

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

JUSTIN CARTER

PLAINTIFF

v.

Civil No. 10-3019

MICHAEL J. ASTRUE,
Commissioner of Social Security

DEFENDANT

O R D E R

Now on this 1st day of November, 2011, comes on for consideration the **Magistrate Judge's Report and Recommendation** (Doc. 17) to which no objections have been made. The Court, having carefully reviewed said Report and Recommendation, finds that it is sound in all respects, and that it should be adopted *in toto*.

IT IS THEREFORE ORDERED that the **Magistrate Judge's Report and Recommendation is adopted in toto**.

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge's Report and Recommendation, the Court finds that plaintiff's **Motion for Award of Attorney's Fees Pursuant to the Equal Access to Justice Act** (Doc. 11) should be, and it hereby is, **granted**.

IT IS FURTHER ORDERED that plaintiff's counsel should be awarded compensation under the EAJA for: 17.8 hours at a rate of \$125.00 per hour, for a total attorney's fee award of \$2,225.00, plus the filing fee of \$350.00 as expenses, for a total award of \$2,575.0. This amount should be paid in addition to, and not out

of, any past due benefits which plaintiff may be awarded in the future.

IT IS SO ORDERED.

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