

THE STATE EX REL. WARD, APPELLANT, v. INDUSTRIAL COMMISSION OF OHIO,
APPELLEE.

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

*Workers' compensation — Court of appeals' judgment reversed and State ex rel.
Gay relief ordered.*

(No. 97-959 — Submitted August 19, 1998 — Decided October 14, 1998.)

APPEAL from the Court of Appeals for Franklin County, No. 96APD04-394.

Stewart Jaffy & Associates Co., L.P.A., Stewart R. Jaffy and Marc J. Jaffy,
for appellant.

Betty D. Montgomery, Attorney General, and *Dennis Rehor,* Assistant
Attorney General, for appellee.

The judgment of the court of appeals is reversed. The cause is returned to
the Industrial Commission for relief consistent with *State ex rel. Gay v. Mihm*
(1994), 68 Ohio St.3d 315, 626 N.E.2d at 666.

DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER and LUNDBERG STRATTON, JJ.,
concur.

MOYER, C.J., and COOK, J., dissent.