

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

[Cite as *State ex rel. Roy v. Indus. Comm.*, 1999-Ohio-176.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 98-2305—Submitted June 22, 1999—Decided September 8, 1999.)

APPEAL from the Court of Appeals for Franklin County, No. 97APD06-741.

William D. Snyder & Associates and *John Lesko*, for appellant.

Betty D. Montgomery, Attorney General, and *Steven P. Fixler*, Assistant Attorney General, for appellees Industrial Commission and Administrator, Bureau of Workers' Compensation.

Taft, Stettinius & Hollister, L.L.P., and *Cynthia C. Felson*, for appellee Henry J. Kaiser Company.

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

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

DOUGLAS, J., dissents.

RESNICK, J., dissents.

ALICE ROBIE RESNICK, J., dissenting.

{¶ 2} I would reverse the judgment of the court of appeals.
