

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

DEREK UTLEY

PLAINTIFF

V.

Case No. 3:17-CV-00057-JTK

NANCY A. BERRYHILL, Acting Commissioner,
Social Security Administration

DEFENDANT

ORDER

Pending is Plaintiff's Motion for Attorney's Fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412 (DE #20). In the motion, Plaintiff requests \$2,603.32 in fees and expenses and \$400.00 in costs. The Commissioner has no objection. After careful consideration, the Court hereby finds that the motion should be granted and Plaintiff be awarded reasonable attorney's fees.

EAJA fees are payable to Plaintiff, not Plaintiff's attorney, and such fees are subject to an offset when the Plaintiff has outstanding federal debts. *See Astrue v. Ratliff*, 130 S. Ct. 2521 (2010). Therefore, subject to any offset, payment by check to the order of the Plaintiff, in care of his attorney, will issue to Plaintiff's attorney.

Accordingly, the Motion for Attorney's Fees (DE #20) is GRANTED. Plaintiff is awarded \$2,603.32 in fees/expenses and \$400.00 in costs.

IT IS SO ORDERED this 25th day of January, 2018.



UNITED STATES MAGISTRATE JUDGE