

**THE STATE EX REL. RANKIN, APPELLANT, v. CYNED TRANSPORT
CORPORATION ET AL., APPELLEES.**

**[Cite as *State ex rel. Rankin v. Cyned Transport Corp.*,
115 Ohio St.3d 424, 2007-Ohio-5270.]**

Workers' compensation — Court of appeals' judgment affirmed.

(No. 2006-1249 — Submitted August 14, 2007 — Decided October 11, 2007.)

APPEAL from the Court of Appeals for Franklin County,
No. 05AP-845, 2006-Ohio-2962.

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

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

PFEIFER, J., dissents and would reverse the judgment of the court of
appeals and remand the cause to the Industrial Commission.

Butkovich, Crosthwaite & Gast Co., L.P.A., Joseph A. Butkovich, and
Robert E. Hof, for appellant.

Marc Dann, Attorney General, and Eric J. Tarbox, Assistant Attorney
General, for appellee Industrial Commission of Ohio.
