

OPINIONS OF THE SUPREME COURT OF OHIO

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Saenz, Appellee, v. Industrial Commission of Ohio et al., Appellants.

[Cite as Saenz v. Indus. Comm. (1993), Ohio St.3d .] Workers' compensation -- Industrial Commission improperly orders permanent total disability compensation suspended while claimant is incarcerated in a federal prison.

(No. 92-1755 -- Submitted November 10, 1993 -- Decided December 29, 1993.)

Appeal from the Court of Appeals for Lucas County, No. L-91-251.

Gallon & Takacs Co., L.P.A., and Theodore A. Bowman, for appellee.

Lee I. Fisher, Attorney General, Diane J. Karpinski and Cash Mischka, Assistant Attorneys General, for appellants.

The judgment of the court of appeals is affirmed on authority of State ex rel. Brown v. Indus. Comm. (1993), Ohio St.3d , N.E.2d .

Moyer, C.J., A.W. Sweeney, Douglas, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Wright, J., dissents for the reasons stated in his dissent in State ex rel. Brown v. Indus. Comm. (1993), 68 Ohio St.3d 45, , N.E.2d , .