

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

**CRAIG ARNOLD SMITH,**

**Plaintiff,**

**v.**

**CASE NO. 5:17cv202-MCR-CJK**

**NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,**

**Defendant.**

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated June 28, 2018. ECF No. 22. 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). I have made a *de novo* determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined 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 is awarded a reasonable fee under the Equal Access to Justice Act in the amount of \$6,992.87, to be paid by defendant Commissioner within a reasonable time of this Order.
3. The Commissioner shall follow *Astrue v. Ratliff*, but make prompt payment of the amount due, as no showing of an outstanding federal debt has been made to date.
4. The clerk shall close the file.

**DONE AND ORDERED** this 30th day of July 2018.

*s/ M. Casey Rodgers*  
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**M. CASEY RODGERS**  
**UNITED STATES DISTRICT JUDGE**