[Cite as *Obu v. State Med. Bd.*, 2026-Ohio-4514.]

IN THE COURT OF APPEALS OF OHIO
SIXTH APPELLATE DISTRICT
LUCAS COUNTY

Fidelis I. Obu

Appellant

v.

State Medical Board of Ohio

Appellee

Court of Appeals No. {48}L-26-00037

Trial Court No. CI0202404636

DECISION AND JUDGMENT

Decided: November 13, 2026

* * * * *

Jon D. Richardson, for appellant.

Andy Wilson, State of Ohio Attorney General,
D. Grant Wilson and Katherin Bockbrader,
Assistant Attorneys General, for appellee.

* * * * *

MAYLE, J.

{¶ 1} Plaintiff-appellant, Dr. Fidelis Obu, appeals the February 11, 2026, Opinion and Judgment Entry of the Lucas County Court of Common Pleas, which affirmed the State Medical Board of Ohio's ("the Board") decision to permanently revoke his medical license and fine him $20,000.00. On appeal, Obu argues that his punishment was "overly harsh and unfair" and asks this court "to right this wrong and modify this penalty." For the following reasons, we affirm the decision of the Lucas County Court of Common Pleas.

I. Facts and Procedural History

{¶ 2} As will be explained further below, after the Board notified Obu that it intended to take disciplinary action against him, the matter proceeded to hearing. Ultimately, a hearing examiner issued the following findings of fact, which were subsequently adopted by the trial court. Neither the findings themselves nor the trial court's adoption of these findings is at issue on appeal.

1. Between 2014 and 2017, Dr. Obu successfully completed an internal medicine residency. During part of his residency program, Dr. Obu worked with Patient 1[1], a medical assistant.
2. On November 4, 2015, Patient 1 was hospitalized following the birth of her child. Dr. Obu, then a resident, consulted on Patient l's high blood pressure prior to her discharge. This was the only time Dr. Obu treated Patient 1 as a patient. Upon reviewing Dr. Obu's consult note and examining the patient, the attending physician noted that Patient 1 could be discharged and should follow up with her primary care physician.
3. Dr. Obu and Patient 1 fell out of contact after he completed his residency program. In late August 2019, Dr. Obu and Patient 1 became friends on Facebook.
4. Patient 1 and Dr. Obu agreed to have Patient 1 come to Dr. Obu' s new home on the evening of October 2, 2019.
5. While Patient 1 was in his home, Dr. Obu attempted to force Patient 1 to drink an alcoholic beverage. He then tried to remove her shirt, touching her breasts over her bra.
6. Dr. Obu forced Patient 1 down onto a mattress in his living room, held her down by her throat, and attempted to remove her pants. Patient 1 tried to push Dr. Obu off of her with one hand while using the other to prevent him from removing her pants. Patient 1 felt Dr. Obu's erect penis on her leg.
7. Dr. Obu let Patient 1 up from the mattress, and Patient 1 moved towards the front door of Dr. Obu' s home. Dr. Obu got in front of Patient 1, locked the front door, and would not move out of Patient l's way until Patient 1 called her daughter.

[1] Throughout these proceedings, the Board, the trial court, and the parties have referred to the victim as "Patient 1." For consistency, we do the same.

8. After Patient 1 exited his home, Dr. Obu followed her to her car and prevented her from closing her car door for a short time. He eventually released the car door, and Patient 1 was able to drive away.

* * *

A. Criminal Charges and Plea

{¶ 3} Patient 1 reported the incident and a criminal investigation began. Nearly four years later, on September 12, 2023, a Lucas County grand jury indicted Obu on one count of Gross Sexual Imposition in violation of R.C. 2907.05, a felony of the fourth degree, and one count of Abduction in violation of R.C. 2905.02, a felony of the third degree. *State v. Obu*, Lucas C.P. No. G-4801-CR-202302404-000.

{¶ 4} On April 5, 2024, Obu pled guilty to unlawful restraint in violation of R.C. 2905.03(A) and (C), a misdemeanor of the third degree. In exchange, the original charges were dismissed.

