

[Cite as *State ex rel. Cedeno v. Indus. Comm.*, 127 Ohio St.3d 212, 2010-Ohio-5677.]

**THE STATE EX REL. CEDENO, APPELLANT, v. INDUSTRIAL COMMISSION OF  
OHIO, APPELLEE, ET AL.**

[Cite as *State ex rel. Cedeno v. Indus. Comm.*, 127 Ohio St.3d 212, 2010-Ohio-  
5677.]

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

(No. 2009-1777 — Submitted October 12, 2010 — Decided November 24, 2010.)

APPEAL from the Court of Appeals for Franklin County,

No. 08AP-912, 2009-Ohio-4211.

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

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

BROWN, C.J., and PFEIFER, J., dissent and would reverse the judgment of the court of appeals.

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Plevin & Gallucci and Frank Gallucci III; and Paul W. Flowers Co., L.P.A., and Paul W. Flowers, for appellant.

Richard Cordray, Attorney General, and Colleen C. Erdman, Assistant Attorney General, for appellee.

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