

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 20-61485-SINGHAL/Valle

ROSELY ALTAGRACIA STOKES,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

THIS CAUSE is before the Court on the Plaintiff's Unopposed Motion for Attorney's Fees Pursuant to the Equal Access to Justice Act (DE [26]) and the Report and Recommendation on Plaintiff's Unopposed Motion for Attorney's Fees ("Report & Recommendation") (DE [29]). 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 [29]) have been filed, thus, the Court reviews the Report & Recommendation (DE [29]) for clear error. See Fed. R. Civ. P. 72. The Report & Recommendation (DE [29]) finds 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 [29]) is **ADOPTED**. Plaintiff's Unopposed Motion for Attorney's Fees Pursuant to the Equal Access to Justice Act (DE [26]) is **GRANTED**. Plaintiff is awarded a total of **\$8,415.09 in fees and \$400 in costs**, 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 16th day of July 2021.



RAAG SINGHAL
UNITED STATES DISTRICT JUDGE

Copies furnished to counsel of record via CM/ECF