

[Cite as *State ex rel. McNeal v. Dayton*, 119 Ohio St.3d 369, 2008-Ohio-4757.]

**THE STATE EX REL. MCNEAL, APPELLANT, v. CITY OF  
DAYTON ET AL., APPELLEES.**

[Cite as *State ex rel. McNeal v. Dayton*, 119 Ohio St.3d 369, 2008-Ohio-4757.]

*Workers' compensation — Court of appeals' judgment affirmed.*

(No. 2007-1954 — Submitted August 26, 2008 — Decided September 24, 2008.)

APPEAL from the Court of Appeals for Franklin County,  
No. 06AP-1093, 2007-Ohio-5082.

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

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

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Michael J. Muldoon, for appellant.

Nancy Hardin Rogers, Attorney General, and Elise Porter, Assistant Attorney General, for appellee Industrial Commission of Ohio.

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