IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

CARLETUS ADAMS PLAINTIFF

v. CIVIL NO. 08-2026

MICHAEL J. ASTRUE, Commissioner
Social Security Administration DEFENDANT

ORDER

On this 20th day of October 2009, the court has before it for consideration plaintiff's request for attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

For reasons set forth in the report and recommendation filed by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas, on October 1, 2009, the court finds that the Magistrate's recommendations should be adopted *in toto* and hereby awards plaintiff's attorney fees in the amount of $3,944.31 representing 31.28 hours of work at a rate of $125.00 per hour and $34.31 in expenses. Further, this award should be paid directly to plaintiff's counsel. *Ratliff v. Astrue*, 540 F.3d 800, 802 (8th Cir. 2008).

This amount shall be paid in addition to, and not out of, any past-due benefits plaintiff may be awarded in the future.

IT IS SO ORDERED.

HON. ROBERT T. DAWSON
UNITED STATES DISTRICT JUDGE

U. S. DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FILED
OCT 2 0 2009
CHRIS R. JOHNSON, CLERK
BY
DEPUTY CLERK