

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

STEVE ANDREWS,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 5:12-CV-275 (MTT)
)	
CAROLYN W. COLVIN, Commissioner of Social Security,)	
)	
Defendant.)	
)	

ORDER

Before the Court is the Plaintiff’s motion for attorney’s fees (Doc. 16) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), following the remand of his claim for Social Security benefits. The Act provides that a prevailing plaintiff may recover attorney’s fees incurred in a suit against the United States unless the position of the United States was “substantially justified or...special circumstances make an award unjust.” 28 U.S.C. § 2412(d)(1)(A). On September 5, 2013, the Court adopted the Magistrate Judge’s recommendation and reversed and remanded this action to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). (Doc. 14). A claimant who obtains a court order remanding his Social Security claim to the Commissioner for further proceedings is a prevailing party for purposes of the Equal Access to Justice Act. *Shalala v. Schaefer*, 509 U.S. 292, 300-01 (1993).

The Plaintiff, as the prevailing party, now requests attorney’s fees in the amount of \$5,933.84 for 32 hours of work. The Commissioner filed a response in which she does not object to the request for or amount of fees, and does not contend that her

position was “substantially justified.” (Doc. 17). Given that there is no objection to the amount of fees, number of hours requested, or hourly rate, and that the Court finds the request reasonable, the Plaintiff's motion for attorney's fees in the amount of \$5,933.84 is **GRANTED**.

SO ORDERED, this 10th day of January, 2014.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT