

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

TROY A. WELLS

PLAINTIFF

V.

CASE NO. 3:08CV00056 HLJ

MICHAEL J. ASTRUE,
Commissioner, Social
Security Administration

DEFENDANT

ORDER

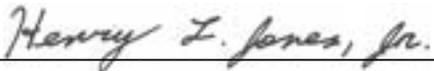
On August 28, 2009, the court entered an Order and Judgment reversing the decision of the Commissioner and remanding the case for further proceedings. Plaintiff has filed a motion for attorney's fees and expenses pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. He seeks compensation for 18.55 hours of work performed by his attorney in 2008 and 2009 at a rate of \$175.00 per hour, 4.70 hours of work performed by a paralegal at a rate of \$75.00 per hour, and for expenses in the amount of \$16.14. The Commissioner does not object to the number of hours or the hourly rates submitted by Plaintiff, or to the amount of expenses.

The \$175.00 per hour rate requested for work performed in 2008 and 2009 represent an agreement between Plaintiff's counsel and the Office of the General Counsel of the Social Security Administration to calculate attorneys' fees on an annualized basis, using the Consumer Price Index for All Urban Consumers (CPI-U). Accordingly, the court grants Plaintiff compensation for 18.55 hours of work at \$175.00 per hour and for 4.70 hours of

work at \$75.00 per hour for a total of \$3598.75. The court also grants Plaintiff's request for expenses in the amount of \$16.14.

IT IS THEREFORE ORDERED that Plaintiff is awarded attorney's fees in the amount of \$3598.75, together with expenses in the amount of \$16.14, for a total of \$3614.89, pursuant to EAJA. The Commissioner is directed to certify said award and pay Plaintiff's attorney in this amount.

SO ORDERED this 4th day of November, 2009.



UNITED STATES MAGISTRATE JUDGE