

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

**[Cite as *State ex rel. Mitchell v. Indus. Comm.*, 1998-Ohio-42.]**

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

(No. 97-2635—Submitted August 19, 1998—Decided October 21, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 96APD11-1554.

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*Shapiro, Kendis & Associates Co., L.P.A., and Rachel B. Jaffy*, for  
appellant.

*Betty D. Montgomery*, Attorney General, and *Cecille Caluya Harris*,  
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., DOUGLAS, RESNICK, PFEIFER, COOK and LUNDBERG  
STRATTON, JJ., concur.

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

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