

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

ERIC RUSSELL HURT

PLAINTIFF

V.

NO. 3:17-CV-00176-JTR

NANCY A. BERRYHILL,
Deputy Commissioner for Operations,
performing the duties and functions not reserved
to the Commissioner of Social Security

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. § 2412.¹ *Doc. 18*. The Commissioner has filed a Response. *Doc.20*.

Plaintiff's attorney, Stephanie Bartels Wallace, requests a total payment of \$3,130.22 consisting of: (1) 13.40 hours of attorney work in 2017-18 at the hourly rate of \$196.00 (\$2,626.40); (2) 6.45 hours of paralegal work at the hourly rate of \$75.00 (\$483.75); and (3) \$20.07 in expenses. The Commissioner does not object to the requested amount.


Under these circumstances, the Court concludes that Plaintiff is entitled to an award of attorney's fees and expenses under the EAJA, and that the amount requested is reasonable.

¹On May 2, 2018, the Court entered an Order reversing the Commissioner's decision and remanding this case for further administrative proceedings. *Doc. 17*.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Attorney's Fees and Expenses Pursuant to the EAJA, *Doc. 18* is GRANTED.

IT IS FURTHER ORDERED that Plaintiff is awarded \$3,130.22 in attorney's fees and expenses under the EAJA.²

DATED this 18th day of July, 2018.


UNITED STATES MAGISTRATE JUDGE

²Consistent with the Commissioner's usual procedure in light of *Astrue v. Ratliff*, 560 U.S. 586 (2010), 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.