

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

[Cite as *State ex rel. Watkins v. Indus. Comm.* (1998), \_\_\_ Ohio St.3d \_\_\_\_.]

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

(No. 97-1871 — Submitted August 19, 1998 — Decided October 14, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 96APD09-1218.

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*Philip J. Fulton & Associates* and *William A. Thorman III*, for appellant.

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

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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.** I would reverse the judgment of the  
court of appeals and enter judgment pursuant to *State ex rel. Gay v. Mihm* (1994),  
68 Ohio St.3d 315, 626 N.E.2d 666.

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