

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-21419-CIV-UNGARO/DUBÉ

NAHAYLA MALDONADO
o/b/o ANGEL L. SIERRA,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

REPORT AND RECOMMENDATION

THIS CAUSE is before this Court on the Order of Reference entered by the Honorable Ursula Ungaro, United States District Judge, pertaining to Defendant's Response to Plaintiff's Motion for Fees. (D.E. #27). This Court reviewed the Motion for Leave to File Motion for Attorney's Fees under the Social Security Act 42 U.S.C. §406(b) filed by the Plaintiff (D.E. #23); and the Petition for Attorney's Fees Pursuant to 28 U.S.C. Section 2412(d) filed by the Plaintiff (D.E. #24), which indicate no objection by the Government to the relief sought, and on January 29, 2010, issued a Report and Recommendation that both motions be GRANTED. (D.E. #26).

On February 1, 2010, the Defendant filed a Response to the Plaintiff's Motion for Leave and Petition for Attorney's Fees reiterating what the Plaintiff had stated in his motions. Specifically that the Government does not oppose an EAJA award in the amount of \$3,244.68. Additionally, the Government does not oppose payment to be issued directly to counsel for the Plaintiff. (D.E. #27).

Accordingly, it is the recommendation of this Court that the previously issued Report and

Recommendation be AFFIRMED. (D.E. #26).

DONE AND ORDERED this 2 day of February, 2010.

A handwritten signature in black ink, appearing to read "Robert L. Dubé", written over a horizontal line.

ROBERT L. DUBÉ
UNITED STATES MAGISTRATE JUDGE