

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

[Cite as *State ex rel. Bodnar v. Indus. Comm.*, 104 Ohio St.3d 162, 2004-Ohio-  
6409.]

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

(No. 2004-0630 — Submitted October 26, 2004 — Decided December 8, 2004.)

APPEAL from the Court of Appeals for Franklin County, No. 03AP-215, 2004-  
Ohio-1135.

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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., RESNICK, F.E. SWEENEY, LUNDBERG STRATTON, O'CONNOR  
and O'DONNELL, JJ., concur.

PFEIFER, J., dissents and would reverse the judgment of the court of  
appeals.

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

Jim Petro, Attorney General, and Paul H. Tonks, Assistant Attorney  
General, for appellee Industrial Commission of Ohio.

Hanna, Campbell & Powell, L.L.P., and Lori A. Fricke, for appellee  
Shelly & Sands, Inc.

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