

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

CONNOR BREDALL,

Plaintiff,

v.

Case No. 8:18-cv-597-T-AAS

**NANCY A. BERRYHILL, Acting
Commissioner of Social Security
Administration,**

Defendant.

_____ /

ORDER

Connor Bredall moves for an award of attorney's fees, which the Commissioner does not oppose. (Doc. 26). Mr. Bredall requests \$6,420.96 in attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. Section 2412. The EAJA permits awards for reasonable attorney's fees to a prevailing party against the United States. 28 U.S.C. § 2412.

The March 4, 2019 order remanded the Commissioner's final decision under sentence four of 42 U.S.C. Section 405(g) for further administrative proceedings. (Doc. 24). The Clerk entered judgment in Mr. Bredall's favor. (Doc. 25). Mr. Bredall now requests an award of attorney's fees under the EAJA. (Doc. 26).

The Commissioner does not contest the following: Mr. Bredall is the prevailing party; Mr. Bredall's net worth was less than \$2 million when he filed his complaint; the Commissioner's position was not substantially justified; no special circumstances make an attorney's fees award unjust; and Mr. Bredall's attorney's fees request is

unreasonable. A court should grant a Social Security claimant's request for attorney's fees when it is unopposed. *See Jones v. Colvin*, No. 8:13-CV-2900-T-33AEP, 2015 WL 7721334 (M.D. Fla. Nov. 30, 2015) (awarding unopposed attorney's fees request). Therefore, Mr. Bredall is entitled to \$6,420.96 in attorney's fees.

Attorney's fees awarded to a claimant under the EAJA can be offset to satisfy the claimant's pre-existing debt to the United States. *Astrue v. Ratliff*, 560 U.S. 586, 589 (2010). Following this order, the United States Department of the Treasury will determine whether Mr. Bredall owes a debt to the United States. Mr. Bredall also assigned his rights to EAJA fees to his attorney. So, if Mr. Bredall has no federal debt, the United States will accept Mr. Bredall's assignment of EAJA fees and pay the fees directly to his counsel.

Accordingly, Mr. Bredall's motion for attorney's fees under the EAJA (Doc. 26) is **GRANTED**. Mr. Bredall is awarded **\$6,420.96** in attorney's fees.

ORDERED in Tampa, Florida on March 25, 2019.



AMANDA ARNOLD SANSONE
United States Magistrate Judge