

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

[Cite as *State ex rel. Light v. Indus. Comm.* (2001), 90 Ohio St.3d 522.]

Workers' compensation — Court of appeals' judgment affirmed.

(No. 00-677 — Submitted November 14, 2000 — Decided January 10, 2001.)

APPEAL from the Court of Appeals for Franklin County, No. 99AP-722.

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

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

DOUGLAS and RESNICK, 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 for relief consistent with *State ex rel. Gay v. Mihm* (1994), 68 Ohio St.3d 315, 626 N.E.2d 666.

DOUGLAS, J., concurs in the foregoing dissenting opinion.

Butkovich, Schimpf, Schimpf & Ginocchio Co., L.P.A., and *James A. Whittaker*, for appellant.

Betty D. Montgomery, Attorney General, and *Thomas L. Reitz*, Assistant Attorney General, for appellee.
