

**In the United States District Court
For the Southern District Of Georgia
Waycross Division**

CHARLENE SCRETCHEN,

Plaintiff,

v.

CAROLYN COLVIN,

Defendant.

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CIVIL ACTION NO.: 5:13-cv-19

ORDER

Presently before the Court is Plaintiff's Application for Award of Costs, Fees, and Expenses Under the Equal Access to Justice Act ("EAJA"). Dkt. No. 17. Defendant filed a Response. Dkt. No. 18. For the reasons which follow, Plaintiff's Motion is **GRANTED**.

Plaintiff filed this cause of action pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3) seeking review of the Commissioner of Social Security's determination that she was not entitled to a period of disability pursuant to the Social Security Act. Dkt. No. 1. Defendant filed a Consent Motion for Remand Under Sentence Six of 42 U.S.C. § 405(g), as "significant portions" of

the hearing before the Administrative Law Judge were "inaudible." Dkt. No. 11-1, p. 1. The Court granted this Consent Motion and administratively closed this case. Dkt. No. 13. Defendant then moved to re-open this case after remand to affirm the Commissioner's decision which was favorable to Plaintiff. Dkt. No. 14. The Court granted this Motion and reopened this cause of action for the limited purpose of entering a final judgment affirming the Commissioner's favorable determination. Dkt. No. 15. Judgment was then entered dismissing this cause of action. Dkt. No. 16.

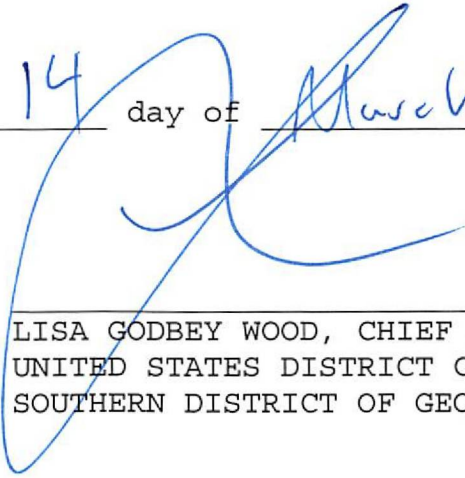
In the present Motion, Plaintiff's attorney requests an award in the amount of \$1,095.00 for compensation for 7.3 hours of work expended to handle this matter at an hourly rate of \$150.00. Dkt. No. 17, p. 2. Plaintiff's counsel submitted an affidavit to document her time spent in handling this case. Dkt. No. 17-2. In response, Defendant does not oppose Plaintiff's attorney's EAJA fee request, provided this is the only fee petition Plaintiff's attorney files. Dkt. No. 18, p. 1.

Upon review, Plaintiff's application for attorney's fees is **GRANTED**. It is hereby **ORDERED** that Plaintiff is awarded

attorney's fees in the amount of \$1,095.00. 42 U.S.C. §

406(b)(1)(A).¹

SO ORDERED, this 14 day of March, 2016.



LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ "Whenever a court renders a judgment favorable to a claimant under this subchapter who was represented before the court by an attorney, the court may determine and allow as part of its judgment a reasonable fee for such representation, not in excess of 25 percent of the total of the past-due benefits to which the claimant is entitled by reason of such judgment, and the Commissioner of Social Security may, notwithstanding the provisions of section 405(i) of this title, but subject to subsection (d) of this section, certify the amount of such fee for payment to such attorney out of, and not in addition to, the amount of such past-due benefits. In case of any such judgment, no other fee may be payable or certified for payment for such representation except as provided in this paragraph." 42 U.S.C. § 406(b)(1)(A).