

**THE STATE EX REL. TYRRELL, APPELLANT, v. JAY EM CORPORATION;
INDUSTRIAL COMMISSION OF OHIO, APPELLEE.**

[Cite as *State ex rel. Tyrrell v. Jay EM Corp.*, 2000-Ohio-156.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 99-2167—Submitted May 23, 2000—Decided July 12, 2000.)

APPEAL from the Court of Appeals for Franklin County, No. 98AP-1604.

Shapiro, Kendis & Associates Co., L.P.A., and *Rachel B. Jaffy*, for appellant.

Betty D. Montgomery, Attorney General, and *Vincent T. Lombardo*, 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 and F.E. SWEENEY, JJ., dissent.

RESNICK, J., dissents.

ALICE ROBIE RESNICK, J., dissenting.

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