

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

[Cite as *State ex rel. Brinkley v. Indus. Comm.*, 2000-Ohio-152.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 99-1923—Submitted May 23, 2000—Decided July 12, 2000.)

APPEAL from the Court of Appeals for Franklin County, No. 98AP-1312.

Crowley, Frank & Ahlers Co., L.P.A., and Edward C. Ahlers, for appellant.

Betty D. Montgomery, Attorney General, and *Edward Roberts*, 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., Pfeifer, Cook and Lundberg Stratton, JJ., concur.

DOUGLAS, J., dissents.

RESNICK and F.E. SWEENEY, JJ., dissent.

ALICE ROBIE RESNICK, J., dissenting.

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

F.E. SWEENEY, J., concurs in the foregoing dissenting opinion.
