

**THE STATE EX REL. ELDRIDGE, APPELLANT, v. DEVERY, ACTING ADMR., ET
AL., APPELLEES.**

[Cite as *State ex rel. Eldridge v. Devery*, 1998-Ohio-134.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 97-583—Submitted July 15, 1998—Decided September 16, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 96APD05-609.

Mark B. Weissner, for appellant.

Betty D. Montgomery, Attorney General, and *William D. Haders*, Assistant
Attorney General, for appellees.

{¶ 1} The judgment of the court of appeals is affirmed consistent with the
opinion of the court of appeals.

MOYER, C.J., PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.

DOUGLAS and F.E. SWEENEY, JJ., dissent.

RESNICK, J., dissents.

ALICE ROBIE RESNICK, J., dissenting.

{¶ 2} I would reverse the judgment of the court of appeals.