

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
HELENA DIVISION**

CURTIS STEWART

PLAINTIFF

VS.

CASE NO. 2:10CV00102 HDY

**MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION**

DEFENDANT

ORDER

Now before the Court is the plaintiff's motion for attorney's fees and expenses pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. The defendant does not oppose the amount of the award, but urges that the award be made payable to the plaintiff, not his attorney. *See Astrue v. Ratliff*, 130 S. Ct. 2521 (2010).

We grant the motion, approving an EAJA award in the amount of \$1,465.37 (inclusive of fees and expenses). We find nothing unreasonable about the hours of work performed or the hourly rate requested. Because the award belongs to the plaintiff, and not her attorney, as set forth in *Astrue v. Ratliff*, 130 S. Ct. 2521 (2010), the Department of Treasury shall issue payment of this award by check made payable to the plaintiff, in care of his attorney, Mr. Anthony W. Bartels, and shall mail the check to Bartels at his Jonesboro, Arkansas, address.¹

¹The general procedure the Commissioner now follows in effectuating court orders awarding EAJA fees to the claimant is as follows: The Commissioner certifies the order to the Department of the Treasury for payment. Afterward, the Department of Treasury issues payment by check to the order of the plaintiff, in care of his attorney, and mails the check to the plaintiff's

IT IS SO ORDERED this 9 day of May, 2011.



UNITED STATES MAGISTRATE JUDGE

attorney. *See Chapman v. Astrue*, 3:10CV00047 HDY, Document 20.