

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

KEITH V. MCFARLAND

PLAINTIFF

vs.

Civil No. 3:08-cv-03067

MICHAEL J. ASTRUE
Commissioner, Social Security Administration

DEFENDANT

ORDER

Before the Court is the Report and Recommendation filed on June 7, 2010 by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. No. 18). Judge Bryant recommends Plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act ("EAJA") be **GRANTED**. Neither Plaintiff or Defendant have 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 Plaintiff counsel is entitled to compensation under the EAJA in the amount of \$1,642.85, representing 6.05 hours of attorney work at the rate of \$155.00 per hour, 8.75 hours of paralegal work at the rate of \$75.00 per hour, and \$48.85 in expenses. This amount should be paid in addition to, and not out of, any past due benefits which Plaintiff may be awarded in the future.

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 Plaintiff.

IT IS SO ORDERED, this 11th day of June, 2010.

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