

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn

Civil Action No. 15-cv-01086-REB

RICHARD A. OVERTON,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant.

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ORDER APPROVING STIPULATION FOR AWARD OF  
ATTORNEY FEES UNDER THE EQUAL ACCESS TO JUSTICE ACT

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**Blackburn, J.**

The matter before me is the parties' **Stipulation for Award of Attorney Fees Under the Equal Access to Justice Act** [#24],<sup>1</sup> filed January 29, 2016. As indicated by the title of the document, the parties have reached an agreement as to the amount of attorney fees to be awarded to plaintiff under the EAJA. I therefore approve their stipulation and award attorney fees in the amount stipulated, payable to plaintiff. **See *Manning v. Astrue***, 510 F.3d 1246, 1249-55 (10<sup>th</sup> Cir. 2007), ***cert. denied***, 129 S.Ct. 486 (2008).<sup>2</sup>

**THEREFORE, IT IS ORDERED** as follows:

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<sup>1</sup> "[#24]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

<sup>2</sup> In ***Manning***, the Tenth Circuit held the plain language, structure, and history of the EAJA preclude an award of fees to anyone other than the prevailing party. Thus, even if plaintiff has assigned his right to EAJA fees to his attorney, I cannot direct the fee award be paid directly to anyone other than plaintiff himself.

1. That the parties' **Stipulation for Award of Attorney Fees Under the Equal Access to Justice Act** [#24], filed January 29, 2016, is approved; and

2. That plaintiff is awarded \$3,600 in attorney fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A).

Dated February 1, 2016, at Denver, Colorado.

**BY THE COURT:**

s/ Robert E. Blackburn  
Robert E. Blackburn  
United States District Judge