

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-03482-JLK-AP

PHYLLIS C. MILTON,

Plaintiff,

v.

CAROYN COLVIN,
Acting Commissioner of Social Security,

Defendant.

ORDER

Kane, J.

Before the Court is the Unopposed Motion for Attorney's Fees (Doc. 16) and Attorney's Affidavit (Doc. 17) of Plaintiff Phyllis C. Milton, for award of attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). The Court GRANTS the Motion (Doc. 16 and 17). Based on the pleadings as well as the position of the defendant commissioner, if any, and recognizing the Plaintiff's waiver of direct payment and assignment of EAJA to her counsel,

IT IS HEREBY ORDERED that attorney fees in the total amount of Five Thousand - Eight Hundred One Dollars and Seventy Cents (\$5,801.70) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) are awarded to Plaintiff. *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010).

The Court hereby awards EAJA fees, broken down as follows:

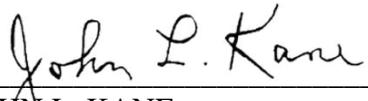
1. Plaintiff is awarded 25.70 hours at \$195.19 per hour in the amount of \$5,016.38 for attorney's fees under 28 U.S.C. § 2412(d);

2. Plaintiff is awarded 8.50 hours at \$92.39 per hour in the amount of \$785.32 for Paralegal Services.

3. Plaintiff is awarded \$15.39 in costs for Certified Mail for service of Summons and Complaint.

If the U.S. Department of the Treasury determines that Plaintiff's EAJA fees, expenses, and costs are not subject to offset allowed under the Department of the Treasury's Offset Program (TOPS), then the check for EAJA fees, expenses, and costs may be made payable to Plaintiff's attorney, Howard D. Olinsky, Esq.

Dated July 27, 2015.



JOHN L. KANE
SENIOR U.S. DISTRICT JUDGE