

Animal abuse charge against vet dismissed

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Page: B 1

A Charleston County magistrate dismissed an animal abuse charge against a James Island veterinarian in a preliminary hearing Thursday. Earlier this month, sheriff's deputies arrested Dr. Thomas Sheridan of Folly Road Animal Hospital and charged him with ill-treatment of an animal.

However, Magistrate Skip Gosnell dismissed the charges after Sheridan's lawyers argued that under state law veterinarians could not be charged for actions taken during a medical procedure. During the hearing, Detective Harold Phillips said he arrested Sheridan after clinic employee Toni Zotto said the vet treated a cat too roughly during treatment to remove an abscessed tooth. Zotto told Phillips that Sheridan slammed the cat's head against the surgical table, pulled its tongue out too far, and pressed on its body too hard during treatment to remove an abscessed tooth. Zotto alleged that Sheridan was frustrated because the cat was growling like it was coming out of the anesthesia, Phillips said. The five-year old cat, Ande, died after the procedure, in spite of Sheridan's efforts at cardiopulmonary resuscitation.

A necropsy done by the John Anchrum Society for the Prevention of Cruelty to Animals found that the animal's tongue had been punctured by a tooth and that he had a lacerated liver, but did not determine a cause of death, Phillips said.

Jerry Theos, one of Sheridan's attorneys, argued that Zotto, who is not a certified veterinarian technician, could not make an accurate assessment of what happened.

"What you have is a doctor applying the force he deems appropriate to complete a procedure and a non-qualified woman who is not trained rendering a medical opinion about how Sheridan performed this surgery," he said.

Efforts to treat the animal might look like abuse to someone uninformed about veterinary medicine, Theos said. Assistant Solicitor Matthew Modica asked Gosnell to reject Theos' arguments. "It doesn't take a brain scientist to know when an animal is being mistreated. To pull his tongue out so hard that you pierce it on his tooth and to slam his head down is not accepted practice," Modica said.

In addition, Modica argued that the law did allow veterinarians to be charged for ill-treatment of animals.

"If you accept what they say, then during the course of an examination, if a vet did not like what an animal is doing, then he could just grab the animal's testicles squeeze them and that would be OK.

He could snap an animal's neck instead of putting it to sleep," he said.

Peter Beck, another of Sheridan's attorneys, said a necropsy performed at Clemson by a certified animal pathologist had found no evidence of trauma to the cat's head, neck or thorax.

However, because a preliminary hearing is only to determine if there is probable cause for a prosecution to proceed, then the defendant cannot introduce evidence.

Gosnell, who said he had once had a beloved cat, said the decision was the most difficult that he had faced in almost four years on the bench.

"I think what she relayed to officers is incomprehensible to most of us who wouldn't want to see an animal suffer. But based on the facts and the law, I'm dismissing the case," he said.

Sheridan could still be indicted by a grand jury on the charge dismissed Thursday. Modica said the case is still under investigation and has not yet decided if he will present it to the grand jury.

Magistrate Brian Rawl ruled last week that Sheridan's actions in two other instances fell within veterinary practices and could not be criminally prosecuted.

The state veterinary board suspended Sheridan's license, but he has asked that the board's investigation be expedited, Theos said.

Sheridan has been devastated by the charges, Theos said.

"His practice has been closed, his reputation injured, and he's been prohibited from doing what he loves," he said.