

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

KENNETH HORNE,

Plaintiff,

vs.

Case No.: 3:09cv194/MCR/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 1, 2010. (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 any timely filed objections.

Having considered the Report and Recommendation, and any 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 Amended Application for Attorney Fee Pursuant to the Equal Access to Justice Act (doc. 29) is **GRANTED** as follows:

Plaintiff, Kenneth Horne, shall recover fees in the amount of \$2,970.54, for time expended by his counsel in representing him before the United States District Court for the Northern District of Florida pursuant to 28 U.S.C. § 2412

(EAJA). The United States forthwith shall issue a check payable directly to Mr. Horne.

DONE AND ORDERED this 6th day of January, 2011.

s/ M. Casey Rodgers

**M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE**