

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

JAMES SORRELLS

PLAINTIFF

vs.

Civil No. 4:10-cv-04016

MICHAEL J. ASTRUE

DEFENDANT

Commissioner, Social Security Administration

**ORDER**

Before the Court is the Report and Recommendation filed on November 10, 2010 by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. ECF No. 19. Judge Bryant recommends that Plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act ("EAJA") be **GRANTED**. The Parties have not 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 is entitled to compensation under the EAJA in the amount of \$5,985.75, representing 34.50 hours of attorney work at an hourly rate of \$173.50. 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 30th day of November, 2010.**

/s/ Harry F. Barnes  
HON. HARRY F. BARNES  
UNITED STATES DISTRICT JUDGE