

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

CURTIS KENT CARRIGAN,

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Plaintiff,

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vs.

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No. 4:11CV00725-JJV

CAROLYN W. COLVIN,

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Acting Commissioner,

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Social Security Administration,

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*

Defendant.

ORDER

Before the Court is Plaintiff's Application for Attorney's Fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. The Commissioner¹ responded and offered no objection to the fees requested but states Plaintiff's request for costs is not authorized under EAJA. After careful consideration of the Motion and Response, the Court finds:

1. The hours spent by counsel were reasonable. Therefore the Court approves attorney fees in the amount of \$3,163.12² (17.5 attorney hours at \$180.75). Costs are not reimbursable under EAJA and are, therefore, denied.

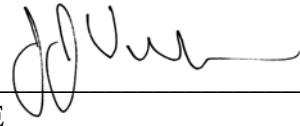
2. The award of EAJA fees shall be paid directly to Plaintiff's counsel subject to any offset to satisfy any pre-existing debt owed to the United States. *Astrue v. Ratliff*, 560 U.S. ----, 130 S.Ct. 2521, 2527, 2010 WL 2346547 (2010).

¹Carolyn W. Colvin was sworn in as Acting Commissioner of the Social Security Administration on February 14, 2013, replacing Michael Astrue. She has therefore been substituted as the defendant in this case pursuant to Fed.R.Civ.P. 25(d)(1).

²The Court calculates a different total than does Plaintiff. Plaintiff's itemization reflects a total of 17.5 attorney hours.

3. Defendant shall certify said award and pay Plaintiff's attorney this amount.

IT IS SO ORDERED this 16th day of May, 2013.

A handwritten signature in black ink, appearing to read 'Joe J. Volpe', written over a horizontal line.

JOE J. VOLPE
UNITED STATES MAGISTRATE JUDGE