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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRISTINA PARRA,)	1:10-cv-01675 LJO GSA
)	
)	
Plaintiff,)	ORDER ADOPTING FINDINGS
)	AND RECOMMENDATIONS
v.)	RE: PLAINTIFF’S MOTION FOR
)	ATTORNEYS’ FEES
CAROLYN W. COLVIN, Commissioner)	(Documents 32 and 35)
of Social Security,)	
)	
Defendant.)	

On September 14, 2010, Plaintiff Christina Parra filed the present action for judicial review of the denial of Social Security benefits. (Doc. 1). Plaintiff’s appeal was granted and she was awarded benefits on August 31, 2011. (Docs. 20 and 21). Subsequently, Plaintiff filed a Motion for Attorneys’ Fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). (Doc. 22). The parties stipulated to an attorney fee award in the amount of \$3,900.00 which this Court adopted on November 5, 2012. (Doc. 28).

On March 13, 2013, the Commissioner issued a decision granting Plaintiff’s application for benefits. Plaintiff received \$36,690.40 in retroactive benefits. (Doc. 32-2). The Commissioner withheld \$9,172.60 from the past-due benefit for attorney fees. This amount equals 25 percent of the retroactive benefit award. *Id.*

On March 31, 2013, Plaintiff’s counsel filed a Motion for Attorney’s Fees pursuant to 42 U.S.C. § 406(b)(1), requesting \$9,172.60 for 43.3 hours of attorney services. (Doc. 32). After

1 crediting \$3,900.00 received previously pursuant to the EAJA, Counsel requests a net fee of
2 \$5,272.60 from the past-due award. No opposition to the motion was filed.

3 On May 31, 2013, the Magistrate Judge issued Findings and Recommendations
4 recommending that Plaintiff's Motion for Attorneys' Fees be granted. (Doc. 35). The Findings
5 and Recommendations were served on all parties. The parties were advised that any objections
6 were to be filed no later than June 28, 2013. (Doc. 36). To date, no party has filed any
7 objections.

8 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(c), this Court has conducted a
9 *de novo* review of the case. Having carefully reviewed the entire file, the Court finds that the
10 Findings and Recommendations are supported by the record and proper analysis.

11 Accordingly, IT IS HEREBY ORDERED that:

- 12 1. The Findings and Recommendations dated May 31, 2012 (Doc. 35), are
13 ADOPTED IN FULL; and
- 14 2. Plaintiff's counsel Motion for Attorney's Fees pursuant to 42 U.S.C. § 406(b)(1)
15 in the amount of \$9,172.60 (a net fee of \$5,272.60 from the past-due award) is
16 granted. (Doc. 32). Pursuant to Counsel's request, this amount shall be paid
17 directly to attorney Sengthiene Bosavanh. Upon payment, Counsel shall refund
18 \$3,900.00 to Plaintiff.

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24 IT IS SO ORDERED.

25 Dated: July 2, 2013

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE