

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

JENNIFER HILL,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:10-cv-637-TFM
)	[wo]
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

Pending before the Court is Plaintiff’s *Application for Attorney Fees Under the Equal Access to Justice Act* (Doc. 18, filed January 12, 2012) wherein Plaintiff seeks \$1,875.00 attorney fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. §.

Under the EAJA, a court is required to award attorney’s fees to the prevailing plaintiff in a Social Security appeal “unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust.” 28 U.S.C. § 2412(d)(1)(A); *see also* *Gisbrecht v. Barnhart*, 535 U.S. 789, 796, 122 S.Ct. 1817, 1822, 152 L.Ed.2d 996 (2002) (quoting 28 U.S.C. § 2412(d)(1)(A)). The Court remanded this case to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g), hence Plaintiff was made a “prevailing party,” upon entry of the Court’s Memorandum Opinion and Order (Doc. 16) and Judgment (Doc. 17) of reversal.

In his response, the Commissioner does not oppose the award of attorney fees. *See*

Doc. 19. Moreover, upon review of the hours and rate, the Court determines that the amount sought is reasonable.

Accordingly, it is hereby ORDERED that the application for attorney's fees (Doc. 18) is GRANTED. Attorney fees and expenses in the amount of \$1,875.00 shall be made payable to Plaintiff Jennifer Hill, subject to any right of offset the government may have under 31 U.S.C. § 3716 by virtue of any debt Plaintiff may owe to the United States. The check shall be mailed to Plaintiff care of Plaintiff's counsel at counsel's address of record.

DONE this 30th day of January, 2012

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