

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

[Cite as *State ex rel. Gilbert v. Indus. Comm.*, 1998-Ohio-253.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 95-2241—Submitted May 12, 1998—Decided June 17, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 94APD08-1174.

Hochman & Roach Co., L.P.A., and Carla J. Lauer, for appellant.

*Betty D. Montgomery, Attorney General, and Cheryl J. Nester, Assistant
Attorney General, for appellee.*

{¶ 1} The judgment of the court of appeals is affirmed.

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

F.E. SWEENEY, J., dissents and would reverse the judgment of the court of
appeals.
