

**THE STATE EX REL. GIBSON, APPELLANT, v. INDUSTRIAL COMMISSION OF OHIO  
ET AL., APPELLEES.**

**[Cite as *State ex rel. Gibson v. Indus. Comm.*, 1998-Ohio-138.]**

*Workers' compensation—Court of appeals' judgment affirmed.*

(No. 97-469—Submitted July 15, 1998—Decided September 16, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 96APD03-345.

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*Law Offices of Thomas Tootle and Thomas Tootle*, for appellant.

*Betty D. Montgomery*, Attorney General, and *Jonathan A. Good*, Assistant Attorney General, for appellee Industrial Commission.

*Gibson & Robbins-Penniman* and *Kelly A. Willis*, for appellee Act-I Temporaries.

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{¶ 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.

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**ALICE ROBIE RESNICK, J., dissenting.**

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

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