

[Cite as *State ex rel. Unthank v. Holland Motor Express, Inc.*, 97 Ohio St.3d 181, 2002-Ohio-5785.]

**THE STATE EX REL. UNTHANK, APPELLANT, v. HOLLAND MOTOR EXPRESS, INC.
ET AL., APPELLEES.**

**[Cite as *State ex rel. Unthank v. Holland Motor Express, Inc.*, 97 Ohio St.3d
181, 2002-Ohio-5785.]**

Workers' compensation — Court of appeals' judgment affirmed.

(No. 2001-1459 — Submitted September 17, 2002 — Decided November 6,
2002.)

APPEAL from the Court of Appeals for Franklin County, No. 00AP-1251.

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

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

DOUGLAS, J., dissents.

RESNICK, J., dissents, would reverse the judgment of the court of appeals,
and would order relief pursuant to *State ex rel. Gay v. Mihm* (1994), 68 Ohio
St.3d 315, 626 N.E.2d 666.

Clements, Mahin & Cohen, L.L.P., and Lane N. Cohen, for appellant.

Schottenstein, Zox & Dunn Co., L.P.A., and Corey V. Crognale, for
appellee Holland Motor Express, Inc.

Betty D. Montgomery, Attorney General, and Gerald H. Waterman,
Assistant Attorney General, for appellees Industrial Commission of Ohio and
Administrator, Bureau of Workers' Compensation.
