

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

MILTON R. WATKINS,
Plaintiff,

vs.

Case No.: 3:08cv255/RV/EMT

MICHAEL J. ASTRUE,
Commissioner of Social Security,
Defendant.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated December 17, 2009 (Doc. 31). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a de novo determination of all timely filed objections.

Having considered the Report and Recommendation, and any timely filed objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.

2. Plaintiff's Motion For Attorney Fees and Costs (Doc. 27) is **GRANTED** as follows:

Plaintiff's counsel, Byron A. Lassiter, Esquire, is entitled to recover fees and expenses in the amount of \$3,233.90 for representing Plaintiff before the United States District Court for the Northern District of Florida pursuant to 28 U.S.C. § 2412 (EAJA); the amount of attorney fees and hourly rates requested under the EAJA are reasonable; and the Commissioner is directed to pay counsel that amount. Costs in the amount of \$350.00 are also awarded, to be paid from the Judgment Fund of the United States Treasury.

DONE AND ORDERED this 20th day of January 2010.

/s/ Roger Vinson

ROGER VINSON

SENIOR UNITED STATES DISTRICT JUDGE