

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

LISA M. GREENE,

Plaintiff,

v.

Case No: 6:16-cv-237-Orl-28GJK

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

This case is before the Court on the Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d) (Doc. 25) filed by Plaintiff. The assigned United States Magistrate Judge has submitted a Report (Doc. 26) recommending that the motion be granted to the extent that the Court award costs and EAJA attorney's fees to Plaintiff in the sums of \$400.00 and \$5,720.81, respectively, and that the motion otherwise be denied.¹ No objection to the Report has been filed, and the time for filing objections has passed.

After review of the record in this matter, the Court agrees with the findings and conclusions in the Report and Recommendation. Therefore, it is **ORDERED** as follows:


1. The Report and Recommendation (Doc. 26) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d) (Doc. 25) filed by Plaintiff is **GRANTED in part**

¹ The motion requested that the fees be paid directly to Plaintiff's attorney.

and **DENIED in part**. The motion is **granted** to the extent that Plaintiff shall be awarded EAJA attorney's fees in the sum of \$5,720.81 and costs in the sum of \$400.00. The motion is otherwise **denied**.

3. The Commissioner shall pay EAJA attorney's fees in the sum of \$5,720.81 and costs in the sum of \$400.00 to Plaintiff.²

DONE and **ORDERED** in Orlando, Florida, on August 10th 2017.



JOHN ANTOON II
United States District Judge

Copies furnished to:
United States Magistrate Judge
Counsel of Record

² As noted in the Report, the United States Department of the Treasury may exercise its discretion to honor Plaintiff's assignment of fees if it determines that Plaintiff does not owe a debt to the Government. (See Doc. 26 at 3 n.1). The Court is not, however, ordering the Department to honor the assignment.