

**THE STATE EX REL. PAYSAN, APPELLANT, v. INDUSTRIAL COMMISSION OF OHIO
ET AL., APPELLEES.**

[Cite as *State ex rel. Paysan v. Indus. Comm.*, 2001-Ohio-217.]

Workers' compensation—Court of appeals' judgment affirmed.

(No. 01-115—Submitted June 20, 2001—Decided August 8, 2001.)

APPEAL from the Court of Appeals for Franklin County, No. 00AP-566.

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

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

Agee, Clymer, Mitchell & Laret, Gregory Mitchell and C. Russell Canestraro, for appellant.

Betty D. Montgomery, Attorney General, and *Erica L. Armbrust*, Assistant Attorney General, for appellee Industrial Commission of Ohio.

Porter, Wright, Morris & Arthur and *Karl J. Sutter*, for appellee Kroger Company.
