

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 20-61135-CIV-SINGHAL/Valle

SAMANTHA BARRETT,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.  

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**ORDER**

**THIS CAUSE** is before the Court on the Plaintiff's Unopposed Petition for Attorney's Fees Pursuant to the Equal Access to Justice Act, 28 U.C.S.A. Section 2412(d) (DE [30]) and the Report and Recommendation on Plaintiff's Unopposed Petition for Attorney's Fees ("Report & Recommendation") (DE [31]). Under the Equal Access to Justice Act, a court generally must award reasonable attorney's fees to any party prevailing in litigation against the United States, unless the United States' position was "substantially justified" or "special circumstances make an award unjust." See 28 U.S.C. § 2412(d)(1)(A). Defendant does not oppose Plaintiff's motion and does not dispute Plaintiff is the prevailing party. No objections to the magistrate judge's Report & Recommendation (DE [31]) have been filed, thus, the Court reviews the Report & Recommendation (DE [31]) for clear error. See Fed. R. Civ. P. 72. The Report & Recommendation (DE [31]) find Plaintiff's request for attorney's fees is reasonable. See *Norman v. Hous. Auth. of Montgomery*, 836 F.2d 1292, 1299 (11th Cir. 1988). Accordingly, it is hereby

**ORDERED AND ADJUDGED** that the magistrate judge's Report and Recommendation on Plaintiff's Unopposed Petition for Attorney's Fees (DE [31]) is **ADOPTED**. Plaintiff's Unopposed Petition for Attorney's Fees Pursuant to the Equal Access to Justice Act, 28 U.C.S.A. Section 2412(d) (DE [30]) is **GRANTED**. Plaintiff is awarded a total of **\$4,810.67 in fees**, to be paid to Plaintiff's counsel once the U.S. Department of the Treasury determines that Plaintiff owes no debt to the United States. The Clerk of Court is directed to **CLOSE** this case and **DENY AS MOOT** any pending motions.

**DONE AND ORDERED** in Chambers, Fort Lauderdale, Florida, this 13th day of July 2021.

  
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RAAG SINGHAL  
UNITED STATES DISTRICT JUDGE

Copies furnished to counsel of record via CM/ECF