

**THE STATE EX REL. ARCHER, APPELLANT, v. T. MARZETTI COMPANY ET AL.;
INDUSTRIAL COMMISSION OF OHIO ET AL., APPELLEES.**

[Cite as *State ex rel. Archer v. T. Marzetti Co.*, 2000-Ohio-462.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 99-885—Submitted November 16, 1999—Decided January 12, 2000.)

APPEAL from the Court of Appeals for Franklin County, No. 98AP-472.

*Butkovich, Schimpf, Schimpf & Ginocchio Co., L.P.A., James A. Whittaker
and Glenn P. Fette, for appellant.*

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

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

MOYER, C.J., DOUGLAS, RESNICK, PFEIFER, COOK and LUNDBERG
STRATTON, JJ., concur.

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