B. The Board's Charges, Investigation, and Decision

{¶ 5} While Obu's criminal investigation was ongoing, Obu was also the subject of an investigation with the State Medical Board of Ohio.

{¶ 6} On August 9, 2023, the Board notified Obu that it intended to determine whether to take disciplinary action against his license to practice medicine and surgery in Ohio. In this notice, the Board stated four violations against Obu: three charges under R.C. 4731.22(B)(10), for acts constituting a felony (specifically, Gross Sexual Imposition, Kidnapping and Abduction), and one charge under R.C. 4731.22(B)(20), for a violation of the Board's sexual-misconduct rule, Adm.Code 4731-26-02, which prohibits sexual conduct with a patient.

{¶ 7} Obu requested a hearing on the charges against him. In May 2024, a three-day hearing was held before a hearing examiner. At the hearing, Obu testified and denied any sexual advances towards Patient 1. He claimed that they met at his home, had a short conversation, and Patient 1 left without any issues.

{¶ 8} On October 22, 2024, the hearing examiner issued a Report and Recommendation concluding that (1) Obu did not commit a violation of the Board's sexual misconduct rule because Patient 1 was no longer a patient of his, but (2) Obu committed acts constituting the felonies of Gross Sexual Imposition (R.C. 2907.05), Kidnapping (R.C. 2905.01), and Abduction (R.C. 2905.02), and therefore violated R.C. 4731.22(B)(10), which provides that the Board may "limit, revoke, or suspend" the medical license of a licensed professional for "[c]ommission of an act that constitutes a felony in this state, regardless of the jurisdiction in which the act was committed." The hearing examiner found that Obu's actions were "unconscionable" and that "[d]octors are trusted by society, and that trust has to be preserved. Someone who has committed acts such as these is not someone who is worthy of such trust." Accordingly, the hearing examiner recommended a permanent revocation of Obu's license to practice medicine, and a monetary fine of $20,000.

{¶ 9} The Board considered the Report and Recommendation at its November 13, 2024, public meeting. After discussion, the Board voted unanimously (with two members abstaining) to adopt the proposed order and the proposed sanction of a $20,000 fine and permanent revocation of Obu's medical license. The Board issued an Adjudication Order adopting the recommendations the same day.

C. Obu's Appeal to the Lucas County Court of Common Pleas

{¶ 10} After the Board issued its order adopting the recommendations of the Hearing Officer, Dr. Obu filed an administrative appeal in the Lucas County Court of Common Pleas. In his appeal, Dr. Obu argued that "the Order of the Board is not supported by reliable, probative and substantial evidence and is not in accordance with the law."

{¶ 11} On February 11, 2026, the trial court issued an Opinion and Judgment Entry finding that the Board's order was supported by reliable, probative, and substantial evidence and is in accordance with law, and subsequently affirmed the Board's order. To support this conclusion, the trial court stated that it carefully reviewed all the evidence and found that:

> The testimony of Patient 1 is clear that even though she and Appellant were having drinks that night, once Appellant began to get physical with her she wanted to leave and felt uncomfortable, however, Appellant continued to force himself upon her in a sexual way until Patient 1 was able to get her daughter on her phone and leave Appellant's home. However, Appellant followed Patient 1 to her car and again refused to let go of Patient 1's car door to allow her to leave.

Dr. Obu appealed the trial court's decision, and assigned the following error for our review:

> Fidelis I. Obu appeals from the Order issued by the Ohio State Medical Board and upheld by the Honorable Kenneth Walz of the Lucas County Court of Common Pleas on February 11, 2026, revoking his license to practice medicine in the state of Ohio.

II. Analysis

{¶ 12} Notably, although Obu previously denied all allegations of sexual wrongdoing before the Board and the trial court, he now expressly concedes that "the Agency's findings were correct." In his brief to this court, Obu admits that he lied "to save the life he had built, his marriage, his career, his family and the future he had planned for them, not to mention all those years of study." He explains that "[i]t was all on the block. … For what? A fling? A modicum of excitement while he was living alone, a distraction until he could bring his family down from Windsor and begin their life in Toledo?" At the hearing, "[i]n a kind of frozen panic, he determined that he had to deny it all, everything but the flirting… [i]n retrospect, for many reasons, he should have told the truth." He admits that he was "slow to adhere" to the rule that "no means no."

