

**THE STATE EX REL. MCCALLISTER, APPELLEE, v. INDUSTRIAL COMMISSION OF
OHIO, APPELLANTS; BEACH COMPANY, APPELLEE.**

**[Cite as *State ex rel. McCallister v. Indus. Comm.*,
105 Ohio St.3d 196, 2005-Ohio-1145.]**

*Workers' compensation — Retroactive payment of statutory PTD compensation —
Court of appeals' judgment reversed and order of Industrial Commission
reinstated.*

(No. 2004-1413 — Submitted March 2, 2005 — Decided March 30, 2005.)

APPEAL from the Court of Appeals for Franklin County,
No. 03AP-719, 2004-Ohio-3728.

{¶ 1} The judgment of the court of appeals is reversed on the authority of
State ex rel. Adams v. Aluchem, Inc., 104 Ohio St.3d 640, 2004-Ohio-6891, 821
N.E.2d 547, and the order of the Industrial Commission is reinstated.

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

RESNICK and PFEIFER, JJ., dissent.

Steve C. Carr, for appellee Martin McCallister.

Jim Petro, Attorney General, and Dennis H. Behm, Assistant Attorney
General, for appellant, Industrial Commission.
