

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

PRISCILLA THOMAS,

Plaintiff,

v.

Case No: 8:15-cv-1883-T-JSS

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

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ORDER

THIS MATTER is before the Court on Plaintiff's letter to the Court, which the Court construes as a Motion for Appropriation of Attorney's Fees ("Motion"). (Dkt. 29.) On June 27, 2017, the Court granted Plaintiff's amended Unopposed Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act. (Dkt. 28.) Specifically, because Plaintiff assigned the fee award to her counsel, the Court granted Plaintiff's request that the fee award be paid directly to Plaintiff's counsel if Plaintiff was not indebted to the federal government. (Dkt. 28 at 4.) Pursuant to the Court's Order, counsel for the Commissioner contacted the United States Department of Treasury to determine whether Plaintiff owed a debt to the federal government. (Dkt. 30-1.) The Department of Treasury confirmed that Plaintiff did not owe a debt that would be subject to offset. (Dkt. 30-1.) The Commissioner therefore requested that the fee award be paid to Plaintiff's counsel. (Dkt. 30 at 2.) On July 18, 2017, the fee award was paid to Plaintiff's counsel. (Dkt. 30-2.)

In her Motion, Plaintiff now requests that the fee award be paid to her and applied to her student loan debt. (Dkt. 29.) However, Plaintiff assigned her fee award to her counsel. (Dkt. 26-1 at 1.) The Commissioner determined that Plaintiff does not owe a debt to the federal government.

(Dkt. 30-1.) Thus, the Commissioner properly paid the fee award to Plaintiff's counsel. *Astrue v. Ratliff*, 560 U.S. 586, 597 (2010) (explaining that the Commissioner pays fee awards to plaintiff's counsel where plaintiff does not owe a debt to the government and assigns the right to receive the fees to counsel).

Accordingly, it is **ORDERED** that Plaintiff's Motion for Appropriation of Attorney's Fees (Dkt. 29) is **DENIED**.

DONE and **ORDERED** in Tampa, Florida, on December 18, 2017.



JULIE S. SNEED
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:
Counsel of Record