

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

[Cite as *State ex rel. Patterson v. Indus. Comm.*, 1998-Ohio-20.]

*Workers' compensation—Court of appeals' judgment reversed and cause returned
for State ex rel. Noll relief.*

(No. 97-1844—Submitted August 19, 1998—Decided November 10, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 96APD09-1204.

*Daniel D. Connor Co., L.P.A., Daniel D. Connor and Kenneth S.
Hafenstein*, for appellant.

Betty D. Montgomery, Attorney General, and *Steve P. Dlott*, Assistant
Attorney General, for appellee.

{¶ 1} The judgment of the court of appeals is reversed, and the cause is
returned to the Industrial Commission for relief pursuant to *State ex rel. Noll v.
Indus. Comm.* (1991), 57 Ohio St.3d 203, 567 N.E.2d 245.

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

MOYER, C.J., COOK and LUNDBERG STRATTON, JJ., dissent.

LUNDBERG STRATTON, J., dissenting.

{¶ 2} I would affirm the judgment of the court of appeals consistent with
the opinion of the court of appeals.

MOYER, C.J., and COOK, J., concur in the foregoing dissenting opinion.
