

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

JAMES RAY REYNOLDS

PLAINTIFF

v.

Civil No. 6:09-cv-06038

MICHAEL J. ASTRUE
Commissioner, Social Security Administration

DEFENDANT

ORDER

On June 28, 2010, Plaintiff filed a Petition for Attorney Fees under the EAJA. (Doc. No. 15). In his Petition, Plaintiff requested 15.75 hours at an hourly rate of \$165.00 per hour. However, Plaintiff has not provided any documentation justifying a fee increase from \$125.00 per hour to \$165.00 per hour. 28 U.S.C. § 2412(d)(2)(A) (requiring a showing justifying an increase in EAJA fees such as “an increase in the cost of living or a special factor, such as the limited availability of qualified attorneys for the proceedings involved”).

It appears Plaintiff attempted to provide such a justification when he filed an additional attachment to his Petition on July 15, 2010. This attachment, however, does not contain the required information. **Accordingly, Plaintiff has ten (10) days from the date of this Order or until August 3, 2010 to file a Consumer Price Index (CPI) or other documentation justifying this fee increase. Otherwise, Plaintiff will not be awarded the rate of \$165.00 per hour.**

ENTERED this 20th day of July, 2010.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
U.S. MAGISTRATE JUDGE