

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Wiley Y. Daniel

Civil Action No. 15-cv-02017-WYD

SHAUN CURTIS DOLLEY,

Plaintiff,

v.

CAROLYN COLVIN, Acting Commissioner of Social Security Social Security
Administration,

Defendant.

ORDER

THIS MATTER having come before the Court upon Plaintiff's Stipulated Motion for Attorney Fees Under Equal Access to Justice Act [ECF Doc. No. 20], it is hereby

ORDERED that Plaintiff's Stipulated Motion for Attorney Fees Under Equal Access to Justice Act [ECF Doc. No. 20], filed January 25, 2016, is **GRANTED**. It is further

ORDERED that attorney fees be, and hereby are, awarded under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), payable to Plaintiff in care of his attorney in the amount of \$1,316.00. See *Astrue v. Ratliff*, 130 U.S. 2521 (2010) (EAJA fees are paid to the prevailing party, not the attorney). It is further

ORDERED THAT, if Plaintiff's counsel receives attorney fees under both the EAJA and 42 U.S.C. § 406(b) of the Social Security Act, Plaintiff's counsel shall refund the

smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

Dated: January 25, 2016

BY THE COURT:

/s/ Wiley Y. Daniel _____
WILEY Y. DANIEL,
SENIOR UNITED STATES DISTRICT JUDGE