

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

[Cite as *State ex rel. Eblin v. Indus. Comm.*, 1998-Ohio-163.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 96-2136—Submitted July 8, 1998—Decided September 16, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 95APD11-1444.

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

Betty D. Montgomery, Attorney General, and *Steven P. Fixler*, 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, J., dissents.

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

ALICE ROBIE RESNICK, J., dissenting.

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

F.E. SWEENEY, J., concurs in the foregoing dissenting opinion.
