

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HARRISON DIVISION

MICHAEL P. SMITH

PLAINTIFF

v.

CIVIL NO. 07-3033

MICHAEL J. ASTRUE, Commissioner  
Social Security Administration

DEFENDANT

**ORDER**

On this 5th day of January, 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, 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 December 8, 2008, the Court finds that the Magistrate's recommendations should be adopted *in toto* and hereby awards plaintiff attorney's fees in the amount of \$621.53.

IT IS SO ORDERED.

/s/Jimm Larry Hendren  
JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE