

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

TAMMY R. WARREN

PLAINTIFF

v.

CIVIL NO. 12-5165

CAROLYN W. COLVIN,¹ Commissioner
Social Security Administration

DEFENDANT

ORDER

On this 14th day of January, 2014, the Court has before it for consideration Plaintiff's request for attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412.

For reasons set forth in the Report And Recommendation filed by the Honorable Erin L. Setser, United States Magistrate Judge for the Western District of Arkansas, on December 11, 2013, the Court finds that the Magistrate's recommendations should be adopted *in toto* and hereby awards Plaintiff's attorney fees in the amount of \$3,344.80 representing 16.65 attorney hours of work at a rate of \$180.00 per hour for worked performed in 2012, 1.60 attorney hours of work at a rate of \$183.00 per hour for worked performed in 2013, and 1.10 paralegal hours of work at a rate of \$50.00 per hour. Based upon the holding in Astrue v. Ratliff, 130 S. Ct. 2521 (2010), the EAJA award should be paid directly to Plaintiff.

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

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.