

**IN AND BEFORE THE OKLAHOMA STATE BOARD
OF MEDICAL LICENSURE AND SUPERVISION
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, *ex rel.*
OKLAHOMA STATE BOARD
OF MEDICAL LICENSURE
AND SUPERVISION,

Plaintiff,

v.

EDWARD GERARD MELTON, M.D.,
LICENSE NO. MD 24098,

Defendant.

FILED

JUN 16 2025

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

Case No. 21-09-6046

Supreme Court Case No. 122,926

**ORDER STRIKING ITEMS FROM DR. MELTON'S
DESIGNATION OF THE RECORD**

On May 29, 2025, the Plaintiff/Appellee's Objection to Defendant/Appellant's Designation of Record and Motion to Strike filed on April 11, 2025, came on for hearing before the Oklahoma State Board of Medical Licensure and Supervision ("Board"), at the office of the Board, 101 N.E. 51st Street, Oklahoma City, Oklahoma 73105, pursuant to notice given as required by law and the rules of the Board. The parties agreed to have oral argument to the Board en banc, in addition to consideration of written briefs.

Madalynn Martin, Assistant Attorney General (AAG), appeared for the State on behalf of Plaintiff. Edward Gerald Melton, M.D. ("Defendant") appeared *pro se*. Plaintiff and Defendant are collectively referred to herein as the "Parties."

Upon reviewing the Plaintiff/Appellee's Objection to Defendant/Appellant's Designation of Record and Motion to Strike, and upon hearing oral argument, the Board finds as follows:

1. In accordance with Oklahoma Supreme Court Rules 1.32 and 1.37, the Board retains jurisdiction to resolve issues concerning the appellate record until the record is transmitted to the Oklahoma Supreme Court. *See also* the Oklahoma Supreme Court Orders in Case No. 122,926, filed on April 22, 2025, and May 9, 2025.
2. Based upon 75 O.S. § 309(F) and Oklahoma Supreme Court Rules 1.76 and 1.33(d), only documents, exhibits, and pleadings before the lower tribunal are proper for inclusion in the record on appeal. Further, the scope of appellate review is limited to those issues decided by the Board in the February 7, 2025 "Order Denying Dr. Melton's Motion to Obtain Copy of Investigative File": The denial of Defendant/Appellant's request for the investigative file and the imposition of costs of the proceedings on Appellant. *See also* the Oklahoma

Supreme Court Order in Case No. 122,926, filed on April 14, 2025. Thus, Plaintiff/Appellee's Objection is **SUSTAINED**.

3. The following record designations are hereby **STRICKEN** from the Defendant/Appellant's Designation of Record: Nos. 1–6, 9–11, 12, with the exception of the January 2025 Board meeting minutes, 13–30, 33, 34, and 36. All other designations by Parties not hereby stricken shall be included in the record on appeal in Case No. 122,926. The stricken record designations are stated in more detail as follows:
 - a. DOR #1: December 7, 2021 Citation
 - b. DOR #2: December 7, 2021 Verified Complaint
 - c. DOR #3: January 10, 2022 Defendant's Answer
 - d. DOR #4: Transcript of and exhibits from September 15, 2022 Motions Hearing
 - e. DOR #5: All evidence, records and documents reviewed by Lyle Kelsey or whomever was the decision maker who authorized the filing of the Verified Complaint against Dr. Melton
 - f. DOR #6: Transcript of and exhibits from November 17, 2022 Disciplinary Hearing
 - g. DOR #9: January 16, 2023 Defendant Motion for Order Nunc Pro Tunc, or in the Alternative, Motion for Reconsideration
 - h. DOR #10: Transcript of and exhibits from January 19, 2023 Hearing on Motion
 - i. DOR #11: Other pleadings in the disciplinary case which are presently unknown to Defendant's counsel
 - j. DOR #12: All Minutes discussing Dr. Melton of all Board meetings to include Executive Sessions especially those for deliberations, with the exception of the Board minutes from the January 23, 2025 meeting
 - k. DOR #13: All minutes, documents of any kind and character discussing Dr. Melton, by any staff, sitting members, or any other related to the Medical Board
 - l. DOR #14: Copies of all Board Books of Docket Agendas for OBMLS meetings

regarding Dr. Melton from 2021 to present

- m. DOR #15: The two sealed envelopes relating to PRCs assessment/evaluation of Dr. Melton presented to the Board by Mr. Ashbaker at hearing of November 17, 2022
- n. DOR #16: All exhibits withheld from last Record of Appeal especially all of Dr. Melton's proposed exhibits that were delivered to the Board staff in 15 folders and as were sent via email directly to Mr. Ashbaker in advance of each hearing. Especially Exhibit #7 which was used by Mr. Ashbaker and Investigator Roberts in the November 17, 2022 hearing and excluded from evidence sua sponte by Mr. Robert Margo acting as Presiding Judge but who is employed as the Board Advisor
- o. DOR #17: Copy of the Letter of Concern dated July 15, 2021 and all records, documents, notes, handwritten or electronic all tapes, recordings, all videos, audio recordings of the investigation regarding the KH case and the interview video and records, notes, documents, related to Dr. Eric Frische interview with Dr. Melton
- p. DOR #18: The written complaint to the Board that was repeatedly referred to and repeatedly requested a copy of by Dr. Melton and/or his counsel
- q. DOR #19: The work attendance record for former AAG Amanda Everett and all her emails, notes, communications regarding Dr. Melton and Joshua Johnson, as she admittedly confused the two cases and conducted her initial prosecution against someone who she had legal dealings with "for the past 10 years multiple times." Clearly she was not talking about Dr. Melton as he never had disciplinary or legal issues in his 17 years of service to the people of Oklahoma
- r. DOR #20: Motion to Order Examination filed August 29, 2022
- s. DOR #21: Defendant's Motion to Dismiss filed January 24, 2022

- t. DOR #22: All records of Orders of Continuance
- u. DOR #23: Defendant's Request for Discovery January 24, 2022
- v. DOR #24: Plaintiff's Response to Defendant's Request for Discovery belatedly provided on October 6, 2022
- w. DOR #25: All correspondence between the Board, its staff, sitting members and any others known to Board regarding Dr. Melton and/or his interests with the Professional Renewal Center, or anything related to the Board Ordering Examination
- x. DOR #26: All correspondence between the Board, its staff, sitting members, and any others known to the Board requesting Dr. Melton and/or his interests with OBNDD
- y. DOR #27: Order on Motion to Dismiss and Motion to Order Examination filed September 22, 2022
- z. DOR #28: All notes, emails, texts, correspondence, minutes relating to the Order of Motion to Dismiss and Motion to Order Examination to include its lacking proper identification as an Agreed Order in its title rather than within its notice to provide Dr. Melton with "a copy of this Agreed Order."
- aa. DOR #29: DJG email to AAG Joe Ashbaker dated August 2, 2024. And response from Madalynn Martin sent August 9, 2024
- bb. DOR #30: DJG email to AAG Madalynn Martin dated August 13, 2024. And her response sent on August 19, 2024
- cc. DOR #33: December 30, 2024 Executive Director Sandra Harrison refused to meet with Dr. Melton's counsel. Email from Madalynn Martin declining meeting to Dr. Melton's counsel DJG
- dd. DOR #34: December 30, 2024, email from DJG to Madalynn Martin requesting Dr.

Melton's Investigative File not be destroyed or altered

ee. DOR #36: DJG email following up on Hearing date to Madalynn Martin dated January 13, 2025

4. A copy of this Order Striking Items from Dr. Melton's Designation of Record shall be sent to the parties and the Defendant.

IT IS SO ORDERED by the Oklahoma State Board of Medical Licensure and Supervision.

Dated this 16th day of June, 2025.



Brian Boggs, M.D., Board Secretary
OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION

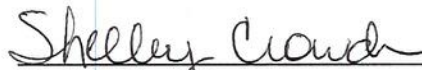
Certificate of Service

This is to certify that on the 16th day of June, 2025, a true and correct copy of the foregoing document was transmitted as indicated, postage prepaid, to the following:

U.S. First Class Mail and E-mail

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