THE STATE EX REL. COWDREY, APPELLANT, v. INDUSTRIAL COMMISSION OF OHIO, APPELLEE, ET AL.

[Cite as State ex rel. Cowdrey v. Indus. Comm., 1998-Ohio-352.] Workers' compensation–Court of appeals' judgment affirmed.

(No. 97-478–Submitted October 27, 1998–Decided December 30, 1998.) APPEAL from the Court of Appeals for Franklin County, No. 96APD03-325.

Stewart Jaffy & Associates Co., L.P.A., Stewart R. Jaffy and Marc J. Jaffy; and Thomas W. Condit, for appellant.

Betty D. Montgomery, Attorney General, and *William J. McDonald*, Assistant Attorney General, for appellee.

 $\{\P 1\}$ The judgment of the court of appeals is affirmed consistent with the opinion of the court of appeals.

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

DOUGLAS, J., dissents.