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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Pamela Ann Beck,

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CV 11-01813-PHX-FJM

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Plaintiff,

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ORDER

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vs.

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Michael J. Astrue,

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Defendant.

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We have before us plaintiff's motion for attorneys' fees and expenses (doc. 17), defendant's response (doc. 18), and plaintiff's reply (doc. 19).

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On April 20, 2012, the Clerk entered judgment reversing the Commissioner's order denying plaintiff disability benefits and remanding for further proceedings (doc. 16). Plaintiff moved for an award of attorneys' fees under the Equal Access to Justice Act ("EAJA") on July 20, 2012.¹ A motion requesting attorneys' fees under the EAJA must be filed within thirty days of final judgment. 28 U.S.C. § 2412(d)(1)(B). Plaintiff acknowledges that her motion was filed one day late due to a calendaring error in her lawyer's office. She asks that we apply the doctrine of equitable tolling and treat her motion as timely-filed.

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¹ Plaintiff originally also sought reimbursement of her filing fee under 28 U.S.C. § 1920. On reply, she acknowledges that was error and withdraws her request for expenses.

