

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

[Cite as *State ex rel. Wanzer v. Indus. Comm.* (1998), ___ Ohio St.3d ____.]

Workers' compensation — Court of appeals' judgment affirmed.

(No. 97-2232 — Submitted August 19, 1998 — Decided October 14, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 96APD12-1777.

*Shapiro, Kendis & Associates Co., L.P.A., and Rachel B. Jaffy, for
appellant.*

The judgment of the court of appeals is affirmed consistent with the opinion
of the court of appeals.

MOYER, C.J., PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.

DOUGLAS, RESNICK and F.E. SWEENEY, JJ., dissent.

ALICE ROBIE RESNICK, J., dissenting. I would reverse the judgment of the
court of appeals and return the cause to the Industrial Commission pursuant to
State ex rel. Noll v. Indus. Comm. (1991), 57 Ohio St.3d 203, 567 N.E.2d 245.

DOUGLAS and F.E. SWEENEY, JJ., concur in the foregoing dissenting
opinion.