{¶ 13} While Obu admits the alleged misconduct, he nonetheless argues that the Board's sanction—i.e., the permanent revocation of his medical license—was too severe. He claims that "the hearing officer turned a blind eye to evidence that could and should have affected the punishment she meted out to Dr. Obu." He acknowledges that "his behavior cannot be countenanced," but maintains "it should have been more fairly weighted." In other words, Obu contends that, despite the correctness of the Board's factual findings of misconduct, the trial court should have tailored the sanction to the circumstances and imposed a less severe penalty. He argues that "[t]he law affords this Court the power to right this wrong and modify this penalty."

{¶ 14} Contrary to Obu's arguments, the scope of judicial review in an administrative appeal is quite limited: neither the common pleas court nor this Court may

substitute its judgment for that of the agency on matters committed to the agency's discretion. *Pons v. Ohio St. Med. Bd.*, 66 Ohio St.3d 619, 621 (1993) ("[w]hen reviewing a medical board's order, courts must accord due deference to the board's interpretation of the technical and ethical requirements of its profession.").

{¶ 15} Under R.C. 119.12(N), the common pleas court may uphold the order if it is supported by reliable, probative, and substantial evidence, and is in accordance with the law. During the court's review, "'an agency's findings of fact are presumed to be correct and must be deferred to by a reviewing court unless that court determines that the agency's findings are internally inconsistent, impeached by evidence of a prior inconsistent statement, rest upon improper inferences, or are otherwise unsupportable.'" *Bartchy v. State Bd. of Edn.*, 2008-Ohio-4826, ¶ 37, quoting *Ohio Historical Soc. v. State Emp. Relations Bd.*, 66 Ohio St.3d 466, 471 (1993). But, while the trial court must defer to the agency's findings of fact, "'it must construe the law on its own.'" *Id.* at ¶ 38, quoting *Ohio Historical Soc.* at 471. Importantly, in *Henry's Cafe, Inc. v. Bd. of Liquor Control*, 170 Ohio St. 233 (1959), paragraph two of the syllabus, the Ohio Supreme Court clarified that a trial court has the power to "modify" an agency's order under R.C. 119.12(N) *only* in "the absence of a finding that the order is supported by reliable, probative, and substantial evidence." In other words, if the trial court finds that sufficient evidence and the law support an agency's decision, the trial court "lacks authority to review the agency's exercise of discretion, even if its decision is 'admittedly harsh.'" *Capital Care Network of Toledo v. Ohio Dept. of Health*, 2018-Ohio-440, ¶ 25.

{¶ 16} The role of an appellate court is even "'more limited than that of a trial court reviewing the same order.'" *Rossford Exempted Vill. Sch. Dist. Bd. of Edn. v. State Bd. of Edn.*, 63 Ohio St. 3d 705, 707 (1992), quoting *Lorain City School Dist. Bd. of Edn. v. State Emp. Relations Bd.*, 40 Ohio St.3d 257, 261 (1998). Our sole function is to determine if the Court of Common Pleas abused its discretion in its review of an agency's decision. *Pons*, 66 Ohio St.3d at 621. An abuse of discretion connotes that the trial court's attitude is unreasonable, arbitrary, or unconscionable. *Blakemore v. Blakemore*, 5 Ohio St.3d 217, 219 (1983). An unreasonable decision is one that lacks sound reasoning to support the decision. *Hageman v. Bryan City Schools*, 2019-Ohio-223, ¶ 13 (10th Dist.). "An arbitrary decision is one that lacks adequate determining principle and is not governed by any fixed rules or standard." *Id.*, citing *Porter, Wright, Morris & Arthur, LLP v. Frutta del Mondo, Ltd.*, 2008-Ohio-3567, ¶ 11 (10th Dist.). And an unconscionable decision is one "that affronts the sense of justice, decency, or reasonableness." *Id*. "Absent an abuse of discretion on the part of the trial court, a court of appeals may not substitute its judgment for those of the medical board or a trial court. Instead, the appellate court must affirm the trial court's judgment." *Pons* at 621, citing *Lorain City School Dist. Bd. of Edn.* at 260-261.

