

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

DOUGLAS R. OWNBY,

Plaintiff,

vs.

CASE NO. 5:09cv10/RS-EMT

MICHAEL J. ASTRUE, Commissioner  
of Social Security,

Defendant.

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**ORDER**

Before me is the Magistrate Judge's Report and Recommendation (Doc. 32). No objections have been filed.

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. Plaintiff's Motion For Attorney's Fees And Costs (Doc. 29) is granted as follows:
  - (a) Plaintiff's counsel, Heather Freeman, is entitled to recover fees in the amount of \$5,107.57 pursuant to 28 U.S.C. §2412 (EAJA) for representing Plaintiff before this court. The amount of attorney's fees and the hourly rates requested under the EAJA are reasonable, and the Commissioner is directed to pay Plaintiff's counsel that amount.

(b) Costs in the amount of \$350.00 for the filing fee are also awarded, which shall be paid from the Judgment Fund of the United States Treasury.

**ORDERED** on February 19, 2010.

/S/ Richard Smoak

**RICHARD SMOAK**

**UNITED STATES DISTRICT JUDGE**