

**THE STATE EX REL. SHANDROW, APPELLANT, v. ROPER CORPORATION ET AL.;**  
**INDUSTRIAL COMMISSION OF OHIO, APPELLEE.**

[Cite as *State ex rel. Shandrow v. Roper Corp.*, 101 Ohio St.3d 194, 2004-Ohio-712.]

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

(No. 2003-0829 — Submitted January 12, 2004 — Decided March 3, 2004.)

APPEAL from the Court of Appeals for Franklin County, No. 02AP-342, 2003-Ohio-1516.

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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, LUNDBERG STRATTON, O'CONNOR and O'DONNELL, JJ., concur.

F.E. SWEENEY and PFEIFER, JJ., dissent, would reverse, and would order relief pursuant to *State ex rel. Noll v. Indus. Comm.* (1991), 57 Ohio St.3d 203, 567 N.E.2d 245.

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Stephen E. Mindzak Law Offices, L.L.C., and Stephen E. Mindzak, for appellant.

Jim Petro, Attorney General, and Phil Wright Jr., Assistant Attorney General, for appellee.

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