

**THE STATE EX REL. GILREATH, APPELLANT, v. INDUSTRIAL COMMISSION OF  
OHIO, APPELLEE, ET AL.**

**[Cite as *State ex rel. Gilreath v. Indus. Comm.*, 2002-Ohio-3927.]**

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

(No. 2002-0029—Submitted June 26, 2002—Decided August 14, 2002.)

APPEAL from the Court of Appeals for Franklin County, No. 01AP-226.

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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, PFEIFER, COOK and LUNDBERG STRATTON, JJ.,  
concur.

RESNICK and F.E. SWEENEY, JJ., dissent and would issue a limited writ.

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Law Office of Thomas Tootle Co., L.P.A., and Thomas Tootle, for  
appellant.

Betty D. Montgomery, Attorney General, and Dennis H. Behm, Assistant  
Attorney General, for appellee.

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