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

TROY VINCENT DODD

PLAINTIFF

v.

CIVIL NO. 10-2150

MICHAEL J. ASTRUE, Commissioner Social Security Administration

DEFENDANT

<u>O R D E R</u>

Before the Court is the Report and Recommendation filed on November 10, 2011 by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. ECF No. 16. Judge Marschewski recommends that Plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act ("EAJA") be **GRANTED**. Defendant has not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1).

Accordingly, this Court finds that the report and recommendation is proper and should be adopted in its entirety. Counsel is entitled to compensation under the EAJA in the amount of \$3,603.05. The parties are reminded that the award herein under the EAJA will be taken into account at such time as a reasonable fee is determined pursuant to 42 U.S.C. § 406 in order to prevent double recovery by counsel for the plaintiff.

IT IS SO ORDERED this 5th day of December 2011.

/s/ Robert T. Dawson HONORABLE ROBERT T. DAWSON UNITED STATES DISTRICT JUDGE