

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

LEVAN BURROUGHS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:15-cv-542-TFM
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

Pending before the Court is Plaintiff’s *Application for Attorney Fees Under the Equal Access to Justice Act* (Doc. 22, filed 6/6/16). Defendant does not object to an award of fees in the amount of \$2,421.82 representing 12.75 hours of attorney time. *See* Doc. 24.

On May 5, 2008, the Eleventh Circuit Court of Appeals decided *Reeves v. Astrue*, 526 F.3d 732 (11th Cir. 2008) in which the Court unambiguously held that “attorney’s fees are awarded to the prevailing party, not to the prevailing party’s attorney.” *Id.* at 738. On June 14, 2010, the United States Supreme Court decided *Astrue v. Ratliff*, 560 U.S. 586, 130 S. Ct. 2521, 177 L.Ed.2d 91 (2010) in which the Court also unambiguously held that attorney’s fees are awarded to the prevailing litigant – not to prevailing litigant’s attorney – and are therefore also subject to any offset for debts.

Accordingly, upon consideration of the motion, and for good cause, it is ORDERED as follows:

1. That the motion for attorney’s fees (Doc. 22) is hereby GRANTED.

2. The plaintiff is hereby AWARDED fees in the amount of \$2,421.82.

3. To the extent that plaintiff's counsel requests that fees should be awarded to directly to counsel, 28 U.S.C. § 2412(d)(1)(A) authorizes the court to award fees to the prevailing party. See 28 U.S.C. § (d)(2)(B). *See also Reeves, supra.* The motion that fees be paid directly to counsel is hereby DENIED.

DONE this 20th day of July, 2016.

/s/ Terry F. Moorner
TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE