

**[THE STATE EX REL.] SMITH, APPELLEE, v. INDUSTRIAL COMMISSION OF OHIO  
ET AL., APPELLANTS.**

**[Cite as *State ex rel. Smith v. Indus. Comm.*, 1998-Ohio-166.]**

*Workers' compensation—Court of appeals' judgment reversed on authority of  
State ex rel. Tapp v. Parsec, Inc.*

(No. 96-464—Submitted August 19, 1998—Decided September 9, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 95APD03-330.

---

*White, Gatgey & Meyer Co., L.P.A.*, and *Barbara F. Florez*, for appellee.

*Betty D. Montgomery*, Attorney General, and *Steven P. Fixler*, Assistant  
Attorney General, for appellants.

---

{¶ 1} The judgment of the court of appeals is reversed on the authority of  
*State ex rel. Tapp v. Parsec, Inc.* (1998), 82 Ohio St.3d 417, 696 N.E.2d 591, and  
the cause is remanded to the court of appeals.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and  
LUNDBERG STRATTON, JJ., concur.

---