

[Cite as *State ex rel. Routt v. Indus. Comm.*, 93 Ohio St.3d 498, 2001-Ohio-1599]

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

[Cite as *State ex rel. Routt v. Indus. Comm.* (2001), 93 Ohio St.3d 498.]

Workers' compensation — Court of appeals' judgment affirmed.

(No. 01-567 — Submitted September 18, 2001 — Decided October 31, 2001.)

APPEAL from the Court of Appeals for Franklin County, No. 00AP-579.

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

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

COOK, J., dissents.

COOK, J., dissenting. I respectfully dissent. I would reverse the judgment of the court of appeals for the reasons stated in the opinions of the appellate court's dissenting judge and the magistrate.

Philip J. Fulton & Associates and Jonathan H. Goodman, for appellee.

Betty D. Montgomery, Attorney General, and *Kimberly M. Connett*, Assistant Attorney General, for appellant.
