

**THE STATE EX REL. CONSOLIDATION COAL COMPANY, APPELLANT, v.
STEWART; INDUSTRIAL COMMISSION OF OHIO, APPELLEE.**

[Cite as *State ex rel. Consolidation Coal Co. v. Stewart*, 1998-Ohio-99.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 97-267—Submitted August 19, 1998—Decided October 7, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 95APD07-927.

Hanlon, Duff, Paleudis & Estadt Co., L.P.A., and John G. Paleudis, for appellant.

Betty D. Montgomery, Attorney General, and *Craig E. Gould*, Assistant Attorney General, for appellee.

{¶ 1} The judgment of the court of appeals is affirmed consistent with the opinion of the court of appeals.

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