

6

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

JUL 11 2019

SC Court of Appeals

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

Case No. 2013-CP-02-01005  
Appellate Case No. 2018-000527

In the Matter of the Care and Treatment of:

Richard D. Ridley..... Appellant

REPLY BRIEF OF APPELLANT

**AIKEN & HIGHTOWER, PA**

Annie Bea Hightower  
2231 Devine Street, Suite 201  
Columbia, SC 29205  
Telephone: 803-799-5205  
Fax: 803-799-5206  
Email: [bea@aikenandhightower.com](mailto:bea@aikenandhightower.com)  
**ATTORNEYS FOR APPELLANT**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

---

Case No. 2013-CP-02-01005  
Appellate Case No. 2018-000527

---

In the Matter of the Care and Treatment of:

Richard D. Ridley..... Appellant

---

REPLY BRIEF OF APPELLANT

---

**AIKEN & HIGHTOWER, PA**

Annie Bea Hightower  
2231 Devine Street, Suite 201  
Columbia, SC 29205  
Telephone: 803-799-5205  
Fax: 803-799-5206  
Email: [bea@aikenandhightower.com](mailto:bea@aikenandhightower.com)  
**ATTORNEYS FOR APPELLANT**

**TABLE OF CONTENTS**

Table of Authorities.....ii  
Argument.....1  
Conclusion.....1

**TABLE OF AUTHORITIES**

**CASES**

In re Snow, 425 S.C. 544, 823 S.E.2d 467 (2019).....1

## ARGUMENT

The principal South Carolina case relied on by the government, In re Snow, 425 S.C. 544, 823 S.E.2d 467 (2019), actually supports the Appellant's position. In In re Snow, the South Carolina Supreme Court held that the legislature left the definition of personality disorder in the SVPA to the medical professionals. Presumably the Court would take the same position on the definition of mental abnormality in the SVPA.

The Appellant was diagnosed with the mental abnormality of Other Specified Paraphilic Disorder (Bastophilia/Non-Consent). As instructed by the Court in In re Snow, we have to look to the medical professionals to determine whether this is the diagnosis of a mental abnormality or the description of criminal, coercive sex. As shown in the peer-reviewed literature in the record for this case (r. 382-466), the generally accepted view is that this diagnosis does not exist.

## CONCLUSION

For the foregoing reasons this Court should reverse and remand for a new trial with all evidence of Other Specified Paraphilic Disorder, (Bastophilia/Non-Consent) excluded from evidence in the new trial.

Respectfully Submitted,

**AIKEN & HIGHTOWER, PA**

BY: 

A. Bea Hightower

2231 Devine Street, Suite 201

Columbia, SC 29205

Cell: (803) 269-6591

Office: (803) 799-5205

**ATTORNEYS FOR APPELLANT**

Columbia, SC  
July 11, 2019

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Doyet A. Early, III, Circuit Court Judge

---

Case No. 2013-CP-02-01005  
Appellate Case No. 2018-000527

---

**RECEIVED**  
JUL 11 2019  
SC Court of Appeals

In the Matter of the Care and Treatment of:

Richard D. Ridley..... Appellant

---

CERTIFICATE RULE 211(b) SCACR

---

The undersigned counsel for the Appellant certifies that the within Brief of Appellant complies with Rule 211(b) SCACR .

Respectfully Submitted,



Annie Bea Hightower  
2231 Devine Street, Suite 201  
Columbia, SC 29205  
Telephone: 803-799-5205  
Fax: 803-799-5206  
Email: bea@aikenandhightower.com  
**ATTORNEYS FOR APPELLANT**

Columbia, SC  
July 11, 2019