

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

**[Cite as *State ex rel. McCoy v. Indus. Comm.*,
106 Ohio St.3d 41, 2005-Ohio-3555.]**

Workers' compensation — Court of appeals' judgment affirmed.

(No. 2004-1535 — Submitted May 10, 2005 — Decided July 27, 2005.)

APPEAL from the Court of Appeals for Franklin County,

No. 03AP-886, 2004-Ohio-4219.

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

MOYER, C.J., RESNICK, PFEIFER, LUNDBERG STRATTON, O'CONNOR, O'DONNELL and LANZINGER, JJ., concur.

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

Jim Petro, Attorney General, and Charissa D. Payer, Assistant Attorney General, for appellee Industrial Commission of Ohio.
