

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

SHANE T. CLONTZ,

Plaintiff,

v.

Case No: 5:14-cv-210-Oc-PRL

**COMMISSIONER OF SOCIAL
SECURITY**

Defendant.

ORDER

This matter is before the Court on Plaintiff's Unopposed Petition for Attorney Fees. (Doc. 21). Pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. §2412(d), Plaintiff requests an award of fees in the amount of \$3,890.27. The attached schedule confirms the attorney hours. (Doc. 21). Plaintiff represents that the Commissioner has no objection to the petition.

Plaintiff asserts that he is the prevailing party in this litigation and that the Commissioner's position in the underlying action was not substantially justified. (Doc. 21). On November 19, 2014, the Court entered an Order remanding this case to the Commissioner, and judgment was entered accordingly. (Docs. 19 & 20).

Plaintiff has attached a fee contract (Doc. 21-1), which includes Plaintiff's assignment of EAJA fees to counsel. In light of the assignment, Plaintiff requests (and Defendant agrees) that the payment should be made payable to Plaintiff and delivered to Plaintiff's counsel unless Plaintiff owes a federal debt. If the U.S. Department of the Treasury determines that Plaintiff does not owe a federal debt, the government will accept Plaintiff's assignment of EAJA fees and pay fees directly to Plaintiff's counsel.

Pursuant to the provisions of the Equal Access to Justice Act (28 U.S.C. §2412(d)), Plaintiff's petition for attorney's fees (Doc. 21) is hereby **GRANTED**. Plaintiff is awarded attorney's fees in the amount of **\$3,890.27**. Payment is authorized to Plaintiff's counsel if the Commissioner determines Plaintiff does not owe a debt to the government.

DONE and **ORDERED** in Ocala, Florida on January 13, 2015.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties