

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

WAYNE LEE BUSBY,

Plaintiff,

-vs-

Case No. 3:14-cv-544-J-34PDB

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

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**ORDER**

**THIS CAUSE** is before the Court on the Report and Recommendation (Dkt. No. 25; Report), entered by the Honorable Patricia D. Barksdale, United States Magistrate Judge, on July 13, 2016. In the Report, Magistrate Judge Barksdale recommends that the Court grant the Petition for Award of Attorney Fees Under 42 U.S.C. § 406(b) (Dkt. No. 24). See Report at 1, 7. No objections to the Report have been filed, and the time for doing so has now passed.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at \* 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

**ORDERED:**

1. The Magistrate Judge's Report and Recommendation (Dkt. No. 25) is **ADOPTED** as the opinion of the Court.

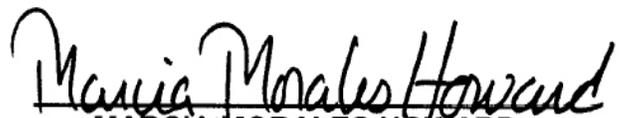
2. The Petition for Award of Attorney Fees Under 42 U.S.C. § 406(b) (Dkt. No. 24) is **GRANTED**.

3. Chantal Harrington, Esquire is authorized to charge Plaintiff Wayne Lee Busby \$14,564.45 in § 406(b) fees out of his past due benefits award for her successful representation of him in this case.

4. The Social Security Administration shall make payment payable to "Chantal J. Harrington, P.A."

5. Chantal Harrington is ordered to refund Wayne Lee Busby \$3,928.45 upon receipt of the \$14,564.45 in § 406(b) fees.

**DONE AND ORDERED** at Jacksonville, Florida, this 20th day of September, 2016.

  
**MARCIA MORALES HOWARD**  
United States District Judge

ja  
Copies to:  
Counsel of Record