

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

ALAN D. BACKLUND,
Plaintiff,

v.

5:06cv245/MCR/MD

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

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated March 12, 2009. The plaintiff has been furnished a copy of the report and recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1), and I have made a de novo determination of those portions to which an objection has been made.

Having considered the report and recommendation and all 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 application for attorney fees and costs (doc. 46) is granted as set forth below.
3. Plaintiff's counsel, Heather Freeman, Esquire, is entitled to recover a reasonable fee for representing plaintiff before the United States District Court for

the Northern District of Florida and in the Eleventh Circuit Court of Appeals pursuant to 28 U.S.C. § 2412 (EAJA), attorney fees and costs of \$10,068.48 under the EAJA are reasonable, and the Commissioner is directed to pay counsel that amount.

DONE AND ORDERED this 16th day of April, 2009.

sl M. Casey Rodgers

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