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

MICHAEL HAMES, JR. PLAINTIFF

V. NO. 3:12CV00035-JTR

CAROLYN W. COLVIN,[1] DEFENDANT
Acting Commissioner,
Social Security Administration

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] (Docket entry #15.) The Commissioner has filed a Response. (Docket entry #17.)

Plaintiff's attorney, Anthony Bartels, requests a total payment of $2,491.97, consisting of: (1) 11.6 hours of attorney work in 2011-12 at the adjusted hourly rate of $181.00 ($2,099.60); (2) 5.0 hours of paralegal work at the hourly rate of $75.00 ($375.00); and (3) $17.37 in expenses for serving Plaintiff's Complaint via certified

[1]Carolyn 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).

[2]On October 3, 2012, the Court entered a Memorandum Order and Judgment reversing the Commissioner's decision and remanding this case for further administrative proceedings. (Docket entries #13, #14.)

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mail. He also requests that the award be mailed directly to him based on an assignment executed by Plaintiff.

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

Pursuant to the 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 Attorney's Fees and Expenses Pursuant to the EAJA (docket entry #15) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff is awarded $2,491.97 in attorney's fees and expenses under the EAJA.

DATED this _5th__ day of March, 2013.

UNITED STATES MAGISTRATE JUDGE