

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

BARBARA WILSON

PLAINTIFF

V.

NO. 3:11CV00074-JWC

CAROLYN W. COLVIN,¹
Acting Commissioner,
Social Security Administration

DEFENDANT

ORDER

Pending before the Court is Plaintiff's motion requesting an award of attorney's fees and expenses under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412.² (Doc. 19.) The Commissioner has responded. (Doc. 21.)

Plaintiff's attorney, Anthony Bartels, requests a total award of \$1,714.22, consisting of: (1) 7.10 hours of attorney work in 2011 and 2012 at the adjusted hourly rate of \$181.00 (\$1,285.10); (2) 5.50 hours of paralegal work at the hourly rate of \$75.00 (\$412.50); and (3) \$16.62 in expenses for serving Plaintiff's complaint via certified mail. Mr. Bartels also requests that the award be mailed directly to him based

¹Carolyn W. Colvin became Acting Commissioner of Social Security on February 14, 2013, and is automatically substituted as Defendant in this matter for Michael J. Astrue, pursuant to Fed. R. Civ. P. 25(d).

²On September 25, 2012, the Court entered a Memorandum Order and Judgment reversing the Commissioner's decision and remanding this case for further administrative proceedings. (Docket entries #17, #18.)

on an assignment executed by Plaintiff.

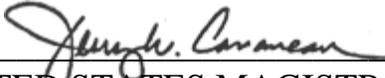
The Commissioner does not object to the requested amount of fees and expenses.

Pursuant to the United States Supreme Court's holding in *Astrue v. Ratliff*, 130 S. Ct. 2521 (2010), an award of EAJA fees belongs to the prevailing party, not that party's lawyer. Consistent with the Commissioner's usual procedure, the check awarding EAJA fees should be made payable to Plaintiff, but mailed to the care of Plaintiff's attorney at the attorney's office.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Award of Attorney's Fees and Expenses Under the EAJA (doc. 19) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff is awarded \$1,714.22 in attorney's fees and expenses under the EAJA.

DATED this 1st day of March, 2013.


UNITED STATES MAGISTRATE JUDGE