

**THE STATE EX REL. ZAMUDIO, APPELLANT, v. INDUSTRIAL COMMISSION OF  
OHIO ET AL., APPELLEES.**

**[Cite as *State ex rel. Zamudio v. Indus. Comm.*, 1998-Ohio-62.]**

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

(No. 97-1861—Submitted August 19, 1998—Decided October 14, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 96APD10-1375.

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*Law Office of Thomas Tootle and Thomas Tootle*, for appellant.

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

*Roetzel & Andress* and *Douglas M. Kennedy*, for appellee Hancock Hogs,  
Inc.

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{¶ 1} The judgment of the court of appeals is reversed, and the cause is  
returned to the Industrial Commission for further proceedings.

DOUGLAS, RESNICK, F.E. SWEENEY and PFEIFER, JJ., concur.

MOYER, C.J., COOK and LUNDBERG STRATTON, JJ., dissent.

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**LUNDBERG STRATTON, J., dissenting.**

{¶ 2} I would affirm the court of appeals.

MOYER, C.J., and COOK, J., concur in the foregoing dissenting opinion.

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