

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

TONY WATSON,

Plaintiff,

vs.

CASE NO. 5:09cv38/RS-MD

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

_____ /

ORDER

Before me is the Magistrate Judge's Report and Recommendation (Doc. 33). 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 (Doc. 31) is granted. Plaintiff's counsel, Stuart Barasch is entitled pursuant to 28 U.S.C. §2412 (EAJA) to recover reasonable fees for representing Plaintiff before the U.S. District Court for the Northern District of Florida; attorney's fees of \$4,739.74 are reasonable under the EAJA; and the Commissioner is directed to pay Plaintiff's counsel attorney's fees of \$4,739.74. Costs in the amount of \$48.39 are awarded, which shall be paid from the Judgment Fund.

ORDERED on March 8, 2010.

/S/ Richard Smoak

RICHARD SMOAK

UNITED STATES DISTRICT JUDGE