

**THE STATE EX REL. BRYSON, APPELLANT, v. GAC
MERCHANDISING, INC. ET AL., APPELLEES.
[Cite as *State ex rel. Bryson v. GAC Merchandising, Inc.*,
106 Ohio St.3d 40, 2005-Ohio-3556.]**

Workers' compensation — Court of appeals' judgment affirmed.

(No. 2004-1435 — Submitted May 10, 2005 — Decided July 27, 2005.)

APPEAL from the Court of Appeals for Franklin County,
No. 03AP-650, 2004-Ohio-3723.

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

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

RESNICK and O'DONNELL, JJ., dissent and would reverse the judgment of the court of appeals.

Mark R. Naegel, for appellant.

Jim Petro, Attorney General, and William J. McDonald, Assistant Attorney General, for appellee Industrial Commission of Ohio.
