

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

TANYA MCCLENDON,

Plaintiff,

v.

CASE NO. 8:14-cv-1651-T-23TBM

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER**

A December 22, 2016 report (Doc. 29) recommends granting in part Tanya McClendon's motion (Doc. 27) for an attorney's fee. More than fourteen days has passed, and no party objects. Accordingly, the report and recommendation (Doc. 29) is **ADOPTED**. The motion (Doc. 27) is **GRANTED IN PART**. The clerk is directed to enter a judgment for McClendon and against the Commissioner of Social Security for \$12,285.75 in an attorney's fee. The defendant must (1) deduct the earlier Equal Access to Justice Act (EAJA) fee award of \$6,316.80 from the \$12,285.75 or (2) accept the full sum and refund the smaller EAJA award to the plaintiff. (Doc. 29 at 7)

ORDERED in Tampa, Florida, on January 12, 2017.



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STEVEN D. MERRYDAY  
UNITED STATES DISTRICT JUDGE