

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

SHIRLEY INMAN

PLAINTIFF

V.

NO. 11-5260

CAROLYN W. COLVIN,¹

Acting Commissioner of the Social Security Administration

DEFENDANT

ORDER

On this 21st day of October, 2013, comes on for consideration the United States Magistrate Judge Erin L. Setser's Report and Recommendation dated September 20, 2013, regarding the request for attorney's fees filed by Plaintiff's counsel.

For the reasons set forth in the Report and Recommendation, the Court hereby orders that Plaintiff's counsel is entitled to compensation under the EAJA for: 17 hours at a rate of \$174.00 per hour, for a total attorney's fee award of \$2,958.00, plus expenses in the amount of 23.00, for a total award of \$2,981.00. This amount should be paid in addition to, and not out of, any past due benefits which Plaintiff may be awarded in the future. Further, this award should be paid directly to Plaintiff's counsel. Ratliff v. Astrue, 540 F.3d 800, 802 (8th Cir. 2008).

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.

Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE

¹Carolyn W. Colvin, has been appointed to serve as acting Commissioner of Social Security, and is substituted as Defendant, pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure.