

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

**[Cite as *State ex rel. Ramsey v. Indus. Comm.*, 2001-Ohio-23.]**

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

(No. 00-858—Submitted November 14, 2000—Decided January 24, 2001.)

APPEAL from the Court of Appeals for Franklin County, No. 99AP-733.

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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., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER and LUNDBERG  
STRATTON, JJ., concur.

COOK, J., dissents.

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**COOK, J., dissenting.**

{¶ 2} Based on the rationale set forth in the decision of the court of appeals' magistrate, I respectfully dissent.

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*Butler, Cincione, DiCuccio & Barnhart* and *David B. Barnhart*, for  
appellee.

*Betty D. Montgomery*, Attorney General, and *Kimberly M. Connett*,  
Assistant Attorney General, for appellant.

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