

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

**MARIO DIAZ COLON,**

**Plaintiff,**

**v.**

**Case No: 6:19-cv-1184-Orl-18LRH**

**COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

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**ORDER**

This cause came on for consideration on Plaintiff Mario Diaz-Colon's Unopposed Motion for Attorney Fees Pursuant to the Equal Access to Justice Act (Doc. 30), which the Court referred to the United States Magistrate Judge for a report and recommendation. Having reviewed the Report and Recommendation (Doc. 31) entered on September 25, 2020, and noting that no timely objections have been filed, it is hereby **ORDERED** and **ADJUDGED** as follows:

1. United States Magistrate Judge Leslie R. Hoffman's Report and Recommendation (Doc. 31) is **APPROVED** and **ADOPTED** and is made part of this Order for all purposes, including appellate review.

2. Plaintiff Mario Diaz-Colon's Unopposed Motion for Attorney's Fees Pursuant to the Equal Access to Justice Act (Doc. 30) is **GRANTED in part** and **DENIED in part** as follows:

a. Plaintiff Mario Diaz-Colon, as the prevailing party, is awarded fees in the amount of **\$1,888.30**.

b. The United States is precluded from offsetting any debt that the Plaintiff may owe the Social Security Administration resulting from any overpayment stemming from the redetermination of this case.

c. In all other respects, the Motion (Doc. 30) is **DENIED**.

3. The Clerk of Court is directed to **ENTER JUDGMENT accordingly**, in favor of Plaintiff Mario Diaz-Colon and against Defendant Commissioner of Social Security.

**DONE and ORDERED** in Orlando, Florida, this 15 day of October, 2020.

  
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**G. KENDALL SHARP**  
SENIOR UNITED STATES DISTRICT JUDGE

Copies to:  
Counsel of Record