

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

[Cite as *State ex rel. Preston v. Indus. Comm.* (1999), 86 Ohio St.3d 590.]

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

(No. 98-2613 — Submitted July 28, 1999 — Decided September 22, 1999.)

APPEAL from the Court of Appeals for Franklin County, No. 97APD08-1123.

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

*Betty D. Montgomery*, Attorney General, and *Julie M. Lynch*, 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., RESNICK, PFEIFER, COOK and LUNDBERG STRATTON, JJ.,  
concur.

DOUGLAS, J., dissents.

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