

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

LUCINDA THOMAS,

Plaintiff,

vs.

Case No. 1:13cv2-CAS

**CAROLYN W. COLVIN, Acting
Commissioner of Social Security,**

Defendant.

_____ /

ORDER AWARDING EAJA ATTORNEY FEES

Plaintiff filed a Consent Petition for Attorney Fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), requesting an award of attorney fees in the amount of \$3,886.61. Doc. 20. Defendant has filed a response and does not oppose the petition. Doc. 21. In accordance with Astrue v. Ratliff, 130 S.Ct. 2521, 2524 (2010), the EAJA fee should be made payable to Plaintiff, not to Plaintiff's attorney. Since the fee was assigned to Plaintiff's attorney, Defendant has no objection to payment of the fee to Plaintiff's attorney so long as Plaintiff has no debt to the United States, and will offset any such debt before payment.

Accordingly, it is **ORDERED** that:

Plaintiff's Consent Petition for Attorney Fees, docs. 20, is **GRANTED** and Plaintiff is awarded attorney fees in the amount of \$3,886.61 as a reasonable EAJA attorney fee. However, the Commissioner may offset from this amount any debt owed by the Plaintiff to the United States that may be identified by the Department of Treasury and any ultimate distribution shall be made in accordance with Astrue v. Ratliff.

DONE AND ORDERED on December 24, 2013.

S/ Charles A. Stampelos _____
CHARLES A. STAMPELOS
UNITED STATES MAGISTRATE JUD