

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

FLOYD E. RUSSELL

PLAINTIFF

v.

CIVIL NO. 08-03020

MICHAEL J. ASTRUE, Commissioner
Social Security Administration

DEFENDANT

O R D E R

NOW on this 29th day of December 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 the reasons set forth in the **Magistrate Judge's Report and Recommendation** (document #16), filed on December 3, 2009, to which no objections have been filed, the Court finds that the Magistrate's recommendations should be adopted *in toto* and hereby awards Plaintiff's attorney fees in the total amount of \$1,222.28.

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.

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