Trusley v. Social Security Administration Commissioner Doc. 16

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

DEBRA L. TRUSLEY PLAINTIFF

VS. CASE NO. 08-CV-4020

MICHAEL J. ASTRUE
Commissioner, Social Security Administration DEFENDANT

ORDER

Before the Court is the Report and Recommendation filed herein on June 19, 2009, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. No. 15). Judge Bryant recommends that Plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act ("EAJA") be **granted in part** and **denied in part**. The parties have not filed objections to this Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Magistrate Judge's Report and Recommendation *in toto.*

Accordingly, the Court finds that Plaintiff's attorney is entitled to compensation under the EAJA in the amount of $3,836.25, which is a total of 23.5 hours at a rate of $165.00 per hour. The Court hereby awards attorney fees in the amount of **$3,836.25** pursuant to the EAJA, 28 U.S.C. § 2412.

IT IS SO ORDERED, this 20th day of July, 2009.

/s/Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge

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