial, Petitioner Shawn Daily was civilly committed in accordance with the Sexually Violent Predator Act. *See generally* S.C. Code Ann. §§ 44-48-10 to -180 (2018). Daily appealed, and the court of appeals reversed and

remanded for a new commitment proceeding, finding the circuit court erred in admitting the results of Daily's penile plethysmography test (PPG) because the test is inherently unreliable. *See In re Care & Treatment of Daily*, 443 S.C. 557, 905 S.E.2d 310 (Ct. App. 2024). We granted a writ of certiorari to review the court of appeals' decision and now affirm in line with our recent decision in *In re Care & Treatment of Hyman*, Op. No. 28330 (S.C. Sup. Ct. filed May 13, 2026) (Howard Adv. Sh. No. 18 at 37).<sup>1</sup> We therefore remand this case for a new commitment trial consistent with the guidance provided in *Hyman*.

**AFFIRMED.**

**KITTREDGE, C.J., FEW, JAMES and HILL, JJ., concur. VERDIN, J., not participating.**

---

<sup>1</sup> Like the court of appeals, we do not find the error in admitting Daily's PPG results was harmless beyond a reasonable doubt.