{¶ 17} Here, while Obu may believe his punishment is disproportionate to his actions, we lack any authority to "modify" the Board's order based on nothing more than Obu's disagreement with the severity of his sanction. Indeed, under *Henry's Café*, the trial court *also* lacked authority to modify the Board's sanction once it concluded that the "November 13, 2024 Adjudication Order is supported by reliable, probative, and

substantial evidence and is in accordance with the law" as required by R.C. 119.12(N). Obu attempts to circumvent the controlling authority of *Henry's Cafe* by arguing that it does not apply because "this is not about abuse of discretion. It is about a failure of proof." However, this argument fails seeing that Obu admits in the same brief to engaging in the behavior—i.e., the proof—that supported the Board's decision.

{¶ 18} Based on the findings that he admits "were correct," the Board had clear legal authority under R.C. 4731.22(B)(10) to permanently revoke Obu's medical license because the admitted facts establish his "[c]ommission of an act that constitutes a felony in this state…." While R.C. 4731.22 grants the Board authority to impose a range of sanctions, including the permanent revocation of a physician's license, "[t]he discretion granted to the board in imposing a wide range of potential sanctions reflects the deference due to the board's expertise in carrying out its statutorily granted authority over the medical profession." *Demint v. State Med. Bd.*, 2016-Ohio-3531, ¶ 63 (10th Dist.). For this reason, "if the common pleas court concludes that the board's order was supported by reliable, probative, and substantial evidence, it is precluded from modifying the penalty imposed if the penalty was authorized by law." *Angerbauer v. State Med. Bd*., 2017-Ohio-7420, ¶ 46 (10th Dist.), citing *Demint* at ¶ 63.

{¶ 19} We therefore affirm the trial court's decision because the Board's penalty was authorized by R.C. 4731.22, and Obu does not dispute that the underlying factual findings of misconduct were "correct," i.e., supported by reliable, probative, and substantial evidence. Our limited scope of review does not permit us to substitute our judgment for the Board's as to the appropriate sanction for Obu's conduct.

III. Conclusion

{¶ 20} Based on our review of the record and the applicable law, we find Obu's sole assignment of error not well-taken.

{¶ 21} Accordingly, we affirm the February 11, 2026, Opinion and Judgment Entry of the Lucas County Court of Common Pleas. Obu is ordered to pay any costs of this appeal under App.R. 24.

Judgment affirmed.

A certified copy of this entry shall constitute the mandate pursuant to App.R. 27.

Christine E. Mayle, J. _____
JUDGE

Gene A. Zmuda, J.
CONCUR. _____
JUDGE

Myron C. Duhart, J.
CONCURS AND WRITES SEPARATELY. _____
JUDGE

DUHART, J., concurring,

{¶ 22} I concur with the majority opinion because I believe I am confined by our standard of review to do so.

{¶ 23} I write separately to express my concern with the punishment and the procedure that permits an **Administrative** Board to make *independent* findings of **felony-**

level conduct after the criminal system **previously** resolved the matter through a plea agreement resulting in a finding of guilty to **misdemeanor-level** conduct.

{¶ 24} I believe the Administrative Board's procedure, which relies on the **same** underlying conduct for which Obu was criminally adjudicated to misdemeanor-level conduct, has the hallmarks of a due process violation by exposing Obu to the most severe consequence (license revocation) for felony-level conduct never criminally adjudicated.

{¶ 25} Also, I believe the Administrative Board's punishment in reliance on the **same** underlying conduct for which Obu was criminally adjudicated to misdemeanor-level conduct, not felony-level conduct, constitutes a form of punitive overreach.

{¶ 26} However despite my concerns, ultimately Obu admitted to the Administrative Board's factual findings, and the sanction imposed is permitted by R.C. 4731.22(B), therefore I concur in the majority's opinion.

This decision is subject to further editing by the Supreme Court of Ohio's Reporter of Decisions. Parties interested in viewing the final reported version are advised to visit the Ohio Supreme Court's web site at: http://www.supremecourt.ohio.gov/ROD/docs/.