

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

SUSAN M. AMOS,

Plaintiff,

v.

Case No. 6:15-cv-1912-Orl-37GJK

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

---

**ORDER**

This cause is before the Court on the following: (1) Plaintiff's Uncontested Petition for Attorney's Fees (Doc. 25), filed April 24, 2017; and (2) U.S. Magistrate Judge Gregory J. Kelly's Unopposed Report and Recommendation (Doc. 26), filed April 25, 2017; and (3) the parties' Joint Statement in Response to the Report and Recommendation (Doc. 27), filed April 27, 2017.

**I. PROCEDURAL HISTORY**

Plaintiff Susan Amos initiated this action seeking judicial review of a final unfavorable determination on her claim for Social Security benefits. (*See* Doc. 1.) On **March 3, 2017**, the Court entered a judgment in favor of Plaintiff, who is the prevailing party in this action. (*See* Docs. 24; *see also* Doc. 23.) Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) ("**EAJA**"), Plaintiff then filed an Uncontested Motion for Attorney's Fees (Doc. 25 ("**Motion**"). On **April 25, 2017**, Magistrate Judge Kelly issued a Report and Recommendation ("**Report**"), which recommended that the Court grant the

Motion to the extent that Plaintiff requests that the Court award her EAJA attorney's fees in the sum of **\$4,154.47**. (*See* Doc. 26.) Two days later, the parties filed a Joint Statement in Response to the Report and Recommendation, which advises that neither party objects to the Report. (*See* Doc. 27.)

## II. DISCUSSION

When no party files written objections to the proposed findings and recommendations in a magistrate's report, the district court conducts a "clear error" review. *See Marcort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006) ("Most circuits agree that in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation."); *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993); *see also* 28 U.S.C. § 636(b)(1). Here, the parties have explicitly advised the Court that they have no objections (*see* Doc. 27); hence, the Court has reviewed the Report for clear error. In doing so, the Court finds that the findings and recommendations set forth in the thoughtful Report are supported and warranted by the record. Thus, the Report is due to be accepted and adopted and made part of this Order.

## III. CONCLUSION

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. U.S. Magistrate Judge Gregory J. Kelly's Unopposed Report and Recommendation (Doc. 26) is **ACCEPTED, ADOPTED, and made part of this Order**.
2. Plaintiff's Unopposed Motion for Attorney's Fees (Doc. 25) is **GRANTED IN PART AND DENIED IN PART** as set forth in this Order and the Unopposed Report

and Recommendation (Doc. 26).

3. In accordance with 28 U.S.C. § 2412(d), the Court **AWARDS \$4,154.47** to Plaintiff Susan M. Amos for attorney fees in this action.

**DONE AND ORDERED** in Orlando, Florida, this 8th day of May, 2017.



  
ROY B. DALTON JR.  
United States District Judge

Copies to:

Counsel of Record