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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONNA CROSS,

 Plaintiff,

 v.

KILOLO KIJAKAZI, acting
Commissioner of Social Security,

 Defendant.

No. 1:23-cv-00424-ADA-HBK

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND GRANTING
PLAINTIFF’S MOTION FOR ATTORNEY’S
FEES UNDER THE EQUAL ACCESS TO
JUSTICE ACT

(ECF Nos. 17, 19)

Plaintiff Donna Cross initiated this action seeking judicial review of a final decision of the Commissioner of Social Security. (ECF No. 1.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302(c)(15).

On September 18, 2023, the assigned Magistrate Judge issued findings and recommendations, recommending that Plaintiff’s motion for attorney’s fees and costs pursuant to the Equal Access to Justice Act (“EAJA”), 28 U.S.C. §§ 1920, 2412, be granted. (ECF No. 19.) The findings and recommendations contained notice that any objections thereto were due within fourteen days after service. (*Id.* at 1, 3.) As of the date of this Order, no objections have been filed and the deadline for doing so has passed.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), the Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court concludes that the Magistrate Judge’s findings and recommendations are supported by the record and proper analysis.

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Accordingly,

1. The findings and recommendations issued on September 18, 2023, (ECF No. 19), are ADOPTED in FULL;
2. Plaintiff’s Motion for Attorney’s Fees, (ECF No. 17), is GRANTED;
3. The Commissioner is directed to pay to Plaintiff as the prevailing party EAJA fees in the amount of \$8,011.74 in attorney’s fees and expenses, and \$402.00 in costs. Unless the Department of Treasury determines that Plaintiff owes a federal debt, the government shall make payment of the EAJA fees to Plaintiff’s counsel, Melissa Markos Nyman, in accordance with Plaintiff’s assignment of fees; and
4. Whether the payment of attorney’s fees is made payable to Plaintiff or her counsel, the check will be mailed to Plaintiff’s counsel’s mailing address at:

Melissa Markos Nyman
Nyman Turkish, PC
3009 Douglas Blvd., Suite 200
Roseville, CA 95661.

IT IS SO ORDERED.

Dated: October 20, 2023


UNITED STATES DISTRICT JUDGE