

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

**[Cite as *State ex rel. Smith v. Indus. Comm.*, 2000-Ohio-306.]**

*Workers compensation—Judgment affirmed.*

(No. 99-112—Submitted February 23, 2000—Decided March 22, 2000.)

APPEAL from the Court of Appeals for Franklin County, No. 97APD12-1666.

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*Marchese & Monast and Thomas J. Marchese*, for appellant.

*Betty D. Montgomery*, Attorney General, and *Jon D. Grandon*, Assistant  
Attorney General, for appellee.

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***Per Curiam.***

{¶ 1} On authority of *State ex rel. Hoskins v. Indus. Comm.* (2000), 87 Ohio  
St.3d 560, 722 N.E.2d 66, the judgment of the court of appeals is affirmed.

*Judgment affirmed.*

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

DOUGLAS, J., dissents.

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