

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

CHERYL L. RUST

PLAINTIFF

v.

CIVIL NO. 5:07-05097

MICHAEL J. ASTRUE, Commissioner
Social Security Administration

DEFENDANT

ORDER

NOW on this 18th day of December, the Court has before it for consideration plaintiff's request for attorney's fees and costs pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412.

For the reasons set forth in the Report and Recommendation filed by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas, on November 7, 2008, (document #17) to which no objections have been filed, the Court finds that the Magistrate's recommendations should be adopted *in toto* and hereby awards plaintiff's attorney fees in the amount of \$4,752.97.

This amount shall be paid in addition to, and not out of, any past-due benefits plaintiff may be awarded in the future.

IT IS SO ORDERED.

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