

**THE STATE EX REL. ROY, APPELLEE, v. INDUSTRIAL COMMISSION OF OHIO,  
APPELLANT.**

**[Cite as *State ex rel. Roy v. Indus. Comm.*, 1998-Ohio-148.]**

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

(No. 96-2673—Submitted July 15, 1998—Decided September 16, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 95APD11-1459.

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*Sheerer & Pitts Co., L.P.A., and Thomas R. Pitts*, for appellee.

*Betty D. Montgomery*, Attorney General, and *Mary Ann O. Rini*, Assistant  
Attorney General, for appellant.

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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., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER and LUNDBERG  
STRATTON, JJ., concur.

COOK, J., dissents.

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