

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

JUDY BAGGETT,

Plaintiff,

v.

Case No. 3:10cv447/MCR/EMT

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

ORDER

This cause comes on for consideration upon the Chief Magistrate Judge's Report and Recommendation dated March 25, 2014 (doc. 27). 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). No timely objections have been filed.

Having considered the Report and Recommendation, the Court has determined that the Report and Recommendation should be adopted.

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

1. The Chief Magistrate Judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. The "Unopposed Motion for Attorney Fees under the Social Security Act, 42 U.S.C. [§] 406(b)" (doc. 24) is **GRANTED**.
3. Plaintiff's counsel, John M. Pennington, is awarded attorney's fees in the amount of \$17,795.55, to be paid out of the sums withheld by the Commissioner from Plaintiff's past due benefits.
4. Upon receipt of attorney's fees pursuant to 42 U.S.C. § 406(b), Plaintiff's counsel, John M. Pennington, shall immediately refund to Plaintiff any or all of the

previously awarded EAJA fees that have not already been refunded to Plaintiff.

DONE and ORDERED this 29th day of April, 2014.

M. Casey Rodgers

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