

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

CHRISTOPHER IRVIN

PLAINTIFF

v.

CASE NO. 3:07CV00120 BD

**MICHAEL J. ASTRUE,
Commissioner, Social
Security Administration**

DEFENDANT

ORDER

Plaintiff has moved for an award of attorney's fees and costs (docket entry #15) under the Equal Access to Justice Act, 28 U.S.C. § 2412 (EAJA). He requests fees in the amount of \$1,628.65 and costs in the amount of \$16.14. The Commissioner does not object to Plaintiff's request (#20).

Under 28 U.S.C. § 2412(d)(1)(A), the court must award attorney's fees to a prevailing social security claimant unless the Commissioner's position in denying benefits was substantially justified. The Court has reviewed the time records and agrees with both Plaintiff and the Commissioner that a total award of \$1,644.79 is reasonable under the EAJA.

Accordingly, the Court GRANTS Plaintiff's application for attorney's fees under the EAJA (#15) and hereby awards \$1,628.65 in fees and \$16.14 in costs, for a total award of \$1,644.79.

IT IS SO ORDERED this 8th day of December, 2008.



UNITED STATES MAGISTRATE JUDGE