

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

Civil Action No. 15-cv-01369-REB

ABEL WAYNE ESPINOZA,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner of Social Security,

Defendant.

**ORDER GRANTING UNOPPOSED MOTION FOR ATTORNEY
FEES UNDER THE EQUAL ACCESS TO JUSTICE ACT**

Blackburn, J.

The matter before me is the parties' **Stipulation for Award of Attorney Fees Under the Equal Access to Justice Act** [#18],¹ filed April 15, 2016. As indicated by the title of the document, the parties have reached agreement as to the amount of attorney fees to be awarded to plaintiff under the Equal Access To Justice Act. After due consideration of the proposed stipulation, I approve it and award attorney fees in the amount stipulated, payable to plaintiff. *See Manning v. Astrue*, 510 F.3d 1246, 1249-55 (10th Cir. 2007), *cert. denied*, 129 S.Ct. 486 (2008).²

¹ “[#18]” 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.

² 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.

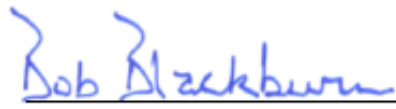
THEREFORE, IT IS ORDERED as follows:

1. That the **Stipulation for Award of Attorney Fees Under the Equal Access to Justice Act** [#18], filed April 15, 2016, is approved; and

2. That pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A), plaintiff is awarded attorney fees and expenses totaling \$2,777.77.

Dated April 15, 2016, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge