

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 14-cv-01852-WJM

STEPHANIE YOLANDA SANDOVAL,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant.

**ORDER GRANTING STIPULATED MOTION FOR
EQUAL ACCESS TO JUSTICE ACT ATTORNEY FEES**


This matter is before the Court on the Parties' Stipulation for Equal Access to Justice Act Attorney Fees, filed October 5, 2015 (ECF No. 24). The Equal Access to Justice Act ("EAJA") requires that a court "award to a prevailing party . . . fees and other expenses . . . incurred by that party in any civil action . . . brought by or against the United States . . . unless the court finds that the position of the United States was substantially justified . . ." 28 U.S.C. § 2412(d)(1)(A). "The Government bears the burden of showing that its position was substantially justified." *Gilbert v. Shalala*, 45 F.3d 1391, 1394 (10th Cir. 1995).

In the parties' Stipulation, the Commissioner does not concede that her position was not substantially justified, but nevertheless agrees that Plaintiff is entitled to EAJA fees. Accordingly, and pursuant to the parties' Stipulation, the Court hereby ORDERS as follows:

1. The parties' Stipulated Motion for Equal Access to Justice Act Attorney Fees (ECF No. 24) is GRANTED; and
2. The Commissioner shall pay attorney's fees under the Equal Access to Justice Act in the amount of \$5,900.00 made payable to Plaintiff and delivered to Plaintiff's attorney.

Dated this 29th day of December, 2015.

BY THE COURT:



William J. Martinez
United States District Judge