

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

[Cite as *State ex rel. Pavey v. Indus. Comm.*, 1998-Ohio-197.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 96-1762—Submitted June 24, 1998—Decided August 5, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 95APD07-910.

*Stewart Jaffy & Associates Co., L.P.A., Stewart R. Jaffy and Marc J. Jaffy;
Hahn, Swadey & Pollock and Victor H. Hahn, for appellant.*

*Betty D. Montgomery, Attorney General, and Laurel Blum Mazorow,
Assistant Attorney General, for appellee.*

{¶ 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, RESNICK and F.E. SWEENEY, JJ., dissent and would reverse the judgment of the court of appeals and order relief consistent with *State ex rel. Gay v. Mihm* (1994), 68 Ohio St.3d 315, 626 N.E.2d 666.
