

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

**[Cite as *State ex rel. Graham v. Indus. Comm.*, 1998-Ohio-165.]**

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

(No. 96-2079—Submitted July 8, 1998—Decided September 9, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 95APD10-1334.

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*Raymond J. Tisone & Associates Co., L.P.A.*, and *Raymond J. Tisone*, for  
appellant.

*Betty D. Montgomery*, Attorney General, and *Doug S. Musick*, Assistant  
Attorney General, for appellee.

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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., RESNICK, PFEIFER and LUNDBERG STRATTON, JJ., concur.

DOUGLAS, J., dissents and would order relief consistent with *State ex rel.*  
*Gay v. Mihm* (1994), 68 Ohio St.3d 315, 626 N.E.2d 666.

F.E. SWEENEY, J., dissents.

COOK, J., dissents and would deny the writ.

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