

**THE STATE EX REL. ENGLEMON, APPELLANT, v. QUEEN CITY BARREL
COMPANY ET AL., APPELLEES.**

**[Cite as *State ex rel. Englemon v. Queen City Barrel Co.*,
111 Ohio St.3d 262, 2006-Ohio-5700.]**

Workers' compensation — Court of appeals' judgment affirmed.

(No. 2005-2133 — Submitted September 19, 2006 — Decided
November 15, 2006.)

APPEAL from the Court of Appeals for Franklin County,
Nos. 05AP-46 and 05AP-67, 2005-Ohio-5651.

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

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

RESNICK and PFEIFER, JJ., dissent and would reverse the judgment of the
court of appeals.

Butkovich, Crosthwaite & Gast Co., L.P.A., Daryl A.W. Crosthwaite, and
Stephen P. Gast, for appellant.

Jim Petro, Attorney General, and Derrick L. Knapp, Assistant Attorney
General, for appellee Industrial Commission of Ohio.
