

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

DAVID ALBRECHT

PLAINTIFF

V.

NO. 12-3144

CAROLYN W. COLVIN

DEFENDANT

ORDER

Plaintiff, DAVID ALBRECHT, appealed the Commissioner's denial of benefits to this court. On August 20, 2013, judgment was entered remanding plaintiff's case to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g). (ECF NO. 15). Plaintiff has moved for an award of \$ 1,064.09 in attorney's fees and costs under 28 U.S.C. § 2412, the Equal Access to Justice Act (hereinafter "EAJA"), requesting compensation for 5.15 attorney hours of work before the court at \$ 155 per hour, 3.25 paralegal hours at an hourly rate of \$75.00 and \$22.09 in expenses. (ECF No. 16-17). Defendant has filed a response indicating no objections to the request for fees and costs. (ECF No. 18).

The undersigned finds that the request for fees and costs is reasonable. Accordingly, the court finds that counsel is entitled to compensation under the EAJA for: 5.15 hours for attorney's fees, at the rate of \$155 per hour, 3.25 hours for paralegal fees, at the rate of \$75.00, and for \$22.09 in expenses for a total attorney's fee award of \$1,064.09.

Further, this award should be made payable directly to Plaintiff, but properly mailed to Plaintiff's attorney. The parties are reminded that the award 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 January 10, 2014.

/s/ J. Marschewski
HONORABLE JAMES R. MARSCHEWSKI
Chief United States Magistrate Judge

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