

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

CHARLES RANDOLPH MILLER

PLAINTIFF

v.

CIVIL NO. 08-2039

MICHAEL J. ASTRUE, Commissioner  
Social Security Administration

DEFENDANT

**ORDER**

On this 23rd day of October, 2009, the court has before it for consideration plaintiff's request for attorney's fees and costs pursuant to 42 U.S.C. § 406(b). 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 7, 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 \$3,212.39.

IT IS SO ORDERED.

/s/Jimm Larry Hendren

HONORABLE JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE