

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

TIMOTHY K. DAVENPORT,

Plaintiff,

v.

CASE NO. 4:08cv416-RH/WCS

MICHAEL J. ASTRUE,

Defendant.

ORDER AWARDING ATTORNEY'S FEES

This case is before the court on the magistrate judge's report and recommendation (document 38). No objections have been filed. Upon consideration,

IT IS ORDERED:

The report and recommendation is ACCEPTED and adopted as the court's opinion. The claimant's application for attorney's fees is GRANTED. The Commissioner must pay the claimant's attorney Heather Freeman \$4,816.63 as attorney's fees under the Equal Access to Justice Act.

SO ORDERED on January 19, 2010.

s/Robert L. Hinkle
United States District Judge