

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

**MARLON BRENT TANNER**

**PLAINTIFF**

**V.**

**CASE NO. 3:14-CV-3062**

**CAROLYN W. COLVIN  
Commissioner, Social Security Administration**

**DEFENDANT**

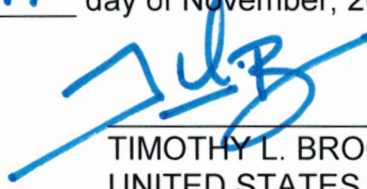
**ORDER**

Currently before the Court is the Report and Recommendation of United States Magistrate Judge Barry A. Bryant, dated September 17, 2015 (Doc. 15), regarding the Motion for Attorney's Fees (Doc. 12) filed by Plaintiff's counsel. More than fourteen (14) days have passed since the parties' receipt of the Report and Recommendation, and no objections were filed.

For the reasons set forth in the Report and Recommendation, the Plaintiff's Motion (Doc. 12) is **GRANTED**, and the Court hereby orders that Plaintiff is entitled to compensation under the EAJA for: 31.60 attorney hours (2014) at a rate of \$186.00 per hour, 2.6 attorney hours (2015) at a rate of \$186.25 per hour, and \$22.66 in out-of-pocket expenses, for a total attorney fee award of \$6,384.51. 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 the Plaintiff.

IT IS SO ORDERED this 17<sup>th</sup> day of November, 2015.



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TIMOTHY L. BROOKS  
UNITED STATES DISTRICT JUDGE