

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

**[Cite as *State ex rel. Pence v. Indus. Comm.*,
107 Ohio St.3d 286, 2005-Ohio-6507.]**

Workers' compensation — Court of appeals' judgment affirmed.

(No. 2005-0230 — Submitted October 25, 2005 — Decided December 28, 2005.)

APPEAL from the Court of Appeals for Franklin County,
No. 04AP-124, 2004-Ohio-7052.

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

MOYER, C.J., RESNICK, PFEIFER, LUNDBERG STRATTON, O'CONNOR,
O'DONNELL and LANZINGER, JJ., concur.

Law Offices of Thomas Tootle Co., L.P.A., and Thomas Tootle, for
appellant.

Jim Petro, Attorney General, and Shawn M. Wollam, Assistant Attorney
General, for appellee Industrial Commission of Ohio.

Lane, Alton & Horst, L.L.C., and Barbara K. Letcher, for appellee Jet
Corr, Inc.
