

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

**[Cite as *State ex rel. Cooper v. Indus. Comm.*,
110 Ohio St.3d 37, 2006-Ohio-3457.]**

*Workers' compensation — Court of appeals' judgment affirmed on the authority
of State ex rel. Stephens v. Indus. Comm.*

(No. 2005-1512 – Submitted March 14, 2006 – Decided July 19, 2006.)

APPEAL from the Court of Appeals for Franklin County,
No. 04AP-706, 2005-Ohio-3099.

{¶ 1} The judgment of the court of appeals is affirmed on the authority
of our decision in *State ex rel. Stevens v. Indus. Comm.*, 110 Ohio St.3d 32, 2006-
Ohio-3456, ___ N.E.2d ___.

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

RESNICK and PFEIFER, JJ., dissent.

ALICE ROBIE RESNICK, J., dissenting.

{¶ 2} I dissent for the reasons stated in my dissent in *State ex rel. Stevens
v. Indus. Comm.*, 110 Ohio St.3d 32, 2006-Ohio-3456, ___ N.E.2d ___.

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

Wade Law Office, L.L.C., and E. Roberta Wade, for appellant.

Jim Petro, Attorney General, and Gerald H. Waterman, Assistant Attorney
General, for appellee.