

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

**[Cite as *State ex rel. Tressler v. Indus. Comm.*,  
115 Ohio St.3d 423, 2007-Ohio-5266.]**

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

(No. 2006-1156 — Submitted August 14, 2007 — Decided October 11, 2007.)

APPEAL from the Court of Appeals for Franklin County,  
No. 05AP-654, 2006-Ohio-2449.

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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 LUNDBERG STRATTON, O'CONNOR, O'DONNELL, LANZINGER, and CUPP, JJ., concur.

PFEIFER, J., dissents and would reverse the judgment of the court of appeals and remand the cause to the Industrial Commission.

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Law Offices of Thomas Tootle Co., L.P.A., and Thomas Tootle, for appellant.

Marc Dann, Attorney General, and Eric J. Tarbox, Assistant Attorney General, for appellee Industrial Commission of Ohio.

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