

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

[Cite as *State ex rel. Thompson v. Indus. Comm.*, 2001-Ohio-226.]

*Workers' compensation—Court of appeals' judgment affirmed.*

(No. 00-838—Submitted November 14, 2000—Decided January 24, 2001.)

APPEAL from the Court of Appeals for Franklin County, No. 99AP-658.

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

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**ALICE ROBIE RESNICK, J., dissenting.**

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

DOUGLAS and F.E. SWEENEY, JJ., concur in the foregoing dissenting opinion.

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*Stewart Jaffy & Associates Co., L.P.A., Stewart R. Jaffy and Marc J. Jaffy,*  
for appellant.

*Betty D. Montgomery,* Attorney General, and *Stephen D. Plymale,* Assistant  
Attorney General, for appellee.

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