

COURT OF APPEALS OF OHIO, FIRST APPELLATE DISTRICT, HAMILTON COUNTY

State v. Umeh

2026-Ohio-1836 · No. C-250328 · Decided May 20, 2026

SUMMARY

The Ohio First District Court of Appeals affirmed Emmanuel Umeh’s conviction for sexual imposition. The court held that corroboration under Ohio Revised Code section 2907.06(B) is not an element of sexual imposition but remains a threshold legal-sufficiency determination for the trial judge. The court rejected Umeh’s challenges concerning the complaint, ineffective assistance of counsel, due process, and cumulative error.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                       |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals of Ohio, First Appellate District, Hamilton County                                                                                                                                                                                                                   |
| WRITING FOR THE COURT | Zayas, Judge; Zayas, J.; Kinsley, P.J.; Bock, J.                                                                                                                                                                                                                                      |
| JURISDICTION          | Court of Appeals of Ohio, First Appellate District, Hamilton County                                                                                                                                                                                                                   |
| DECIDED               | May 20, 2026                                                                                                                                                                                                                                                                          |
| DOCKET                | C-250328                                                                                                                                                                                                                                                                              |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                              |
| PROCEDURAL POSTURE    | Umeh appealed his conviction for sexual imposition after a bench trial in Hamilton County Municipal Court, arguing that the complaint failed to allege corroboration as an essential element and that related errors deprived him of effective assistance of counsel and due process. |
| PRECEDENTIAL VALUE    | Published and precedential                                                                                                                                                                                                                                                            |
| PARTIES               | Emmanuel Umeh v. State of Ohio                                                                                                                                                                                                                                                        |

TOPICS

- criminal procedure
- ineffective assistance
- due process
- statutory interpretation
- appellate procedure

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice

QUESTIONS PRESENTED

1. Whether corroboration under R.C. 2907.06(B) is an essential element of sexual imposition that must be alleged in the complaint and proved to the jury.
2. Whether trial counsel was ineffective for failing to challenge the complaint for allegedly omitting corroboration.
3. Whether the alleged errors cumulatively deprived Umeh of effective assistance of counsel and due process.

#### **HOLDINGS**

1. Corroboration is not an element of sexual imposition. It is a threshold legal-sufficiency inquiry for the trial judge, and the corroborating evidence need not independently support a conviction or address every element of the offense.
2. The complaint was not defective for failing to allege corroboration because corroboration is not an essential element of sexual imposition, and the complaint stated the offense.
3. Trial counsel was not ineffective for failing to challenge the complaint on the ground that it omitted corroboration.
4. Umeh failed to demonstrate cumulative errors depriving him of effective assistance of counsel or due process because his cumulative-error theory depended on the incorrect premise that corroboration is an element of sexual imposition.

#### **KEY QUOTATIONS**

*“The corroborating evidence necessary to satisfy R.C. 2907.06(B) need not be independently sufficient to convict the accused, and it need not go to every essential element of the crime charged. Slight circumstances or evidence which tends to support the victim’s testimony is satisfactory.” (¶ 16)*

*“Thus, the corroboration requirement remains a matter for determination by the trial court judge, not a jury.” (¶ 21)*

#### **FACTUAL BACKGROUND**

Umeh, a patient of L.K., a family nurse practitioner, made sexually suggestive comments during a medical appointment and asked her to touch his erection. When L.K. attempted to end the encounter, Umeh hugged her, grabbed her buttocks, pulled her into his crotch, and thrust against her. L.K. immediately reported the incident to coworkers, and Umeh sent an apologetic text to the office the next day.

#### **PROCEDURAL HISTORY**

Umeh was charged with sexual imposition, pleaded not guilty, and was convicted following a bench trial. The municipal court found corroborating evidence in the victim's immediate report and Umeh's text message and apology. The First District Court of Appeals overruled both assignments of error and affirmed.

#### **DISPOSITION**

affirmed

#### CASES CITED

- State v. Economo, 76 Ohio St. 3d 56, 60 (1996)
- State v. Bevly, 2015-Ohio-475
- Apprendi v. New Jersey, 530 U.S. 466 (2000)
- Alleyne v. United States, 570 U.S. 99 (2013)
- State v. Snapp, 2025-Ohio-5276, ¶ 23
- State v. Betts, 2020-Ohio-4800, ¶ 17

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