

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

**[Cite as *State ex rel. Heard v. Indus. Comm.*, 1998-Ohio-288.]**

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

(No. 97-1342—Submitted August 19, 1998—Decided October 14, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 96APD07-883.

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*Stewart Jaffy & Associates Co., L.P.A., Stewart R. Jaffy, Marc J. Jaffy and  
Eric S. Bravo*, for appellant.

*Betty D. Montgomery*, Attorney General, and *William D. Haders*, 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., PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.

DOUGLAS, RESNICK and F.E. SWEENEY, JJ., dissent.

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**ALICE ROBIE RESNICK, J., dissenting.**

{¶ 2} I would reverse the judgment of the court of appeals.

DOUGLAS and F.E. SWEENEY, JJ., concur in the foregoing dissenting  
opinion.

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