

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

[Cite as *State ex rel. Searles v. Indus. Comm.*, 98 Ohio St.3d 390, 2003-Ohio-
1493.]

Workers' compensation — Court of appeals' judgment affirmed.

(No. 2002-0960 — Submitted February 25, 2003 — Decided April 9, 2003.)

APPEAL from the Court of Appeals for Franklin County, No. 01AP-970, 2002-
Ohio-3097.

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

MOYER, C.J., PFEIFER, COOK, LUNDBERG STRATTON and O'CONNOR, JJ.,
concur.

RESNICK and F.E. SWEENEY, JJ., dissent and would reverse the judgment
of the court of appeals.

Law Office of Thomas Tootle and Thomas Tootle, for appellant.

Jim Petro, Attorney General, and Phil Wright Jr., Assistant Attorney
General, for appellee.
