UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

DESIREE SANTANA ORTIZ,

     Plaintiff,

v.   Case No: 6:13-cv-763-Orl-36TBS

COMMISSIONER OF SOCIAL
SECURITY,
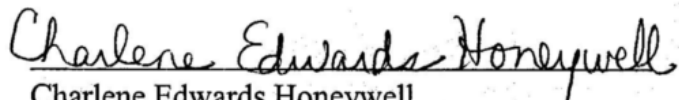
     Defendant.

_____/

O R D E R

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Thomas B. Smith on August 4, 2014 (Doc. 24). In the Report and Recommendation, Magistrate Judge Smith recommends that the Court grant Plaintiff's unopposed petition for attorney's fees (Doc. 23) and award attorney's fees in the amount of $2,962.29 to be paid out of the judgment fund and to Plaintiff's counsel if the Commissioner determines Plaintiff does not owe a debt to the Government. All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed. Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted. Accordingly, it is now

ORDERED AND ADJUDGED:

(1)   The Report and Recommendation of the Magistrate Judge (Doc. 24) is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.

(2)   Plaintiff's Uncontested Petition for Attorney's Fees, pursuant to the Equal Access to Justice Act, 28 U.S.C. Section 2412(d) (Doc. 23) is **GRANTED.**

(3)   Finding the number of hours and hourly rate to be reasonable, Plaintiff is hereby award attorney's fees in the amount of $2,962.29 to be paid out of the judgment fund and to Plaintiff's counsel if the Commissioner determines Plaintiff does not owe a debt to the Government.

(4)   The Clerk is directed to enter a Judgment in favor of Plaintiff awarding attorney's fees in the amount of $2,962.29.

DONE AND ORDERED at Tampa, Florida on September 9, 2014.

Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Thomas B. Smith
Counsel of Record